

**BOARD OF SELECTMEN
MEETING AGENDA**

**Fuller Meadow School
Nathan Media Room
143 South Main Street, Middleton, MA 01949
Tuesday, July 18, 2017
7:00 PM**

This meeting is being recorded

1. 7:00 PM Warrant
Minutes
Town Administrator
2. 7:05 PM Joint Meeting of Board of Selectmen and Planning Board - Joint meeting call to order; Conduct interviews with candidates and appoint two Alternate members to the Planning Board through June 30, 2018 (The appointing authority consists of the Board of Selectmen together with the five members of the Planning Board); Candidates: Nicholas Bonugli and Karin Turner
3. 7:15 PM Vote to reappoint Nicholas Yebba to the Zoning Board of Appeals for a term through June 30, 2019
4. 7:20 PM Vote to appoint Brian Kelley as a Police Patrol Officer for a term through June 30, 2019
5. 7:25 PM Vote to name new subdivision road off Old Essex Street; Recommended street name: Cashman Way
6. 7:30 PM Vote to accept an anonymous donation in the amount of \$800 to the Middleton Food Pantry
7. 7:35 PM Review calendar and set date for Fall Special Town Meeting
8. 7:45 PM Vote to appoint Mark Fialkowski as Alternate Wiring Inspector through June 30, 2018
9. 7:50 PM Vote to intend to lay out Norma Way and Kassiotis Lane as a public way and to refer the petitioner's request to the Planning Board for recommendation
10. 7:55 PM Vote to accept quitclaim deed for Lot 16 of Olde Boxford Estates being conveyed to the Conservation Commission for conservation and open space purposes
11. 8:00 PM Vote to adopt municipal website content policy
12. 8:05 PM Vote to appoint Alice Tierney as a member of the Council on Aging through June 30, 2020
13. 8:10 PM Vote to appoint Barbara Soghigian as an Alternate member of the Council on Aging through June 30, 2018
14. 8:15 PM Vote to appoint Gerry Gove as an Alternate member of the Council on Aging through June 30, 2018
15. 8:20 PM New Business: Reserved for topics that the Chair did not reasonably anticipate would be discussed
16. 8:25 PM Executive Session under Massachusetts General Laws Chapter 30A, Sections 21(a) 2, conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel; and 6, to consider the purchase, exchange, lease or value of real property

The Board reserves the right to consider items on the agenda out of order. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

**Board of Selectmen Meeting
May 23, 2017
7:00 p.m.
Fuller Meadow School
Nathan Media Room**



Call to Order – Chairman Timothy Houten called the meeting to order at 7:05 p.m. Also present were Mr. Todd Moreschi, Mr. Kosta Prentakis, Town Administrator Mr. Andrew Sheehan and Assistant Town Administrator Mr. Ryan Ferrara. Chairman Houten announced that the meeting is being recorded.

Warrant – The Payroll Warrant totaled \$630,557. The Payables Warrant totaled \$3,019,984 and included \$9,550 for public facilities evaluation/planning, \$18,882.00 for purchase of power, \$25,375 for school transportation costs and \$2,279,102M for the fourth quarter Masconomet Assessment.

Mr. Prentakis made a motion to approve the Warrants. Mr. Moreschi seconded the motion and all were in favor.

Minutes – **Mr. Prentakis made a motion to approve the Executive Session minutes of March 4, 2017. Mr. Moreschi seconded the motion and all were in favor.**

Town Administrator's Report

- **Annual Town Meeting** – Mr. Sheehan thanked residents, Board members, Committee members, staff and anyone else involved in the organization and set-up of the Annual Town Meeting and Annual Town Elections.
- **Ira Singer Media Center and Howe-Manning Wall of Heroes** - There was a ceremony earlier in the day dedicating the Howe-Manning Library as the Ira Singer Media Center and to re-dedicating the Howe-Manning Wall of Heroes in recognition of the Citizens of the Year, Businesses of the Year and Local Heroes.
- **Memorial Day Parade** – Mr. Sheehan issued a reminder that the Memorial Day Parade will take place on Monday, May 28, 2017 at 9:00 a.m. followed by a gathering afterward at the American Legion.
- **Fire Department** – Chief Martinuk was recently notified by FEMA of a \$15,634 grant to be used to purchase a turnout gear washer and dryer. The Chief has appointed two part-time fire fighters, Sean O'Brien and Frank Twiss.
- **Beacon Hill** – Mr. Sheehan stated that changes are still being made to the State budget and Senate Ways and Means have released their budget. Local aid continues to rise slightly.
- **Master Plan** – Ms. Katrina O'Leary has received another grant towards the Master Plan for \$25,000 from MAPC through the Planning for Metro Futures Technical Assistance Program. Currently, 58% of the total project has been funded to date.
- **Thunder Bridge Beach** – Ms. Kristin Kent, Conservation Agent, is working with DPW to contain the erosion caused by heavy storms and to improve water quality at the Thunder Bridge Beach.
- **Conservation Land** – Ms. Katrina O'Leary, Mr. Tom Skinner and Mr. Brad Swanson have developed an additional layer on the town's GIS to show town owned open space, conservation land, state owned land and chapter land. This information is available on the Town's website.
- **Server Problems** – There have been problems recently with the cable broadcast of various meetings. The server was hacked and has been sent back to the manufacturer for repair.
- **Recreation Commission** – The hires for the summer program are listed below:
Marissa Bradstreet, Nathan Bradstreet, Mark Buono, Nicholas Buono, Madison Dahlgren, Christina Filosi, Christopher Lawrence, Zac Mitsakis, Freddie Sordillo, Danielle Teixeira and Alessia Trodella

Public Hearing: Transfer of All-Alcohol Beverages Liquor License and Victualler License, currently held by Tara Thai Inc. d/b/a Siam 88, Owner Lattham Rabin, located at 242 South Main Street, Middleton, on the petition of Kai

Mook, Corp d/b/a Kai Mook – Chairman Houten announced that this item has been withdrawn. *Mr. Prentakis made a motion for No Action. Mr. Moreschi seconded the motion and all were in favor.*

Public Hearing: Continuation of April 11, 2017 public hearing, per Massachusetts General Law Chapter 140, Section 157, to investigate the complaints made regarding a dog domiciled at Two Belleview Avenue – Chairman Houten announced that there has been a request for a continuance on this item. *Mr. Prentakis made a motion for continuance to June 20, 2017. Mr. Moreschi seconded and all were in favor.*

Review of Fiscal Year 2017 third quarter General Fund financial highlights, presented by Chief Financial Officer/Town Accountant Sarah Wood - Ms. Wood addressed the Board and said that as of March 31, 2017, 71% of the General Fund Budget was expended and we are on track to be under-budget. The year-to-date expenditures are anticipated to be around 75% of the departmental benchmark. The majority of the departments are either at or below this benchmark. There are two Departments that are over the threshold, Veteran's Agent and Conservation Commission, due to the majority of the expenditures for these departments occurring within the first three quarters of the fiscal year. Departments that have lower than anticipated expenditures in comparison to their budget include the School department which has had less than expected special education expenses and The Planning Board due to the part-time clerk position being frozen. Categories that are lower than 75% of the budget revenues include meals excise tax, penalties and interest of taxes and other departmental revenues.

If the current trends continue, overall revenues will exceed budgeted expectations by approximately \$300,000 mainly due to the increase in fees last March. As requested by Mr. Cresta, the balance of the funds is now shown on the last page of the report.

Discussion and follow up from the May 9, 2017 Annual Town Meeting

- **Natsue Way Recreational Area** – Mr. Sheehan addressed the Board and said that that following the Annual town Meeting, the ballot vote holds for the full project with no hard and fast deadline to be re-visited, but there is a provision in the charter which prevents the Town bringing this back to a Town Meeting within the year. The next town meeting is scheduled 364 days from May 9, 2017 so this item cannot come back until after May 9, 2019 if sponsored by the town. This could change if it was sponsored by a citizen's petition. The scope of the project was also discussed at Town meeting and whether there is interest in having this project split. Town Counsel said if this project scope was altered, this would nullify the exclusion vote.

Ms. Mindy Wogan addressed the Board and said she was speaking as an individual and not as a member of the Master Plan Committee and said that there was huge support for this project from residents. Ms. Wogan said that there will be a citizen's petition which will be brought to the Board hoping for a Special Town Meeting in the fall.

- **Disposition of property on Locust Street – how to proceed with Locust Street vote.** Mr. Sheehan said that the vote was fairly close with some benefit to some deliberative process with that piece of land. Some additional information has been received regarding on-site wetlands which we are trying to get clarity on. Mr. Sheehan will put together options involving forming a committee to look at potential uses for the property including disposal and best ways to proceed going forward and will bring them to the next meeting.
- **Charter amendments** – Mr. Sheehan said that Ms. Ilene Twiss, Town Clerk has given him the certificate of vote which will be submitted before the end of the week to Representatives Jones and Speliotis to enable them to file that legislation.
- **By-laws and statutory adoptions** – Mr. Sheehan said that Ms. Twiss is working on getting paperwork ready to be submitted to the Attorney General and Secretary of State's Office.

Discussion of June, July and August Board of Selectmen's meeting schedule – Following a discussion, the Board members agreed with the following schedule: June 6, June 20, July 18, August 1 (tentative), August 15, August 29 (tentative), September 12 and September 26.

Review and vote to approve Middleton Police Department Policy and Procedure Manual.

Note: Police department policies and procedures are considered exempt under the Massachusetts public records law and are thereby not considered public records – Mr. Sheehan said that Chief DiGianvittorio has the support of the Union on the Middleton Police Department Policy and Procedural Manual.

Mr. Prentakis made motion to approve the Middleton Police Department Policy and Procedure Manual. Mr. Moreschi seconded the motion and all were in favor

Vote to amend traffic regulations under Middleton Code, Chapter 392-32B, Obedience to Isolated Stop Signs:

- 1) Name of street: Edgewood Road; Direction of Travel: northwest; at intersection of: Fuller Road
- 2) Name of street: Edgewood Road; Direction of Travel: northwest; at intersection of: Meadow Drive
- 3) Name of street: Overbrook road; Direction of Travel: southeast; at intersection of: Meadow Drive

Mr. Prentakis made a motion to approve the amended traffic regulations under Middleton Code, Chapter 392-328, Obedience to Isolated Stop Signs as above. Mr. Moreschi seconded the motion and all were in favor.

Vote to appoint Mr. Robert G. Wahl of 10 Dansereau Place to the Memorial Day Committee – Mr. Wahl addressed the Board and said he was asked to join the Town of Middleton Memorial Day Committee by Chairperson Ted Butler, Middleton Veteran's Service Officer and Chair of the Memorial Day Committee.

Mr. Prentakis made a motion to approve Mr. Wahl to the Memorial Day committee for a term to expire June 30, 2019. Mr. Moreschi seconded the motion and all were in favor.

New Business: Reserved for topics that the Chair did not reasonably anticipate would be discussed –

Mr. Prentakis said that a meeting was held on Monday, May 22, 2017 between the three Elementary Schools Committees of the Tri-Town and the Masconomet School Committee to consider options proposed by the School Start Time Advisory Committee. The option to be moved forward is option Y which will have the elementary school start 8:00 a.m. and Masconomet School start at 8:30 a.m. All the School Committees need to be in agreement to pass option Y. Information is available on the School Committee websites and they welcome any questions or comments.

Executive Session under Massachusetts General Laws Chapter 30A, Sections 21(a) 3, to discuss strategy with respect to collective bargaining or litigation with respect to firefighters and/or police officers if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body; and 6, to consider the purchase, exchange, lease or value of real property with respect to land off Locust Street and other locations.

Mr. Moreschi made a motion to appoint Mr. Prentakis as Clerk pro tem. Chairman Houten seconded the motion and all were in favor.

The meeting was adjourned at 7:50 p.m.

Respectfully Submitted,

Julie Roscoe

Julie Roscoe, Recording Secretary

Rick Kassiotis, Clerk

Ryan Ferrara

From: Scott Fitzpatrick
Sent: Thursday, June 29, 2017 4:40 PM
To: Andrew Sheehan; Ryan Ferrara
Subject: 17 Old Essex Sub Division

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Andy / Ryan,

I have completed the numbering for the subdivision at 17 Old Essex St. now I need a street name. Does the board of selectmen determine naming of private ways? If yes what is the application process?

Scott

Sent from my iPhone



Town of Middleton
Memorial Hall
48 South Main Street
Middleton, Massachusetts
01949-2253
978-774-3589
www.townofmiddleton.org

Town of Middleton
Public Streets, Parks, Buildings and other Public Facilities
Naming Policy

The following was unanimously adopted on August 12, 2008 by the Middleton Board of Selectmen.

The Board of Selectmen adopts the following guidelines for determining the naming of new or existing unnamed public places such as streets, buildings, parks, structures, etc.

There are two general criteria the Board uses to name a public facility, street or park;

- A. To honor the contribution of a person's or town official's time and effort in behalf of the community.
- B. To thank and recognize a financial donor.

HONORING CONTRIBUTIONS OF TIME AND EFFORT

- 1. Length of service: Individuals are eligible to be honored for their contribution to the Town over a 20 year period. Time contributed to town government, youth sports, or social services are eligible.
- 2. Significant contribution: Individuals who make a significant contribution to the community, state or country as determined by the Board of Selectmen will be eligible.

HONORING FINANCIAL CONTRIBUTION

Individuals who donate a significant financial contribution or full funding of a town project may be given the option of having a name of their choosing associated with the project to which they contribute.

The Board of Selectmen shall maintain a list of individuals that meet the requirements of honoring contributions of time and effort. From this list the Selectmen will annually create a priority naming list of up to 10 names to be used as needed over the coming year. In selecting the name for public places, consideration should be given to the connection between the person being honored and the type or location of the public place.

The Board of Selectmen shall make available prior to the completion of a public project a naming opportunity list for the project with suggested donations.

Revisions Approved: _____.

Veterans of Wars
from Middleton

Indian War

Averill, John	Wilkins, Aquilla
Barker, John	Wilkins, Asaph
Berry, Samuel	Wilkins, Bray
Bradford, Robert	Wilkins, Daniel
Burton, John	Wilkins, Israel
Carrell, Samuel	Wilkins, Israel, Jr.
Dunham, Elijah	Wilkins, Phineas
Emery, John	Wilkins, Stephen
Flint, Timothy	Woodbury, Josiah
Frye, James, Jr.	Wright, Joshua
Fuller, Andrew	Young, Stephen
Fuller, Archelaus	
Fuller, Joseph	
Gilbert, Joseph	
Gould, Amos	
Hobbs, Humphrey	
Hobbs, Joseph	
Holt, Job	
Holt, Joshua	
Hutchinson, William	
Kenney, Archelaus	
Martin, Matthew	
McIntire, Timothy	
Nichols, Samuel	
Nichols, Samuel, Jr.	
Peabody, Bimsley	
Peabody, Isaac	
Peabody, Stephen	
Peabody, William	
Peabody, Zerubbabel	
Pritchard, Eli	
Ross, Walter	
Skidmore, Richard	
Smith, Aaron	
Spence, John	
Stiles, Aaron	
Stiles, Abner	
Stiles, Joseph	
Stiles, Phineas	
Symonds, Joseph	
Thomas, Jethro	
Town, Solomon	
Treadwell, Samuel	
Upton, Elisha	

Veterans of Wars from Middleton

Revolutionary War

Adams, Thomas	Lancaster, Nathaniel	Wilkins, Aquilla
Averill, Bister	Martin, Samuel	Wilkins, Benjamin
Bailey, Benjamin	Marvel, Francis	Wilkins, David
Bartlett, Mark	Mauir, John	Wilkins, Elijah
Batcheller, Archelaus	McIntire, Jacob	Wilkins, Enos
Bixby, David	Middleton, Samuel, Jr.	Wilkins, Hezekiah
Brown, John	Morton, Nathaniel	Wilkins, John
Burge, Thomas	Moyler, John	Wilkins, Jonah
Case, Asa	Nichols, Joseph	Wilkins, Jonathan, II
Ballard, Chandler	Oakes, John	Wilkins, Nehemiah
Chaseman, Thomas	Oakes, Thomas	Wilkins, Phineas
Coburn, Daniel	Osgood, Primus	Wilkins, Reuben
Coburn, Nathaniel	Peabody, Amos	Wilkins, Richard
Connelly, John	Peabody, Andrew	Wilkins, Stephen
Coughlin, Timothy	Peabody, Benjamin	Wilkins, Thomas
Curtis, Dudley	Peabody, Bimsley	Wilkins, Uriah
Curtis, Israel	Peabody, Daniel	Wilkins, William
Curtis, Stephen	Peabody, Jonathan,	Wilson, William
Dickson, Benjamin	Peabody, Samuel	Wright, David
Dix, Joseph	Peabody, Stephen,	Wright, John
Downing, Daniel	Perrins, Eliphalet	Wright, Jonathan
Dreggs, Israel	Perry, Samuel	
Dudley, Daniel	Plumb, Samuel	
Dwinell, Jonathan	Primus	
Emanuel, Primus	Putnam, Ezra	
Felton, Robert	Richardson, Andrew	
Flint, John	Richardson, John	
Fuller, Archelaus	Richardson, Jonathan	
Fuller, David	Scipio	
Fuller, John	Smith, Andrew	
Fuller, Nehemiah	Smith, Ebenezer	
Gage, Abraham,	Smith, Elias	
Gage, Robert	Stone, Robert	
Gardner, Benjamin	Stone, William	
Gilbert, Giles	Southey, Uzziel	
Gustin, Ebenezer	Thomas, Israel	
Gustin, Ezra	Thomas, Richard	
Herrick, John	Upton, Elisha	
Holt, William	Upton, Johnua	
Hubbard, Peter	Waldo, Benjamin	
Jacques, Daniel	Wall, James	
Johnson, Ebenezer	Warnell, John	
Kenney, Archelaus	Watt, James	
Knight, Joseph	Wilbur, Stephen	
Lancaster, Jacob	Wilkins, Abner	

Veterans of Wars from Middleton

Civil War

Atwood, Morrison
Awood, Levi Frank
Bennett, Eldon
Berry, Hiram
Blanchard, Daniel B.
Blodgett, William E.
Brooks, Asa W.
Brown, Sylvester
Campbell, Samuel G.
Case, Daniel W.
Chute, Gilbert E.
Coffin, Enoch
Comey, William E.
Cram, Oscar
Crane, Clarence P.
Crane, Francis D.
Danforth, George A.
Daniels, Walter Scott
Davis, William
Donovan, Patrick
English, Henry F.
Esty, Ephraim Fuller
Esty, George Gilman
Esty, Lemuel Forrester
Esty, Solomon Wilkins
Fairfield, Charles W.
Fairfield, Moses
Fairfield, Stephen Henry
Fairfield, Wendell Lloyd
Flint, Justin
Fuller Ephraim
Goodwin, Loren
Gould, Benjamin F.
Gould, Charles M.
Gould, Eben Saunders
Green, George A.
Green, Richard H.
Green, William H.
Guilford, Charles H.
Guilford, Jacob. O.
Guilford, John C.
Guilford, Levi S.
Hatch, Cyrus K.
Hayes, Michael
Higgins, Abisha Albert

Higgins, Benjamin Wilkins
Hunt, Luther F.
Hutchinson, Arthur
Hutchinson, Ezra Almon
Hutchinson, George Henry
Jacobs, Horace C.
Johnson, Alfred Fuller
Johnson, William Henry
Keeling, George F.
Kelly, William
Leavitt, Jerome
Long, Henry, A.
Manning, Charles
McKenney, John J.
McGlauffin, Charles
McGlauffin, Hiram L.
Murray, Alexander
Murray, George
Nickerson, Ansel
Parker, Francis F.
Peabody, Benjamin Wilkins
Peabody, Benjamin Wilkins, II
Peabody, Charles P.
Peabody, David B.
Peabody, George Webster
Peabody, Henry, II
Peabody, Isaish Brooks
Peabody, Isaish B., II
Peabody, Jeremiah
Peabody, Joel
Peabody, John Wallace
Peabody, John Wilkins
Peabody, Lyman Everett
Peabody, W. Warner
Ray, William H.
Rennard, George W.
Richardson, Joseph Merrill
Richardson, Julius Hermon
Richardson, Kendall Flint
Richardson, Samuel Peters
Richardson, Solomon
Richardson, Willis Gilman
Riley, Nathaniel A.
Russell, Franklin
Russell, Henry W.

Sanborn, A. Russell
Shackley, William
Sheldon, Alonzo H.
Sheldon, Benjamin Stevens
Sheldon, Reuben E.
Shepard, Augustus
Stewart, John J.
Stiles, E. Alden
Symonds, Charles A.
Symonds, Benjamin R.
Vaney, Russell T.
Walters, Theodore
Wells, Dennis
Wentworth, Samuel G.
White, Fred
White, Henry Franklin
White, William
Wildes, William H.
Wilkins, Edward Wilburforce
Wilkins, Samuel Otis
Wilkins, Scott
Wilkins, Waldo Leavitt
Williams, Thomas
Young, John Henry

**Veterans of Wars
from Middleton**

Spanish - American War

Earley, Willoughby P.
Floyd, Charles Franklin
Kitchen, Ira
Lee, James
Martin, James H.
Richardson, William W.
Van Iderstein, Harry

World War I

Barnaby, John E.
Berry, E.W.
Burt, A. B.
Campbell, Elmer O.
Cronan, Mark D.
Cronan, T. P.
Currier, Otto Theodore
Curtis, Charles Gordon
Davenport, Frank B.
Douglas, C. E.
Filmer, A. W.
Godfrey, Raymond Judkins
Hatch, E. E.
Hood, W. E.
Johnson, F. E.
Jones, Earl F.
Jones, Henry A.
Kitchen, Alfred Henry
Leach, R. W.
Leary, Edmund V.
Merrill Frederick A.
Merrill, G.E.
Merritt, Matthew P.
Mulkern, T.
Murphy R. T.
O'Leary, H. J.
Ounkelour, G.
Peabody, Jesse L.
Perkins, F. S.
Powers, A. M.
Rennard, G. G.
Rice, H. W.
Rice, T. G.
Rogers, C. M.
Rogers, Lewis Edward
Rowell, E. M.
Russell, E. T.
Steele, H. W.
Wedgewood, Roswell G.
Wilkins, Myron Otis
Young, William H.
Young, William M.

Veterans of Wars from Middleton

World War II

Anderson, Ernest C.		Dolan, Thomas		Leary, Edward Hartman	
Arling, Alfred H.		Donaldson, John P.		LeBeau, Ernest F.	**
Arling, Alfred R.		Donovan, Daniel J.		Lee, Gardner C.	
Baker, Clarence		Donovan, James F.		Lindley, Anson T.	
Ballard, Gerald A.		Donovan, John E.		MacKinnon, John Joseph	
Barbrick, Robert E.		Donovan, Joseph A.	**	MacLean, Chester R.	
Barrowclough, Henry H., Jr.		Dow, James F.		MacLean, James D.	
Barthelemy, Lawrence K. Jr.		Doyle, Barbara Frances		MacLean, John S.	
Barthelemy, Walter C.		Duclow, Robert E.		MacLean, Leroy J.	
Blais, Antonio		Dudley, John F.		Magee, Arthur A.	
Blais, Leopond S.		Dukeshire, Richard W.		Martin, Albert A.	
Boodro, Edwin T.		Earl, Sefton B.		Martin, James Knott	**
Brackett, Charles T.		Eddington, Walter F.	**	Martin, William Thomas	
Bradbury, Montelle		English, Lansing		Maxwell, Raymond R.	
Brown, Elmer C.		Esty, Willis W., Jr.	**	Mayne, James L.	
Burke, Richard C.		Evans, Arthur M.	**	Mayne, Warren	
Burke, Robert W.	**	Evans, Clement Wells		Mckenney, Raymond Edwin	
Byko, Henry		Flynn, William F.		McSheehy, Jean K.	
Byko, Peter		Foss, Donald Buffum		Meagher, Donald	**
Byko, Stephen		Frazier, Arthur H.		Meagher, Mary E.	
Campbell, Charles I.	**	Fuller, Robert Perkin	**	Michalski, Henry	
Campbell, Elmer Oliver, Jr.		Galeucia, Elliott B.		Milberg, John W.	
Campbell, Leonard A.		Galeuica, Gardner	**	Mitchell, Harold C.	
Clapp, William M.		Gifford, Parker Endicott		Moreland, Alden F.	
Clark, Raymond		Goodale, James G.		Morrison, Grant Byron	
Clarke, Everett A.		Goodale, Paul W.		Morse, Warren F.	
Clay, Benjamin W., Jr.		Greeke, Robert D.		Morton, Richard E.	
Clinch, Chester E.		Hall-King, Stanley		Murphy, Harold	
Coffin, Edward E.		Harding, Warren H.		Muzichuk, John	
Colburn, Frank		Hare, Francis L.		Nash, Harland S.	
Colby, Raymond Norman		Hilton, Kenneth W.		Ogden, Benjamin Franklin	**
Cook, Chester E.		Hocter, Edward F.	**	Ogden, Theodore Roosevelt	
Cousins, Thomas F.		Hocter, John J., Jr.		Page, Arthur T., Jr.	
Cressey, Richard		Hocter, William J.		Page, Warren Ellis	
Currier, Charles Otto		Hood, Richard E.		Parchley, Ralph I.	
Currier, David H.	**	Horne, James L.		Parker, Clayton S.	
Currier, Donald Russell		Hynes, Thomas F.		Peachey, George A.	
Currier, Elmer George		Jenkins, Rupert W.		Peaslee, Ralph L.	**
Currier, Harod Elmer		Judge, Eldon F.		Peaslee, Richard N.	
Currier, Madeline Ann		Katz, George L.		Pelletier, Eugene J., Jr.	
Currier, Raymond H.		Kitchin, Alfred H., Jr.		Phaneuf, Alfred D.	**
Curtis, Charles G., Jr.	**	Klosowski, Stanley V	**	Phaneuf, Charles Henry	
Curtis, Grace E.		Kokoska, Anthony J.		Picariello, Francis E.	
Dane, Rudolph A.		LaBonte, Richard J.		Picariello, Joseph	
Dearborn, William E.	**	Larson, Margaret J.		Pickard, Joseph E.	

**Veterans of Wars
from Middleton**

World War II (cont)

Pickering, Henry B.
Pickering, John, Jr.
Pickering, Timothy
Porter, John W.
Poulsen, Marguerite A.
Poulsen, Marjorie C.
Richards, Albert E.
Richards, Alfred E.
Richardson, Albert H.
Richardson, Francis A.
Richardson, Warren D.
Rizya, John C.
Roberts, Donald W.
Roberts, Elwood, N
Roode, Richard L.
Roode, Robert E.
Roode, Russell Dudley **
Ross, John H.
Rubchinuk, Fred
Russell, Perry Wellington
Ryan, Richard G.
Ryer, Lewis Osborn, Jr. **
Ryer, Thomas Henry
Saulnier, Alford L.
Saulnier, Joseph P.
Sawyer, Robert J. **
Sheldon, David Albert
Sheldon, Oscar Harmon
Sillars, Robert M.
Stennick, Robert L.
Stennick, Thomas L.
Stewart, Arthur L.
Swindell, Wildred J.
Thomas, Elmer W.
Thomas, Robert F.
Trembley, Edward J.

Veiera, Francis P.
Veinotte, Douglas B
Veinotte, Francis A.
Waterman, Donald R.
Webber, James Philip
Welch, Normand D.
Welch, Shirley I.
Wennerberg, Alvar **
Wennerberg, Ebbe B.
Wennerberg, Everett F.
Wennerberg, Nils A.
Wennerberg, Ralph I.
Williams, Anita C.
Witham, Wilbur A.
Wood, Harland C.

**Veterans of Wars
from Middleton**

Korean Conflict

Adams, Nancy A.	LeColst, Raymond Michael
Amor, Alfred, Jr.	Mendalka, John Walter
Amor, Jane E.	Mugford, William Robert Jr.
Amor, Jean E.	Murray, John
Arling, Charles	Nash, Barbare G.
Ayoob, George M.	Nash, Richard S.
Barthelemy, Charles	Ogden, Robert
Barthelemy, Donald	Osgood, Donald R.
Bouchard, Henry Albert **	Osgood, Paul R.
Bouchard, Paul Leo	Peachey, Earl R.
Breau, William I.	Peters, Edward, J.
Chase, Raymond	Peters, Paul J.
Clinton, James W.	Phillips, Kenneth N.
Comstock, James J., Jr.	Porter, Donald E.
Cryan, John M.	Porter, Hugh Leslie
Currier, Glenn	Rowell, Herbert Edward
Currier, James Herbert	Sanborn, Richard W.
Currier, Robert Loring	Sanborn, Thomas C.
Dane, Donald J.	Sanborn, William H.
Dane, Raymond F..	Saulnier, Robert James
Daniels, Richard H.	Sawyer, Clayton Lewis, Jr.
Decosta, Francis R.	Sedlak, Joseph Peter
Donovan, Lawrence	Sedler, Daniel
Flynn, Louis P.	Stahler, Kenneth M.
Gage, Edward Loring	Stewart, James W.
Gage, Lester Frank	Surette, John D.
Getchell, Emerson, Jr.	Theriault, Bernard R.
Goodale, Gordon Ernest	Townsend, William Rowley
Gould, Eugene J.	Tuttle, Robert A.
Gould, Leo	Verry, Edgar E.
Greeke, Wilfred C.	Walsh, John L.
Harris, Alfred E.	Wheatley, Robert L.
Harris, Donald S.	Wilsoc, Frederick E.
Hurd, Robert	Wilcox, George Philip
Jones, Earl F., Jr.	Wood, John A., Jr.
Kelley, Rhetta Louise	Wright, Anita W.
Kilroy, Arthur W.	
Kimball, George Clement	
Kitchen, Alfred J., Jr.	
Juell, James M., Jr.	
Leary, Edward A. **	

Veterans of Wars from Middleton

Vietnam Conflict

Amero, Daniel P.	Emro, Guy V, III	Masi, Sandra J.
Arling, Charles	Emro, Wayne R.	McCarthy, George R.
Armitage, Philip	Farley, David M.	McLeod, Donald H., Jr.
Ayoob, George A.	Farley, Michael E.	McLeod, James H.
Bagdasarian, Richard M.	Farrell, Norma	Miceli, Joseph M.
Barrows, Royal L. B., III	Farrell, Richard M.	Michalski, Henry, Jr.
Barthelemy, Donald	Faucher, David E.	Murray, John
Bastable, James P., Jr.	Flachbart, Robert T.	Muzichuk, John, Jr.
Belanger, Ray C.	Fox, Jeffrey E. **	Nelson, John
Black, John Robert	Fox, Lawrence D.	Northway, David W.
Black, Thomas C.	Fox, Robert W.	Nuzzi, Peter F.
Boardman, Edward P.	Fuller, Robert P., Jr.	O'Dell, Paul, Jr.
Boghosian, Herant	Gage, Ronald N.	O'Dell, Peter E.
Bouchard, Armand R., Jr.	Galeucia, Russell G.	Page, Carl A.
Bouchard, Richard R.	Gallant, Roger J.	Paulanthony, Joseph J.
Bowers, John S.	Gentuso, John M.	Pearson, James F.
Braley, William W.	Godin, Orrin E.	Peckham, Leslie A.
Bramm, Robert G., Jr.	Goodale, Gordon E.	Pellicelli, John A.
Britner, Kenneth A.	Goodale, Richard G., Jr.	Pennock, John O.
Burgess, Richard T.	Gould, Eugene J.	Peters, Paul J.
Cabral, John **	Gowen, Richard A.	Phillips, Kenneth N.
Cameron, Edward A., Jr.	Gregory, Robert L.	Pinkham, Thomas D.
Campbell, Dana B. **	Griggs, W. Bradford, II	Pinkstaff, William L.
Cashman, Robert G.	Hersey, Bruce E.	Pope, Warren F., Jr.
Cashman, Stephen L.	Hocter, Kenneth W.	Purdy, Harold F., Jr.
Cassidy, Richard M.	Jewett, Richard K.	Quinn, Richard E.
Clark, Roland E., II	Jones, Alfred J.	Raza, Philip F., Jr.
Clarke, Andrew E.	Jones, Lawrence W.	Rines, Warren G.
Clinton, James W.	Jones, William M.	Robicheau, James H.
Colburn, Francis W.	Karayianes, Frank N.	Rooney, Richard A.
Colburn, Paul F.	Kelley, James W.	Rowell, Elliott B., Jr.
Colby, Robert Louis	Kilroy, Michael R.	Rubchinuk, Leon C.
Couture, Edward Marc	Kitchen, Alfred H., Jr.	Rubchinuk, Robert F.
Crocco, Daniel E.	Knight, Jeffrey T.	Rundlett, Wilbur C., III
Dane, Raymond F.	Knight, John C.	Sabino, David M.
Daniels, Frederick P.	Kuell, James M., Jr.	Saulnier, James Robert
Daniels, Richard H.	Langis, William J.	Sherman, Earl C.
Davis, Wayne	Larole, Maryann	Sherwood, Marcia
DeBerardinis, Alfred, Jr.	Leary, Robert D.	Shute, Benjamin B.
DeBerardinis, Santino A.	LeBlanc, Arthur D.	Sliney, Michael G.
Decosta, Francis R.	Lee, Joseph T., Jr.	Solheim, Lauritz K.
DeRosier, Francis T., Jr. **	Lennox, Daniel R.	Stackhouse, Richard J.
Doyle, Michael L.	Lindquist, Paul B.	Stevens, Barry T.
Doyle, Patrick L.	Lizotte, Patrick A.	Stone, James
Emerson, Robert D.	Marshall, Richard A., Jr.	Sutherland, Mark S.

**Veterans of Wars
from Middleton**

Vietnam Conflict (cont)

Theriault, Bernard R.
Thurston, William H.
Vadnais, James T.
Waitt, Paul C.
Wennerberg, Lennart N.
Wennerberg, Richard A.
Wentworth, James W., II
Wheelock, Anthony C.
Wilcox, Frederick E., Jr.
Willey, Arthur E.
Willey, David K.
Witham, Wilbur A. Jr.
Woodbury, Paul F Jr.
Wright, Anita W.

Persian Gulf War

Emmert, Christopher
Fales, Keith
Leary, David T., Jr.
Lind, Paul
Novella, Keith
Novella, Kevin
Porter, Norma C.
Puleo, Joseph
Sickmiller, Debora
Stevens, Robert

**** Streets, Parks in Public
Places and Family Names
used for naming as of 2012**

Jones, Earl F Jr. **
did not enter service in Middleton

6

6.27 - 2017

Pay to the Order of: Town of Middletown \$ 800.00

Robert Howard Dollars

Peoples United Bank
peoples.com

Middletown Food Bank

**Town of Middleton
Timeline for
November 7, 2017 Special Town Meeting
[All dates tentative]**

Tuesday, August 15, 2017	Board of Selectmen votes to open the warrant
Monday, September 4, 2017	Labor Day holiday
Tuesday, September 12, 2017	Non-petition warrant articles due to BOS
Wednesday, Sept. 20, 2017	Rosh Hashanah (begins at sundown)
Tuesday, September 26, 2017	Petition articles and zoning amendments due BOS votes to close warrant
Friday, September 29, 2017	Yom Kippur (begins at sundown)
Friday, October 6, 2017	Deadline to submit exhibits, maps, recommendations to TA's Office for inclusion in warrant book
Monday, October 9, 2017	Columbus Day holiday
Tuesday, October 17, 2017	Motions meeting with TA, ATA, CFO, Moderator, Town Clerk
Friday, October 13, 2017	Warrant book to printer
Monday, October 23, 2017	Deadline for Constable to post warrant
Friday, October 27, 2017	Last day to register to vote for the Special Town Meeting. Until 8:00PM Warrant book to USPS for mailing to households
Thursday, November 2, 2017	Pre-Town Meeting at Flint Public Library
Tuesday, November 7, 2017	Annual Town Meeting at Howe Manning School gym

All dates tentative

Regular Board of Selectmen meetings:

August 15, 2017

September 12 & 26, 2017

October 10 & 24, 2017

Unless otherwise noted, public meetings take place at the Nathan Media Room at Fuller Meadow School

Andrew Sheehan

From: Bruce Haskell <bhaskell@langdonenv.com>
Sent: Thursday, July 06, 2017 11:30 AM
To: Andrew Sheehan; Ryan Ferrara
Subject: Schedule for Natsue Way Project – Anticipating Fall Town Meeting

Follow Up Flag: Follow up
Flag Status: Completed

Andy and Ryan - as we discussed at our meeting a few weeks ago, we have prepared a proposed schedule to finish all the steps and be ready for a fall special town meeting in late October or early November. The overall goal of this schedule is to obtain all the required permits prior to the town meeting and to again have a bid for the work that could be awarded assuming the town meeting vote is successful.

The following is an outline of the requirements and a suggested schedule - budgets for tasks not included in Langdon's current agreement are in parentheses as appropriate. As you can see, we would need to get started in the next couple of weeks to meet the overall goal of having the permits ready to go and approvals in place before a fall town meeting.

1. Earth Removal Special Permit – ZBA – (Langdon estimate \$2,000)
Prepare modified Special Permit and submit to ZBA – Submit on or around August 1st
Prepare for August 24th meeting (4th Thursday of the month)
Assume two hearings (August 24th and September 28th) – allows for any conditions to be incorporated into bidding documents (if required)
2. Notice of Intent – Conservation Commission (Already included in Langdon Agreement)
Submit final documents (draft already prepared) – July 27th
Attend Conservation Commission hearing – August 15th (schedule on-line)
Assume two hearings – hearings close on September 5th
Incorporate Order of Conditions as addenda in bidding documents.
3. Post-Closure Use Permit – MassDEP (Permit included in Langdon Agreement – soil sampling not)
Collect samples of soil stockpile south of capped landfill – July 2017 (estimate \$3,000)
Submit Post-Closure Use Permit Application (draft already prepared) – August 1, 2017
Receive MassDEP approval of Permit – October 1, 2017 (no conditions effecting design anticipated)
4. Public Construction Bidding (same budget as last time - \$12,000 including adding improvements such as landscaping along northern property line to plans)
Plans Ready for Public Bidding – Week of September 11th (earlier if possible)
Open Bids – Week of October 16th
5. Special Town Meeting – Late October or early November 2017.

Please let me know if you want to move forward or if anything here seems unrealistic.

Thanks and hope you had a good July fourth.

Bruce W. Haskell, P.E.
Principal, Langdon Environmental LLC
Two Summer Street, Suite 300



TOWN OF MIDDLETON

Building Department/Inspectional Services

195 NORTH MAIN STREET
MIDDLETON, MA 01949

8

Scott M. Fitzpatrick - Building Commissioner
Zoning Officer-Enforcement

Tel (978) 777-2850
Fax (978) 774-0718

Date: July 12, 2017
To: Middleton Board of Selectmen
From: Scott Fitzpatrick, Building Commissioner
RE: Alternate Wiring Inspector
CC: Andrew Sheehan

Honorable Selectmen:

Mr. Jim Evans has been the Alternate Wiring Inspector for the Town of Middleton for a number of years. He will be taking a leave of absence due to health related issues.

In the interim, I am requesting that Mr. Mark Fialkowski be appointed as Alternate Wiring Inspector until June 30, 2018

Mr. Fialkowski is the current Wiring Inspector for the Town of Danvers

Thank you,

Scott M. Fitzpatrick
Building Commissioner

James Evans

11 Ipswich River Road

Danvers, MA 01923

July 10, 2017

Scott M. Fitzpatrick

Building Commissioner, CBO

Town of Middleton

Department of Inspections

Dear Scott,

I have enjoyed and felt truly a part of the Middleton Code Administration Inspectors team.

I unfortunately need to inform you of a lapse in my ability to perform the duties as alternate Wiring Inspector, as of July 17, 2017. [REDACTED]

I will notify you as soon as I am able to continue my duties if you are in need of my services.

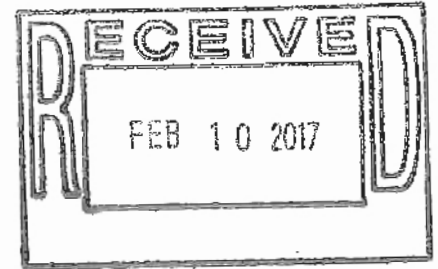
Your Town of Middleton Alternate Wiring Inspector,


Jim Evans

C - 978-766-8751

MCCANN & MCCANN, P.C.

ATTORNEYS AT LAW
89 NEWBURY STREET, SUITE 302
DANVERS, MASSACHUSETTS 01923
TELEPHONE: 978-739-8484
FACSIMILE: 978-739-8455
E-MAIL: NMCCANN@MCCANNLAW.COM



February 9, 2017

9

Middleton Board of Selectmen
Town Hall
48 South Main Street
Middleton, MA 10949

RE: Roadway Acceptance Petition – Norma Way and Kassiotis Lane

Dear Board Members:

Olde Boxford Estates, LLC hereby petitions the Selectmen to lay out Norma Way and Kassiotis Lane as Town ways in accordance with M.G.L. ch. 82, sections 21-24, and place on the Warrant of the 2017 Annual Town Meeting Articles to accept Norma Way and Kassiotis Lane as a public ways. Submitted with this Petition, please find three copies, plus plan mylars, of the following as required under the Middleton Roadway Acceptance Procedures:

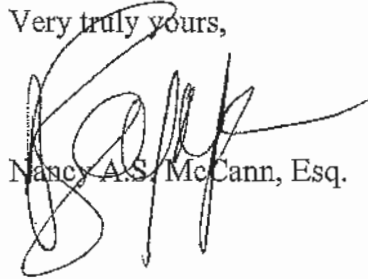
- a. Title Certification;
- b. Deed into Petitioner and Deeds out of each lot within the Olde Boxford Estates Subdivision;
- c. Proposed Deed and Grant of Easements
- d. As-Built Plan;
- e. Roadway Acceptance Plan with metes and bounds of roadway and easement areas (Layout Plan);
- f. Legal Description with metes and bounds of road and easement areas are legibly shown on the Roadway Acceptance Plan (Layout Plan);
- g. Draft Warrant Articles

The Petitioner understands that this filing is not being made at least 120 days prior to Town Meeting, however the Petitioner requests the Board's consideration in waiving that filing requirement to allow this Petition to be placed on the May 2017 Town Meeting Warrant. In the alternative, the Petitioner requests that this matter be placed on the next Special Town meeting should one be held in the fall.

Middleton Board of Selectmen
February 9, 2017
Page 2 of 2

On behalf of Raymond Falite, Manager Olde Boxford Estates, LLC, thank you for your consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Nancy A.S. McCann', with a long horizontal flourish extending to the right.

Nancy A.S. McCann, Esq.

NASM/kjl
Enclosure

MCCANN & MCCANN, P.C.

ATTORNEYS AT LAW
89 NEWBURY STREET, SUITE 302
DANVERS, MASSACHUSETTS 01923
TELEPHONE: 978-739-8484
FACSIMILE: 978-739-8455
E-MAIL: NMCCANN@MCCANNLAW.COM

June 15, 2017

Middleton Board of Selectmen
Town Hall
48 South Main Street
Middleton, MA 01949

RE: Lot 16 Norma Way
Deed to Middleton Conservation Commission

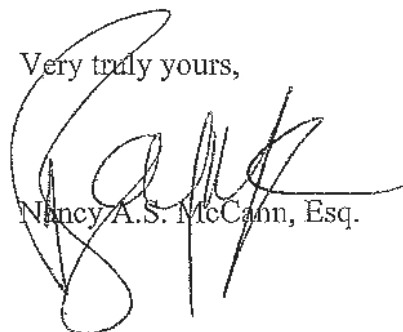
Dear Board Members:

Under the Middleton Conservation Commission's Order of Conditions (condition #21) relative to the Olde Boxford Estates subdivision, the Conservation Commission required that title to Lot 16 of the Olde Boxford Estates Subdivision be conveyed to the Middleton Conservation Commission for conservation and open space purposes. Lot 16 is a 2.4 acre parcel along the Ipswich River. I am enclosing a copy of the Order of Conditions together with the Quitclaim Deed as executed by the Developer and accepted by the Middleton Conservation Commission at its June 6, 2017 meeting. On behalf of the Developer, I request that the Board of Selectmen approve this transfer of title by so endorsing the Deed as indicated.

Please let me know what Selectmen agenda this could be placed on and I will arrange to have the original Deed delivered to you for endorsement following which we will record the Deed at the Southern Essex Registry of Deed and provide a recorded copy to the Conservation Commission. This conveyance will allow the Commission to release the Order of Conditions currently reflected on the Certification of Title provided to the Town under the pending Nathan Way and Kassiotis Lane Street Acceptance application.

Please give me a call with any questions and thank you for your consideration and assistance.

Very truly yours,



Nancy A.S. McCann, Esq.

NASM/kjl
Enclosures

Middleton Board of Selectmen
June 15, 2017
Page 2 of 2

cc. Kristin Kent, Conservation Commission Agent
Raymond Falite, Manager

QUITCLAIM DEED

Olde Boxford Estates, LLC, a Massachusetts limited liability company with an address of 9 Broadway, Wakefield, MA,

Grants to the Town of Middleton, Massachusetts acting by and through its Conservation Commission pursuant to M.G.L. c. 40 Section 8C

WITH QUITCLAIM COVENANTS

the land in Middleton, Massachusetts off Norma Way being shown as Lot 16 on a plan entitled "Definitive Subdivision Plan for the Residential Subdivision At 70R East Street (Tax Map 14 Lots 12 and 13) Middleton, Massachusetts" prepared by Engineering Alliance, Inc., 194 Central Street, Saugus, MA 01906 dated October 4, 2010, and revised through January 4, 2012, and recorded with the Southern Essex Registry of Deeds in Plan Book 433, Plan 22, and containing 106,040 s.f. according to said Plan, for conservation and open space purposes.

Together with the right to pass and repass over Kassiotis Lane and Norma Way as shown on the above-referenced plan for all purposes for which ways are used in the Town of Middleton, but reserving to the Grantor the fee in Kassiotis Lane in its entirety and reserving to the Grantor the fee in Norma Way in its entirety.

The Grantor entity is not classified as a corporation for federal tax purposes for the current fiscal year. This conveyance does not constitute a sale of all or substantially all of Grantor's assets in Massachusetts.

For Grantor's title see Deed of Sonja E. Nathan a/k/a Sonja N. Bradstreet a/k/a Sonja Nathan Bradstreet and Sarah J. Nathan dated May 9, 2012, and recorded with said Deeds in Book 31331, Page 67.

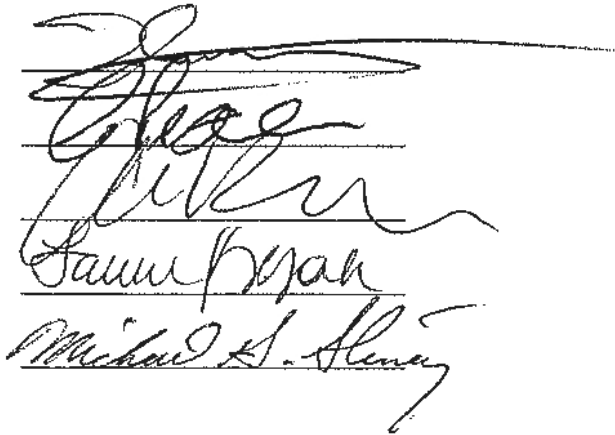
Witness my hand and seal this 11th day of May, 2017.

Olde Boxford Estates, LLC

By: Raymond S. Falite, its Manager

ACCETPANCE BY MIDDLETON CONSERVATION COMMISSION

We, the undersigned, being a majority of the members of the Middleton Conservation Commission, hereby certify that at a meeting duly held on JUNE 6, 2017, the Conservation Commission voted to accept the foregoing Deed pursuant to M.G.L. c. 40 Section 8C.


The block contains four handwritten signatures in black ink, stacked vertically. The signatures are written over horizontal lines. The names appear to be: [illegible], [illegible], Sam Bryan, and Michael A. Henry.

APPROVED BY MIDDLETON SELECTMEN

We, the undersigned, being a majority of the Board of Selectmen hereby certify that we accept pursuant to M.G.L. c. 40 Section 8C the foregoing Deed.

Middleton Board of Selectmen

By: _____
Rick Kassiotis

By: _____
Kosta E. Prentakis

By: _____
Brian M. Cresta

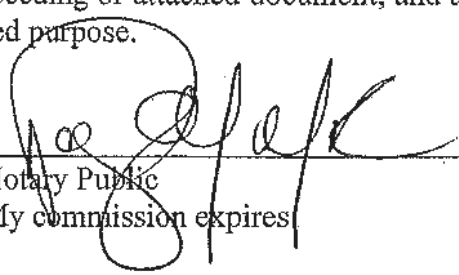
By: _____
Timothy P. Houten

By: _____
Todd Moreschi

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this 16th day of May, 2017, before me, the undersigned notary public personally appeared Raymond S. Falite as Manager of Olde Boxford Estates, LLC, proved to me through satisfactory evidence of identification, which was a driver's license (source of identification) to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.



Notary Public
My commission expires

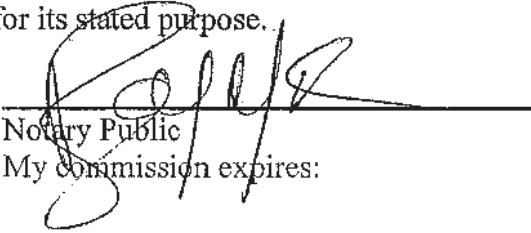


COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this 16th day of June, 2017, before me, the undersigned notary public, personally appeared the above Thomas Skinner, Chairman of the Conservation Commission for the Town of Middleton, who personally known to me to be the individual whose name is signed above, acknowledged to me that each signed it voluntarily for its stated purpose.





Notary Public
My commission expires:

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this _____ day of _____, 2017, before me, the undersigned notary public, personally appeared the above members of the Board of Selectmen for the Town of Middleton, who personally known to me to be the individuals whose name is signed above, acknowledged to me that each signed it voluntarily for its stated purpose.

Notary Public
My commission expires:

17

MC7



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
222-0686

MassDEP File #

eDEP Transaction #
Middleton

City/Town

A. General 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. From: Town of Middleton Conservation Commission
Conservation Commission

2. This issuance is for
(check one): a. ☒ Order of Conditions b. ☐ Amended Order of Conditions

3. To: Applicant:
Raymond Falite
a. First Name b. Last Name
Olde Boxford Estates
c. Organization
9 Broadway
d. Mailing Address
Wakefield MA 01880
e. City/Town f. State g. Zip Code

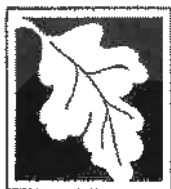
4. Property Owner (if different from applicant):
Norman Nathan
a. First Name b. Last Name
c/o Sarah Nathan
c. Organization
30 Shaker Lane
d. Mailing Address
Littleton MA 01460
e. City/Town f. State g. Zip Code

5. Project Location:
70R East Street Middleton
a. Street Address b. City/Town
14 Lot 12, 13
c. Assessors Map/Plat Number d. Parcel/Lot Number

Latitude and Longitude, if known: d m s d m s
d. Latitude e. Longitude

Book 141

Cicatelli & Cicatelli
266 Main Street
Stoneham, MA 02180



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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222-0686

MassDEP File #

eDEP Transaction #

Middleton

City/Town

A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):

Essex

a. County

b. Certificate Number (if registered land)

None

None

c. Book

d. Page

7. Dates:

11/22/2011

1/3/2012

1/24/2012

a. Date Notice of Intent Filed

b. Date Public Hearing Closed

c. Date of Issuance

8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):

Overall Site Plan

a. Plan Title

Engineering Alliance

Richard A. Salvo, P.E.

b. Prepared By

12/30/2011

c. Signed and Stamped by

1"=60'

d. Final Revision Date

SEE ATTACHED REFERENCES

e. Scale

f. Additional Plan or Document Title

g. Date

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:

- a. ☐ Public Water Supply b. ☐ Land Containing Shellfish c. ☒ Prevention of Pollution
d. ☒ Private Water Supply e. ☒ Fisheries f. ☒ Protection of Wildlife Habitat
g. ☒ Groundwater Supply h. ☒ Storm Damage Prevention i. ☒ Flood Control

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

- a. ☒ the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.

PLAN REFERENCES ATTACHMENT

FOR: 70R East Street

Notice of Intent

DEP Number: 222-0686

Plan #	Title	Engineer	Dated	Revised	Signed/Stamped by	Scale
	Notice of Intent	Engineering Alliance, Inc.	11/22/2011			
	Proposed Wetland Replication Plan	Rimmer Environmental Consulting, LLC				



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

222-0686

MassDEP File #

eDEP Transaction #

Middleton

City/Town

B. Findings (cont.)

Denied because:

- b. ☐ the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. ☐ the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**
3. ☒ Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a) 0.00
a. linear feet

Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	a. linear feet	b. linear feet	c. linear feet	d. linear feet
5. <input checked="" type="checkbox"/> Bordering Vegetated Wetland	4,766.00 a. square feet	4,766.00 b. square feet	7,437.00 c. square feet	7,437.00 d. square feet
6. <input type="checkbox"/> Land Under Waterbodies and Waterways	a. square feet e. c/y dredged	b. square feet f. c/y dredged	c. square feet	d. square feet
7. <input type="checkbox"/> Bordering Land Subject to Flooding	a. square feet	b. square feet	c. square feet	d. square feet
Cubic Feet Flood Storage	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	a. square feet	b. square feet		
Cubic Feet Flood Storage	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
9. <input type="checkbox"/> Riverfront Area	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	g. square feet	h. square feet	i. square feet	j. square feet



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

222-0586

MassDEP File #

eDEP Transaction #

Middleton

City/Town

B. Findings (cont.)

Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	<u> </u> a. square feet	<u> </u> b. square feet		
	<u> </u> c. c/y dredged	<u> </u> d. c/y dredged		
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> Coastal Beaches	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. nourishment cu yd	<u> </u> d. nourishment cu yd
14. <input type="checkbox"/> Coastal Dunes	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. nourishment cu yd	<u> </u> d. nourishment cu yd
15. <input type="checkbox"/> Coastal Banks	<u> </u> a. linear feet	<u> </u> b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	<u> </u> a. square feet	<u> </u> b. square feet		
17. <input type="checkbox"/> Salt Marshes	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. square feet	<u> </u> d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	<u> </u> a. square feet	<u> </u> b. square feet		
	<u> </u> c. c/y dredged	<u> </u> d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. square feet	<u> </u> d. square feet
20. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	<u> </u> a. c/y dredged	<u> </u> b. c/y dredged		
21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	<u> </u> a. square feet	<u> </u> b. square feet		



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
222-0686

MassDEP File #

eDEP Transaction #
Middleton

City/Town

B. Findings (cont.)

*#22. If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c (BVW) or B.17.c (Salt Marsh) above, please enter the additional amount here.

22. ☐ Restoration/Enhancement:

a. square feet of BVW

b. square feet of salt marsh

23. ☐ Stream Crossing(s):

a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. the work is a maintenance dredging project as provided for in the Act; or
 - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on 1/24/2015 unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.



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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]
"File Number 222-0686"
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #12 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.



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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.

NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS

19. The work associated with this Order (the "Project") is (1) ☒ is not (2) ☐ subject to the Massachusetts Stormwater Standards. If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:

a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.

b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:

- i. all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
- ii. as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
- iii. any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;
- iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;
- v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.

ADDITIONAL CONDITIONS

**70R East Street
Middleton, MA 01949
DEP 222-686**

GENERAL CONDITIONS:

20. No clearing, wetland filling, or driveway crossing construction shall take place on Lot 10 (beyond that required for the grading of the detention basin and cul-de-sac) until an Order of Conditions is issued for the lot.
21. Lot 16 shall be deeded to the Town of Middleton Conservation Commission. A note confirming this shall be added to the Definitive Subdivision Plan. Lot 16 shall be marked with permanent bounds.
22. The Middleton Conservation Commission considers the house sizes and locations, the septic system sizes and locations, the limits of clearing associated with the house lots, and the lot grading depicted on the Site Plans as information provided solely for the design of the stormwater management system. These features are neither approved nor endorsed by the Conservation Commission as part of these Orders of Conditions. Future design of the individual lots shall incorporate the Middleton Conservation Commission's 25-Foot Setback policy and shall preserve corridors of upland vegetation to facilitate wildlife passage between the wetlands and the Ipswich River.

PRIOR TO CONSTRUCTION:

23. Prior to the commencement of any work permitted or required, this Order of Conditions in its entirety (ALL PAGES) shall be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. After ten (10) days have expired from the issuance of the Order and upon receipt of the recorded Conditions, the Middleton Conservation Commission will then allow work to commence under this Order. Failure to comply with this condition shall be considered cause for revocation of this Order of Conditions.
24. Clearing throughout the parcel shall be limited to the areas within the immediate vicinity of the proposed roadway, wetland replication areas and stormwater drainage structures. A plan depicting the limit of clearing shall be submitted to the Middleton Conservation Commission prior to commencement of construction, and the clearing limits shall be clearly marked in the field.
25. The Middleton Conservation Commission shall receive copies of all NPDES erosion control permits prior to the commencement of construction. During construction, copies of all erosion control monitoring reports shall be submitted to the Middleton Conservation Commission.

26. The applicant shall notify the Conservation Commission Administrator or Agent in writing of the names addresses, and business and emergency contact numbers of the project supervisor or contractor who shall be responsible for ensuring compliance with the conditions in the Order and shall notify the Middleton Conservation Commission by telephone or in writing at least forty-eight hours prior to commencement of work on the site. Prior to the commencement of any activity on this site, the Conservation Agent may require an on-site meeting between the contractor responsible for the work, the project engineer, and an agent of the Middleton Conservation Commission or the Conservation Administrator, to ensure that the requirements of the Order of Conditions are understood.
27. Erosion control devices shall be installed as approved and the Middleton Conservation Commission Administrator or Agent shall be notified of such installation before the commencement of any site work, including site preparation within 100 ft. of any wetland resource area. The erosion control devices shall consist of, but are not limited to, a continuous construction barrier consisting of siltation fencing and staked hay bales or other approved material which shall be established between all construction areas and wetland resource areas. No work shall be undertaken beyond said erosion control barrier.
28. During the Spring of 2012, the wetland adjacent to East Street shall be inspected by a qualified Wetland Scientist for the presence of vernal pool species. The timing of the inspection(s) shall correspond with the amphibian breeding season. If vernal pool indicators are observed, vernal pool certification documentation shall be submitted to the Massachusetts Natural Heritage and Endangered Species Program and the Middleton Conservation Commission. Erosion controls within the vicinity of the wetland along East Street shall be modified under the supervision of a Wetland Scientist, if evidence of amphibian migration is observed within the wetland.

DURING CONSTRUCTION:

29. The contractor, site engineer or other individual in charge of work at the site shall have a copy of this Order of Conditions and current site plan approved by the Conservation Commission available on site at all times.
30. During construction, all erosion control inspections shall comply with all NPDES requirements. Copies of all erosion control monitoring reports shall be submitted to the Middleton Conservation Commission.
31. Only clean fill shall be used on site within the 100 foot Buffer zone, i.e. clean granular material free of organic matter, large stones, masonry, stumps, asphalt, or waste material.
32. Cement trucks shall not be washed in the Buffer zone. Any deposit of cement or concrete products into the Buffer zone or wetland resource areas shall be removed by hand.
33. During all phases of construction, all disturbed or exposed areas shall be brought to finished grade and either loamed and seeded for permanent stabilization, or stabilized in

another way approved by Middleton Conservation Commission or its Administrator or Agent.

34. All exposed sub-soils shall receive a minimum of four (4) inches of good quality loam or topsoil prior to seeding and final stabilization.
35. All stockpiled materials shall be located outside of wetland resource areas and 100-foot Buffer zones and shall be stabilized to prevent erosion and sedimentation into wetland resource areas.
36. All equipment shall be operated, parked, and maintained so as to limit alterations of wetland resource areas and the Buffer zones.
37. Stockpiled erosion control materials shall be stored under cover, on site in case of emergency.

WETLAND REPLICATION OF BORDERING VEGETATED WETLAND:

38. Replication construction activities must be supervised by a wetland specialist who shall be a professional with experience in wetland replication, wetland hydrology and a working knowledge of botany. Such a person shall be retained to supervise and monitor construction of the wetland replication areas until the replication area meets the requirements of this Order of Conditions.
39. All replication areas, with the exception of the replication area on Lot 10, shall be constructed and planted during the first growing season of the project.
40. The locations of the proposed wetland replication areas and the areas of proposed filling shall be inspected by a wetland scientist prior to disturbance to determine if invasive species are present. Soil shall not be stockpiled for reuse within the wetland replication areas from any areas where invasive species are observed.
41. Seasonal monitoring reports shall be prepared for each wetland replication area and submitted to the Middleton Conservation Commission. Monitoring reports shall describe, using narratives, plans, and color photographs, the physical characteristics of the wetland replication areas with respect to stability, soil characteristics, survival of vegetation and plant mortality, aerial extent and distribution, species diversity and vertical stratification (i.e. herb, shrub and tree layers). The monitoring reports shall be submitted at the beginning and the end of each growing season.

AFTER CONSTRUCTION:

42. Upon completion of this project, the applicant shall submit the following to the Middleton Conservation Commission to receive a Certificate of Compliance.

- A. A letter from the applicant requesting a Certificate of Compliance. When requesting certificate the following information must be submitted in writing to the Commission:
 - 1.) Name and address of current land owner.
 - 2.) Name and address of the individual / trust or corporation to whom the certificate is to be granted.
 - 3.) Street address and lot number of the project.
 - 4.) DEP file number.
 - 5.) If not previously submitted, proof of filing this Order of Conditions with the Registry of Deeds.
 - B. Signed and stamped "As-Built" plans, including all areas within the jurisdiction of Massachusetts Wetland Protection Act. This plan shall include:
 - 1.) "As-Built" elevations of all drainage structures constructed within 100 feet of any wetland resource area.
 - 2.) A line showing the limit of work. "Work" includes any disturbance of soils or vegetation.
 - 3.) Location of all subsurface utilities entering the property in the 100-foot Buffer zone and resource area.
43. No clearing of vegetation or dumping of debris of any kind (including lawn clippings, leaves, and landscaping debris) is permitted within the 200-foot Riverfront Area on Lots 6, 7, 9 and 10 without filing a new Notice of Intent with the Middleton Conservation Commission and the Massachusetts Department of Environmental Protection. If these lots are designed to avoid all Riverfront Disturbance the limit of the 200-Foot Riverfront shall be marked with permanent markers approved by the Middleton Conservation Commission, or the restrictions within the Riverfront Area shall be recorded as a Deed Restriction for each individual lot.
44. Additional Alteration Prohibited: There shall be no additional alterations of areas under Conservation Commission jurisdiction without the required review and permit(s). Permission for alteration of future resource areas will only be granted if no alternative with a lesser impact exists. This condition shall survive the expiration of this Order, and shall be included as a continuing condition in perpetuity on the Certificate of Compliance.



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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following: i.) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and ii.) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.

d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.

e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.

f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.



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D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? ☐ Yes ☒ No
2. The Town of Middleton Conservation Commission hereby finds (check one that applies):
Conservation Commission

- a. ☐ that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:

1. Municipal Ordinance or Bylaw

2. Citation

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.

- b. ☐ that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

1. Municipal Ordinance or Bylaw

2. Citation

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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eDEP Transaction #

Middleton

City/Town

E. Signatures

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

1/24/2012
1. Date of Issuance

Please indicate the number of members who will sign this form.

5
2. Number of Signers

This Order must be signed by a majority of the Conservation Commission.

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

Signatures:

[Signature]
[Signature]
[Signature]

[Signature]
[Signature]

☐ by hand delivery on

☒ by certified mail, return receipt requested, on

Date

Date

1/24/2012

F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request of Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.



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G. Recording Information

Prior to commencement of work, this Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

Town of Middleton Conservation Commission

Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

Town of Middleton Conservation Commission

Conservation Commission

Please be advised that the Order of Conditions for the Project at:

70R East Street

222-0686

Project Location

MassDEP File Number

Has been recorded at the Registry of Deeds of:

Essex

County

Book

Page

for:

Property Owner

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

Book

Page

In accordance with the Order of Conditions issued on:

1/24/2012

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant

DRAFT
MUNICIPAL WEBSITE CONTENT POLICY
TOWN OF MIDDLETON MASSACHUSETTS

PURPOSE

The purpose of the Town of Middleton website is to provide information of a factual nature about the town and its departments and operations, including various services and resources available in the Town of Middleton.

In providing an official website, the Town of Middleton does not intend to create a forum for public discourse, exchange of opinions, or discussion on issues of any nature, with the exception of an occasional survey to assist the town in service delivery.

GOALS

Goals of the Town of Middleton website are:

- A. To encourage increased citizen participation in town government by making public information more readily available including the posting of board and committee agendas, minutes and documents.
- B. To provide electronic access to town information through a logical single point of entry at (<http://www.middletonma.gov>).
- C. To keep the public informed of community events, municipal meetings and Town programs.

DEFINITIONS

A. Links

The Town of Middleton website may provide links to websites that encourage citizen participation in government; promote local businesses, organizations and attractions; and inform the public of community news and/or events.

The Town is not responsible for and does not endorse the information on any linked website unless otherwise stated.

B. Non-Profit and Community Organizations

For the purposes of this policy, a non-profit organization is a business which is registered with the Secretary of the Commonwealth of Massachusetts and/or which has been granted tax-exempt status by the Internal Revenue Service (IRS) as a 501(c)(3) organization. Other community organizations may not be registered with the Commonwealth or as a 501 (c)(3) but should serve the public in some manner through the provision of goods and/or services.

C. Website Administrator (Administrator)

The Middleton Town Administrator shall appoint a Website Administrator, who is responsible for the appearance, behavior, content and technical aspects of the website. Each Town Department is responsible for regularly updating their own respective sections of the Town website. The Website

Administrator shall provide support to staff on an as-requested basis. The name and e-mail address of the Website Administrator shall be made available on the town website. Committee and Board Chairmen, town staff and meeting secretaries are responsible for forwarding all committee and board meeting agendas to the Town Clerk's Office in a timely manner for public posting in Memorial Hall and the town website, consistent with Massachusetts General Law, Chapter 30A.

PUBLICATION CRITERIA

The following criteria will be used to determine if submitted content is appropriate for the website.

- A. Calendar - The Town of Middleton website may provide event details for volunteer, non-profit organizations providing recreation or enrichment programs for the Middleton community.
- B. Alerts and News Items - News and information related to the duties, obligations and goals of various Town departments, committees, and boards may be submitted to the Town Administrator's Office for electronic distribution. News and/or event content that otherwise meets the website publication criteria may also be submitted. Suggested content may include, for example:
 - 1. Current Town Department, Board, and Committee activities and initiatives of interest to the community
 - 2. Requests for community input / involvement / assistance with activities of a particular Board or Committee
 - 3. Volunteer opportunities for Board and Committee vacancies and town employment postings
 - 4. Citizen surveys
 - 5. Feature Stories highlighting the accomplishments and outcomes of specific Town Department, Board, and Committee initiatives and projects.
- C. Other Content - The Town's Website may provide news items, announcements and/or links to websites for:
 - 1. Government and non-profit educational institutions serving the Middleton community
 - 2. Elected local legislators for the purpose of disseminating legislative information and updates
 - 3. Generally recognized volunteer community organizations, established in, or having a significant membership / participation from Middleton.

EXCLUDED CONTENT

Except as specified elsewhere in this policy, the Town's Website will not publish content including:

- A. Opinions or endorsements regarding candidates for office, political issues, or municipal, county, state, or federal initiatives.

- B. Promotion or advertisement of businesses or special interest groups.
- C. Campaign Websites for incumbent and challenging candidates for local, state, or federal office.
Further, if an existing website link of a seated candidate is found to be of a campaigning / self-promotional nature, it will be removed from the Town of Middleton website.
- D. Political organizations or other organizations advocating a candidate; a position on a local, state, or Federal issue; or pending legislation.
- E. Corporate or other for-profit organizations unless they fit any of the criteria stated above.
- F. Individual or personal home pages.
- G. Any submission considered by the Website Administrator and Town Administrator to be inappropriate or out of line with the Purpose and Goals of the Website or the criteria herein.

CONFIDENTIALITY

Confidential information should not be posted on the town's website. While the Town of Middleton website may track overall site traffic, it does not collect individual user details unless a user voluntarily submits such information. It does not share that information with outside sources, and is committed to keeping such information confidential. If at any time a user believes that the Town of Middleton's website is not protecting his or her privacy, the person should e-mail the Website Administrator, who will attempt to assess and, if necessary, correct the problem.

FEEDBACK

Feedback regarding the web policy should be brought first to the attention of the Website Administrator. If a complainant is unsatisfied, s/he may appeal any decision of the Website Administrator to the Town Administrator who will respond within 15 business days. Further, any resident may appeal the decision of the Town Administrator to the Middleton Board of Selectmen. The decision of the Middleton Board of Selectmen is the final word on matters arising from implementation of this policy.

DISCLAIMER

The materials and information contained on or obtained from the Town of Middleton website are distributed "as is" without warranties of any kind, either express or implied, including without limitation, warranties of title or implied warranties of merchantability of fitness for a particular purpose. Information contained on the Town of Middleton website, including information obtained from external links thereon, is provided without any representation of any kind as to accuracy or content and should be verified by the user. The Town of Middleton is not responsible for any special, indirect, incidental or consequential damages that may arise from the use of, or the inability to use, the

website and/or the materials contained on the site whether the materials contained on the website are provided by the Town of Middleton, or by a third party. Data contained on the website are subject to change without notice.

12,

13,

14

July 13, 2017

From: Middleton COA

To: Middleton BOS

Re: COA Board of Directors

To Whom It May Concern:

Please be advised of the following change requests regarding FY '18 COA Board of Directors Membership

Richard Muzzi	Attached please find email letter of resignation. Was Alternate.
Alice Tierney	Change status from Alternate to Member to fill slot of Martha Fucarile (term expired 6/30/17)
Gerry Gove	Letter of Interest. Please appoint as Alternate
Barbara Soghigian	Letter of Interest. Please appoint as Alternate

Respectfully Submitted,




Susan J. Gannon

Executive Director

COA & Sr. Ctr.

Please find attached notices: Muzzi, Gove, Sohigian

Board Resignation

 DELETE REPLY REPLY ALL FORWARD

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Richard <muzwat@comcast.net>

Mark as unread

Wed 6/28/2017 10:37 AM

To: Paul Lanzikos <planzikos@nselder.org>; Susan Gannon;

Cc: Jade Green <jgreen@nselder.org>;

Dear Paul and Susan,

I am sorry to say that I will not be able to continue as a board member for either NSES or the Middleton COA. Due to medical appointments, I was not able to make the the COA meeting today and will not be able to make the August COA meeting or the Strategic Planning session of the NSES board as well. As with last winter, I will be heading back to Wyoming from November until April so will not be much of a help during that time. You will be better served by someone who can be more present for these meetings.

I appreciate the opportunity to serve on these important boards and will reach out should my life become a little bit more predictable.

Thank you for your wonderful work on behalf of seniors in our Community.

Dick Muzzy

Sent from my iPhone

I would like to help out.
My experience of 40 years
of an Educator, teacher,
assistant principal, and
principal may be
useful and may provide
another perspective to
the Council.

Respectfully
Submitted,
Barbara Soghigian

Barbara Soghigian
34 Fuller Pond Rd
Middleton MA 01949

July 12, 2017

Board of Selectmen
Town of Middleton

Dear Sirs or Madams:

My name is
Barbara Soghigian of
34 Fuller Pond Rd, and
I would like to apply
for an alternate position
for the Middleton Council
of Aging.

I have enjoyed
many trips, lectures,
and camaraderie with
good friends organized
by the Council.

Board of Selectmen
Town of Middleton

9 Francis Drive
Middleton, MA 01949
July 6, 2017

Board of Selectmen
Town Hall
Middleton, MA 01949

Dear Board Members,

Please consider my application for the position on the Council on Aging's Board of Directors. I am very interested in contributing to the Council's goals and helping our seniors thrive.

I have several qualifications that are essential for the Board. Prior to retiring from General Electric in 2009, I served as Shop Steward for four years. That work experience helped me learn how to negotiate and foster cooperation between management and hourly workers. I also was active on the Health and Safety Committee, and took additional training courses, which will be an asset in helping the COA identify safety needs and find solutions.

Shortly after I retired in 2009, I began to work at the Senior Center in the Tax Work-off Program. My most significant work was painting and organizing items so that there would be more space for staff and seniors. This experience made me aware of the needs of our town's older citizens and also gave me an opportunity to meet and connect with them.

Since I completed my Tax Work-off responsibilities, I helped to re-organize the Food Pantry, and I also obtained a new refrigerator for it. The vault needed to be improved for its storage and safety, so I took on that project and helped the Director get new lighting installed. Not only do I continue to perform considerable "hands-on" work, I also enjoy the staff and friends there. I have made valuable improvements such as building planters for the garden, which brings enjoyment to everyone!

Finally, I believe that I would be a good addition to the Board because of my sincere investment and long-term commitment to the well-being of the COA. I will dedicate time and energy into making a positive impact. It would be a privilege to serve on the Board of Directors.

Respectfully,

Gerald A. Gove