

HEARINGS, MEETINGS, LICENSES
1-26-09



TOWN OF MIDDLEBOROUGH HEALTH DEPARTMENT

Jeanne Spalding, RS, CHO
Health Officer
Hours: 9am-5pm

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

MEMO

TO: Board of Selectmen

FROM: Jessica Gardner/ Animal Health Inspector

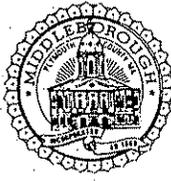
DATE: 1/22/09

RE: Stable Permits for 2009

*Jeffrey Nelson
22 Sadies Path*

- *Previous Animal Health Inspector (Bart Harrison) has spoken to Mr. Nelson in regards to obtaining a Stable Permit as required by MGL Ch 111 ss 31 & 155.*
- *Bart Harrison has hand delivered Stable Permit Application to Mr. Nelson personally with information on proper steps in obtaining a stable permit.*
- *Final reminder notice on 11/13/08 to inform Mr. Nelson of a possible Board of Selectmens Hearing if he fails to provide us with Stable Permit Application including necessary stable regulations such as a plot plan detailing the position of the barn and written manure plan.*
- *Please be advised because he has not submitted a New Stable Permit Application for 2008 - A Stable Permit Application for both 2008 and 2009 are due. Fifty dollar permit fee for a new stable permit for 2008 and sixty dollar fee for 2009 Stable Permit renewal (double fee if submitted after December 31, 2008)*

Incorporated 1669



CRANBERRY CAPITAL
OF THE WORLD



Town of Middleborough
Massachusetts

HEALTH DEPARTMENT
508-946-2408

20 CENTRE STREET
MIDDLEBOROUGH, MA 02346

November 13th, 2008

*Mr. Jeffrey J. Nelson
22 Sadies Path
Middleborough, MA 02346*

Re: Stable Permit

Dear Mr. Nelson

Please be advised that we have not received your stable permit application, written manure maintenance plan, or plot plan detailing position of barn and paddocks.

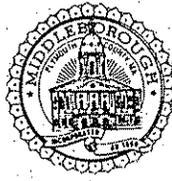
Please submit this information as soon as possible. Failure to do so will result in a hearing before the Board of Health.

Thank you for your cooperation.

*Very truly yours,
For the Board of Health*

Bart Harrison
Animal/Health Inspector

Incorporated 1669



CRANBERRY CAPITAL
OF THE WORLD



Town of Middleborough
Massachusetts

HEALTH DEPARTMENT
508-946-2408

20 CENTRE STREET
MIDDLEBOROUGH, MA 02346

December 22, 2008

This letter is being submitted to the Board of Selectmen in regards to Mr. Jeffrey Nelson and his refusal to obtain a Stable Permit as required by MGL Ch 111 ss 31 & 155.

The Animal Inspector has made Mr. Nelson aware of the necessity to gain a stable permit and the Inspector has hand delivered applications to Mr. Nelsons personally. The application requires a manure disposal plan, a plot plan detailing position of barn and paddocks. Mr. Nelson was sent a final reminder notice on November 13, 2008 to inform Mr. Nelson of a Selectmen's Hearing if he failed to obtain the necessary stable permit, but unfortunately no response has been arranged by Mr. Nelson.

Since there has been no response to the repeated contacts from the Animal Inspector, The Health Department is requesting a hearing to resolve the matter concerning Mr. Nelson's lack of compliance to the state laws regarding stabling horses.

Thank you for your cooperation.

Very truly yours,
For the Board of Health

Jessica E. Gardner
Animal/Health Inspector



TOWN OF MIDDLEBOROUGH HEALTH DEPARTMENT

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FX: 508-946-2321

MEMO

TO: Board of Selectmen

FROM: Jessica Gardner/ Animal Health Inspector

DATE: 1/22/09

RE: Stable Permits for 2009

*Eileen O'Connor
490 Plymouth Street*

- *Submitted New Stable Application in 2008, but has not submitted a renewal for 2009*
- *Letter sent January 7, 2009 as a reminder as well as an Order to Selectmen's Hearing*
- *Spoke to on the phone 1/13/2009 regarding renewing Stable Permit Application*
- *Gave another courtesy call and left message on 1/21/2009 in regards to Stable Permit for 2009 and how to avoid Board of Selectmens Hearing for 1/26/09*



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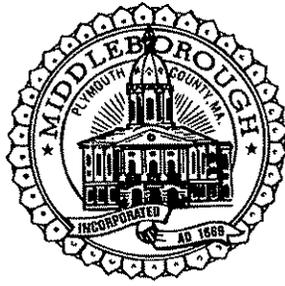
FROM: Jessica Gardner/ Animal Health Inspector

DATE: 1/22/09

RE: Stable Permits for 2009

*Michael & Dana Clark
240 Miller Street*

- *Has been submitting Stable Permit Application since 2005*
- *Letter sent 9/2/08 with a Stable Permit Application*
- *Courtesy call to remind all to renew stable permit on 11/20/2008*
- *Letter sent January 7, 2009 as a reminder as well as an Order to Board of Selectmen's Hearing for 1/26/09 at 7:05 P.M.*
- *Left Message on 1/21/09 as a courtesy call to avoid Board of Selectmens Hearing for 1/26/09*



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MEMO

TO: Board of Selectmen

FROM: Jessica Gardner/ Animal Health Inspector

DATE: 1/22/09

RE: Stable Permits for 2009

*Dorothy Larsen
398 Marion Road*

- *Letter sent 9/2/08 with a Stable Permit Application*
- *Courtesy call to remind all to renew stable permit on 11/20/2008*
- *Letter sent January 7, 2009 as a reminder as well as an Order to Board of Selectmen's Hearing for 1/26/09 at 7:05 P.M.*
- *Left Message on 1/21/09 as a courtesy call to avoid Board of Selectmens Hearing for 1/26/09*



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MEMO

TO: Board of Selectmen

FROM: Jessica Gardner/ Animal Health Inspector

DATE: 1/22/09

RE: Stable Permits for 2009

*Marcia & Charlie Simonds
30 Old Center Street*

- *Has been submitting Stable Permit Application since 2006*
- *Reminder letter sent 9/2/08 with a Stable Permit Application*
- *Courtesy call to remind all to renew stable permit on 11/20/2008*
- *Letter sent January 7, 2009 as a reminder as well as an Order to Board of Selectmen's Hearing for 1/26/09 at 7:05 P.M.*
- *Spoke to owner as a courtesy call to avoid Board of Selectmens Hearing for 1/21/2009*



TOWN OF MIDDLEBOROUGH HEALTH DEPARTMENT

Jeanne Spalding, RS, CHO
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Hours: 9am-5pm

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MEMO

TO: Board of Selectmen

FROM: Jessica Gardner/ Animal Health Inspector

DATE: 1/22/09

RE: Stable Permits for 2009

*Manuel Riberiro
142 Pine Street*

- *Has been submitting Stable Permit Application since 2001*
- *Reminder letter sent 9/2/08 with a Stable Permit Application*
- *Courtesy call to remind all to renew stable permit on 11/20/2008*
- *Letter sent January 7, 2009 as a reminder as well as an Order to Board of Selectmen's Hearing for 1/26/09 at 7:05 P.M.*
- *Spoke to owner as a courtesy call to avoid Board of Selectmens Hearing for 1/21/2009*



TOWN OF MIDDLEBOROUGH HEALTH DEPARTMENT

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Hours: 9am-5pm

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MEMO

TO: Board of Selectmen

FROM: Jessica Gardner/ Animal Health Inspector

DATE: 1/22/09

RE: Stable Permits for 2009

*Scott & Leeann Bradley
483 Plymouth Street*

- *Has been submitting Stable Permit Application since 2005*
- *Reminder letter sent 9/2/08 with a Stable Permit Application*
- *Courtesy call to remind all to renew stable permit on 11/20/2008*
- *Letter sent January 7, 2009 as a reminder as well as an Order to Board of Selectmen's Hearing for 1/26/09 at 7:05 P.M.*
- *Left message as a courtesy call to avoid Board of Selectmens Hearing for 1/21/2009*



TOWN OF MIDDLEBOROUGH HEALTH DEPARTMENT

Jeanne Spalding, RS, CHO
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Hours: 9am-5pm

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FX: 508-946-2321

MEMO

TO: Board of Selectmen

FROM: Jessica Gardner/ Animal Health Inspector

DATE: 1/22/09

RE: Stable Permits for 2009

*Scott & Larissa Hallgren
164 Plympton Street*

- *Has been submitting Stable Permit Application since 2001*
- *Reminder letter sent 9/2/08 with a Stable Permit Application*
- *Courtesy call to remind all to renew stable permit on 11/20/2008*
- *Letter sent January 7, 2009 as a reminder as well as an Order to Board of Selectmen's Hearing for 1/26/09 at 7:05 P.M.*
- *Left message as a courtesy call to avoid Board of Selectmens Hearing for 1/21/2009*



TOWN OF MIDDLEBOROUGH HEALTH DEPARTMENT

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Hours: 9am-5pm

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

MEMO

TO: Board of Selectmen

FROM: Jessica Gardner/ Animal Health Inspector

DATE: 1/22/09

RE: Stable Permits for 2009

*Jennifer Hartman
39 Village Squire*

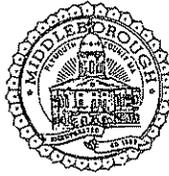
- *Has been submitting Stable Permit Application since 2000*
- *Reminder letter sent 9/2/08 with a Stable Permit Application*
- *Was ordered to a Board of Selectmen's Hearing in 2007 for failure to pay stable permit*
- *Courtesy call to remind all to renew stable permit on 11/20/2008*
- *Letter sent January 7, 2009 as a reminder as well as an Order to Board of Selectmen's Hearing for 1/26/09 at 7:05 P.M.*
- *Left message on 1/21/09 to pay stable permit to avoid Board of Selectmen Hearing for 1/26/09*
- *Spoke to Ms.Hartman 1/21/09 regarding no payment for 2009 Stable Permit and if she has no proof of payment she will still be ordered to Selectmen's Meeting for 1/26/09*

(Town Seal)

A hearing will be held in the Selectmen's Meeting Room at the Town Hall, 10 Nickerson Avenue, Middleborough, MA on Monday, January 5, 2009 at 7:05 PM, for the purpose of discussing an application filed Fuller Street Development LLC for an Earth Removal Permit for property located at Fuller Street, Middleborough, Assessors Map 24, Lot 5555. The reason for this request is for the construction of 11.0 acre cranberry bog and associated grading on 51.6 acres. Anyone desiring to be heard on this matter should appear at the time and place designated.

Adam M. Bond, Chairman
Patrick Rogers
Steven P. Spataro
Muriel Duphily
Marsha L. Brunelle
BOARD OF SELECTMEN

Publish: December 18, 2008



Town of Middleborough

CONSERVATION COMMISSION

MEMORANDUM

TO: Board of Selectmen
Ruth Geoffroy, Planning Director
Donald Boucher, DPW Superintendent

FROM: Patricia J. Cassady, Conservation Agent

RE: Earth Removal Application – Fuller Street (Map 24, Lot 5555), Field Engineering, Co.

DATE: December 29, 2008

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

This property was before the Middleborough Conservation Commission in 2005/2006 for the approval of a wetland delineation under an Abbreviated Notice of Resource Area Delineation. The applicant, AGS Development received an Order of Resource Area Delineation (ORAD) on September 7th, 2006 approving the wetland line. The Army Corps of Engineers approved the wetland line on April 20, 2006. The wetland line approved by the Conservation Commission is valid for 3 years and the Army Corps approval is valid for 5 years. Thus the ORAD is valid till September of 2009 and the Army Corps approval is Valid till April of 2011.

Although the work proposed is not within the 100-foot buffer zone to the wetland area erosion controls to prevent disturbance to the 100-foot buffer zone should be installed at the limit of disturbance. There is an erosion control detail on sheet 5 of 5 of the submitted plans, however the area this would be installed is not labeled on the other plan sheets. The erosion control area should be marked clearly on the plans.

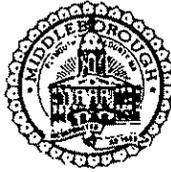
If during the process of excavation the applicant hits water and still has more excavating to do, how are they going to handle dewatering? Where will this excess water go? Especially if the reservoir constructed during phase I is full.

Currently the applicant is working with the Conservation Commission on a Conservation Restriction (CR) per the order of the State Division of Fisheries and Wildlife Natural Heritage and Endangered Species Program because there is a listed species mapped on the site. As of yet the Commission has not received a draft CR but are anticipating the draft to arrive soon.

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

Thank you

pjc



Town of Middleborough
Massachusetts

PLANNING DIRECTOR
Ruth McCawley Geoffroy

Planning Board

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

MEMORANDUM

To: Middleborough Board of Selectmen
From: Joyce Rowley, Staff Planner
Date: December 31, 2008
Re: Fuller Street Earth Removal permit

Planning Staff offers the following comments on the Fuller Street Earth Removal permit.

A. Plan Review:

1. The application is for the removal of one million cubic yards of material. It is recommended that the applicant provide a more detailed phasing plan for the project. The two-phase plan shown does not allow for any shutdowns for weather, including rain or snow storm events, or equipment failure. Construction plans based on phasing per year should be provided which includes the existing and proposed topographic contours, erosion and sediment control measures, and stormwater drainage facilities.
2. The application states that the majority of truck traffic, estimated at 50 trucks per day (100 trips per day) will access through the Bayside Agricultural property. A copy of the agreement should be provided.
3. If the applicant uses the access directly onto Fuller Street through the two Cornell properties (see map), then a grading plan for the driveway should be provided including how the material will be removed without affecting the adjacent properties. The plans should include cross-sections and side slopes every fifty feet.
4. According to the Earth Removal Project Plan submitted with the plans, the 50' wide buffer will be maintained to screen the visual and noise impacts during excavation near those properties. The buffer zone on the plans should be labeled "No Touch Buffer Zone" to ensure that the area is not deforested. Also, the buffer area that will be used for access to Fuller Street should be identified.
5. Overwinter stabilization and permanent restoration of completed areas should be shown on each phased plan. Phasing plans should include the type and materials to be planted, and the location of loam stockpiles to be used towards final restoration.

B. Geotechnicals/Groundwater/Water table

1. There was only one test pit submitted with the application. Additional test pit data and/or geotechnical data should be submitted to determine if blasting will be necessary for any part of the permit. If so, the permit should be modified to include mitigation to adjacent properties during blasting.
2. The test pit data provided indicates that water table is at elevation 33.0. However, the test pit was shown on the plans as being approximately forty feet from the Bayside Agricultural bogs. The water elevation in the bogs appeared to be at elevation 36.0. The additional test pits noted above should also determine groundwater/water table in the vicinity of the excavation.
3. Once groundwater elevation is established for the site, the applicant should determine if an analysis of the impact of earth removal on the adjacent wetlands and Raven Brook is necessary. The application states that annual drawdown will be 66-acre feet per year. However, the drawdown will occur during October through March. Release of bog water will occur at a time of high flow in the adjacent wetlands and Raven Brook.
4. Groundwater provides recharge to wetlands during drought conditions. Therefore, groundwater should be monitored at the edge of the wetlands during excavation to ensure that removal of the material does not adversely impact the extent of the wetlands.

Stormwater Drainage Plans

1. Since the existing topography will change substantially on the site, stormwater drainage analysis should be performed and plans should be provided to ensure that there is no flooding to adjacent properties or wetlands during the 2-, 10-, and 100-year storm events.
2. The application states that the reservoir will be used to mitigate stormwater during construction and a series of stormwater swales and berms will be constructed. Construction drawings should be submitted to show how this system of berms and swales will work to prevent impacts to the adjacent wetlands and Raven Brook.
3. The stormwater design should be prepared and certified by a licensed professional engineer.

Final Restoration

Final restoration plans should be provided that indicate the final slope stabilization, including slopes, planting materials, and drainage facilities.



Town of Middleborough

Department of Veterans' Services

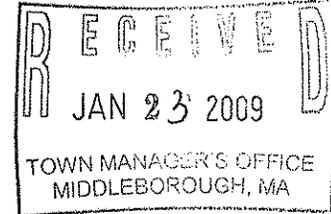
20 Centre Street, Third Floor
Middleborough, Massachusetts 02346-2252

Telephone
508-946-2407

Fax
508-946-2312

Paul J. Provencher
Veterans' Services Officer

MEMORANDUM



To: Middleborough Board of Selectmen

From: Paul J. Provencher 
Veterans' Services Officer

Subject: Presentation to the town of the Cranberry Country Vietnam Moving Wall
scrapbook

Date: January 16, 2009

Bob Burke, the Chairman of the Cranberry Country Vietnam Moving Wall committee, and members of that group would like about 5 or 10 minutes at your January 26th 2009 meeting to present to the town the professionally made scrapbook of Moving Wall event that took place in Middleborough this past spring.

Danielle Bowker will be in attendance at the meeting to accept the scrapbook from the BOS to have as a permanent display at the Middleborough Public Library.

Incorporated 1669
336 Years of Progress



CRANBERRY CAPITAL
OF THE WORLD



Town of Middleborough

Massachusetts

Town Manager

508-947-0928
FAX 508-946-2320

MEMORANDUM

To: All Department Heads

From: Charles J. Cristello, Town Manager 

Date: January 12, 2009

Subject: REVISED - Board of Selectmen Budget Review Schedule FY 2010

Enclosed please find a revised schedule of the Board of Selectmen Budget Review for FY 2010. As you know, all times are approximate. Please contact my assistant, Allison Ferreira, if you have a conflict.

<p><u>JANUARY 12, 2009</u> <u>General Government/Public Safety</u> 8:00 PM</p> <ul style="list-style-type: none">➤ Health Department<ul style="list-style-type: none">-Animal Control➤ Sealer of Weights and Measures➤ Building Department➤ Police Department➤ Fire Department	<p><u>JANUARY 26, 2009</u> <u>Human Services/Cultural/Recreation</u> 7:30 PM</p> <ul style="list-style-type: none">➤ Historic Commission➤ Council on Aging➤ Veterans' Services➤ Library➤ Park
<p><u>JANUARY 21, 2009</u> <u>General Government/DPW</u> 7:00 PM</p> <ul style="list-style-type: none">➤ Law Department➤ Highway Department<ul style="list-style-type: none">-DPW-Administration-DPW-Highway-DPW- Tree Warden-DPW- Insect & Pest Control-DPW- Rubbish Removal <p>7:30 PM</p> <ul style="list-style-type: none">➤ Water Enterprise System <p>8:00 PM</p> <ul style="list-style-type: none">➤ Wastewater Enterprise System➤ Selectmen➤ Town Manager<ul style="list-style-type: none">-Administrative Office Buildings	<p><u>FEBRUARY 2, 2009</u> <u>General Government</u> 8:15 PM</p> <ul style="list-style-type: none">➤ Information Technology➤ Treasurer/Collector<ul style="list-style-type: none">-Debt Service-Employee Fringe Benefits-Unclassified➤ Planning Board➤ Finance Committee➤ Town Accountant➤ Assessors <p>9:00 PM</p> <ul style="list-style-type: none">➤ Town Clerk<ul style="list-style-type: none">- Elections & Registration➤ Conservation Commission➤ Zoning Board