

**MIDDLETON SELECT BOARD
MEETING AGENDA
FULLER MEADOW ELEMENTARY SCHOOL
NATHAN MEDIA CENTER
143 SOUTH MAIN STREET, MIDDLETON, MA 01949
TUESDAY, MARCH 14, 2023**

This meeting is being recorded

This meeting will be a hybrid of in-person and remote via Zoom. To join the meeting remotely, go to:
<https://us02web.zoom.us/j/88446830179?pwd=WHBJbY0Z01rYmNiREVHRDE5dXRVdz09>

7:00 pm	1. Presentation of Town Administrator candidates by Municipal Resources Inc.
7:20 pm	2. Business
	a. Town Administrator Updates and Reports
7:25 pm	3. Public Comment
7:35 pm	4. Review and discuss exercising the option to have Early Voting for local elections; votes may be taken [Ilene Twiss]
7:40 pm	5. Information Session/Presentation by Lars Unhjem, Villebridge Acquisitions, LLC, re: 49 S. Main St/10-18 Boston Street; votes may be taken
7:55 pm	6. Review and discussion on Building Permit Fees; votes may be taken [Scott Fitzpatrick]
8:05 pm	7. Review and name road at 56 N. Liberty subdivision; votes may be taken [Anne Cote]
8:10 pm	8. Follow up discussion on FY 24 Operating and Capital Budgets from Capital Budget Summit; votes may be taken
8:20 pm	9. Review the May 9, 2023 Annual Town Meeting warrant; votes may be taken
8:35 pm	10. Overnight parking ban for Memorial Hall and other municipal lots as necessary; votes may be taken
8:40 pm	11. Review and vote to accept the following donations; votes may be taken: <ul style="list-style-type: none">a. \$500 from Gregory and Pod Regis Fanaras for the Middleton Council on Agingb. \$500 from Woolbright Development Inc. for the Middleton Council on Aging
8:45 pm	12. Updates & Announcements
8:50 pm	13. Executive Session G.L. c. 30A, s. 21(a)(3) to discuss strategy with respect to collective bargaining negotiations; and pursuant to c. 30A, s. 21(a)(2) relative to the Town Administrator

Upcoming Meetings: March 18 at 9 am
March 20
March 21 & 22
March 30
April 4 & 18

Community Forum for TA Finalists
Joint Meeting with Finance Committee
TA Interviews
Joint Meeting with Finance Committee
Regular Select Board meetings

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.

CALENDAR
FY2024 OPERATING AND CAPITAL BUDGETS
MAY 9, 2023 ANNUAL TOWN MEETING
MAY 16, 2023 ANNUAL TOWN ELECTION
REVISED 2/4/22



2022

December FY24 budget instructions distributed to departments

2023

Tuesday, January 3	Nomination papers for elected Town offices available
Wednesday, January 4	Operating budget requests due to TA's Office
Monday, January 9	Deadline for Roadway Acceptance Petitions (Town Code 383-2)
January 6-17	Operating budget meetings with TA, ATA, FD
Tuesday, January 10	Select Board votes to open the ATM warrant
Monday, January 16	Martin Luther King, Jr. holiday
Fri.-Sat., Jan. 20-21	MMA Annual Meeting
Monday, January 30	Operating budget book/link to SB, FinCom
Tuesday, January 31	Petition articles and zoning amendments due at Town Administrator's Office by 5:00PM
Saturday, February 4 8:30AM-4:00PM	Operating budget summit, Fuller Meadow School
Monday, February 6	Capital budget requests due to TA's Office
February 6-13	Capital budget meetings with TA, ATA, FD
Tuesday, February 14	Non-petition warrant articles due to Town Administrator's Office by 5:00PM
Friday, February 17	Deadline to submit legal notice to newspaper for March 8 Planning Board public hearing on zoning amendments
Monday, February 20	Presidents' Day holiday; start of school vacation week
Tuesday, February 21	Select Board votes to close ATM warrant
Wednesday, February 22	1 st legal ad in newspaper for Planning Board public hearing on zoning amendments
Wednesday, March 1	2 nd legal ad in newspaper for Planning Board public hearing on zoning Amendments

Tuesday, February 28	Capital budget books/files to SB, FinCom
Friday, March 3	Deadline to submit legal ad to newspaper for 3/30/23 budget hearing
Saturday, March 4 8:30AM-2:00PM	Capital budget summit
Wednesday, March 8	Planning Board Hearing on Zoning Amendments
Friday, March 17	Legal ad in newspaper for 3/30/23 budget hearing
Tuesday, March 28 Until 5PM	Last day for candidates to submit nomination papers for Annual Town Election
Thursday, March 30 7:00PM	Budget Hearing and Warrant Reading: SB, FinCom, Moderator: Fuller Meadow
Thursday, April 6	Deadline to submit recommendations, exhibits, maps to TA's Office for inclusion in warrant book
Thursday, April 6	Joint meeting of Select Board & Finance Committee re outstanding budget issues, if needed at Fuller Meadow
Tuesday, April 11	Target date for Constable to post warrant
Tuesday, April 11	Deadline to provide written notice for ballot question to Town Clerk, if any (35 days before Annual Election)
Thursday, April 13	Last day for candidates to object or withdraw their candidacy for elected office
Thursday, April 13	Warrant book to printer
Monday, April 17	Patriots Day holiday; start of school vacation week
Friday, April 21	Warrant book to USPS for mailing to households
Tuesday, April 25	Motions meeting with TA, ATA, FD, Moderator, Town Clerk, Town Counsel
Friday, April 28 Until 5:00PM	Last day to register to vote for the Annual Town Meeting and Annual Town Election
Thursday, May 4 6:30PM	Pre-Town Meeting: Flint Public Library
Tuesday, May 9 7:00PM	Annual Town Meeting: Howe Manning School
Tuesday, May 16	Annual Town Election: Fuller Meadow School Regular Select Board Meeting at Flint Public Library

Regular Board of Selectmen meetings:

February 7 & 21
March 7 & 21
April 4 & 18

May 2, 16, & 30
June 13 & 27



1150 Great Plain Ave. # 920056
Needham, MA 02492
Phone: (617) 418-3575

5.

March 8, 2023

Kosta E. Prentakis, Chair
Select Board
Town of Middleton
48 South Main Street
Middleton, MA 01949

RE: Redevelopment of Angelica's Restaurant and Adjacent Property

Dear Chair Prentakis and Other Members of the Board:

Thank you for the opportunity to meet with you at your next meeting on Tuesday, March 14th regarding the proposed redevelopment of the Angelica's Restaurant and adjacent property. This memo is submitted to you in advance of that meeting for your preview, and includes both a summary of efforts undertaken to date, along with a proposal for mixed use redevelopment including both a residential community, as well as an adjacent commercial proposal, intended to be consistent with features found in Middleton Square.

BACKGROUND

Since placing the property under contract a year ago, we have had a lot of dialogue with members of the Board and other members of the Middleton community about redeveloping the Angelica's site. As you know, we initially proposed a 200-unit mixed-use proposal that, among other things, offered a path for the Town of Middleton to reach a Chapter 40B "safe harbor" designed to enable the Town to meet its 10% affordability threshold for the Town's Subsidized Housing Inventory (SHI). We ultimately withdrew that proposal due to technical and economic challenges, and the input provided by the Town suggested this initial proposal was not consistent with the objectives of the Town for this area of Middleton.

Subsequently, we spent significant effort discussing multiple alternative redevelopment scenarios with Middleton officials, neighbors, and others to develop a proposal that we understood would better match the needs and interests of Middleton. The result of that effort was a proposal that included a total of 47 rental apartment homes, 5 (or 11%) of which were affordable, in a 3-story building configuration, along with approximately 18,000 square feet of stand-alone retail space to be located along South Main Street. Further, this second proposal contemplated that market-rate apartments would be age-restricted to 55+ households.

To enable this second proposal, a use variance was required to allow the proposed multifamily use. We met with the Zoning Board of Appeals in December 2022 and January 2023, and it was clear that the ZBA had concerns about the proposed permitting path and was not in favor of issuing a use variance for the proposal. As such, with the ZBA's unanimous vote of approval, we withdrew our application without prejudice in January.

Accordingly, the following represents our third proposal for the redevelopment of Angelica's and adjacent property.

PROPOSED REDEVELOPMENT PROJECT

Based upon the input received to date, we feel that a redevelopment including a residential community proposed to be approved under Chapter 40B, as well as an adjacent commercial proposal to be approved under the Middleton Zoning Bylaws offers an opportunity to both increase the Town's housing stock in a thoughtful manner, and to introduce a commercial development designed to fit into the Middleton Square area. Our proposal involves dividing the site into two separate parcels, with the dividing line between the parcels being approximately parallel to South Main Street. The left or western portion of the site will be a rental apartment community to be permitted through the Chapter 40B Comprehensive Permit process. The right or eastern portion of the site will be a retail development to be permitted according to the Middleton Zoning Bylaws.

We have requested to meet with you specifically to preview the 40B development before we submit a project eligibility/site approval application with MassHousing. While the initial focus of the proposed redevelopment is on the proposed residential community, included with this letter is a conceptual site plan for both portions of the site designed to convey the total vision for the property. It should be noted that the retail portion of the site plan is our current concept that likely will evolve with more details as we move closer to filing for site plan approval with the ZBA.

THE 40B RESIDENTIAL DEVELOPMENT

The residential development consists of a single 3-story-on-grade residential building, surface parking, landscaping and associated amenities and uses. (See attached site plan, elevations, and perspective rendering.) The 60 rental apartment community will include a total of 36 (60%) one-bedroom, 18 (30%)

two-bedroom, and 6 (10%) three-bedroom units. Indoor amenities will include a club room, work from home offices, fitness facilities, and in-building trash and recycling services. Outdoor amenities include seating and dining areas, and recreation spaces. Apartment features will include 9-foot ceilings, fully appointed kitchens and bathrooms, and outdoor patios/balconies for most units. There will be approximately 101 parking spaces, or an average of 1.7 spaces per unit designed to serve the community.

The preliminary residential development plan complies with most requirements in the table of dimensional requirements of the Middleton Zoning Bylaws. The exceptions are (i) the maximum building height in feet and (ii) the front yard setback.

The maximum building height in feet is limited to 35 feet, and we will be requesting a waiver to allow for up to 42 feet (a difference of up to seven feet) to maintain pitched rooflines and other aesthetics designed to reflect the character of surrounding buildings. Alternatively, we can satisfy the 35-foot height limitation by implementing a flat-style roof, however our understanding from previous discussions with neighbors is this would not be preferred.

Most of the residential site frontage along Boston Street is zoned Residential R-1a, which has a front yard setback requirement of 25 feet. We satisfy this requirement. But there is also a small portion of the residential site frontage along Boston Street that is zoned Business B, which has a front yard setback requirement of 35 feet. We will be requesting a waiver to allow for a uniform front yard setback of 25 feet for the entire residential site frontage, consistent with the frontage requirements of the Residential R-1a Zoning District. In all other respects, the preliminary development plan satisfies the table of dimensional requirements.

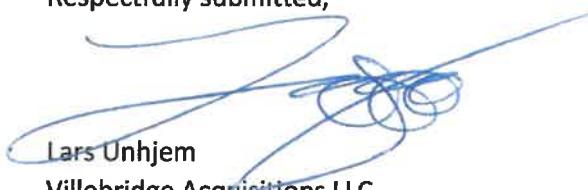
To this end, we feel this redevelopment proposal meets the spirit, goals and objectives of the Town as reflected in both the Middleton Housing Production Plan 2019-2024 (HPP) as well as the Town of Middleton Master Plan 2018-2028 (Master Plan) in several important respects. First, the proposed project serves as a way to help to diversify housing options, especially for seniors and others, to enable residents to stay in Town by reducing housing cost burden while also helping to meet the projected demand for new affordable and market rate housing as articulated in the HPP. Second, the site's location in close proximity to the commercial opportunities within the Middleton Square area presents both residential and employment opportunities for persons both living and conducting business in this area to have additional options within walking distance to many amenities with less dependence on vehicles to get to certain destinations. Third, the redevelopment will help generate increased foot traffic for local businesses and for the Town's overall economic development, particularly in Middleton Square. Lastly, the proposed redevelopment fulfills an important housing need within the Town.

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NEXT STEPS

At our meeting with you on March 14th we will discuss next steps and timing with respect to both the residential proposal and commercial proposal. We look forward to discussing with you as well as other Town officials, departments and the public on this redevelopment proposal.

Respectfully submitted,



Lars Unhjem
Villebridge Acquisitions LLC

Attachments:

1. Residential site plan together with conceptual retail site plan
2. Residential elevations
3. Residential perspective renderings
 - a. View from Boston Street heading east
 - b. View from retail main entrance at South Main Street

CC: Jackie Bresnahan, Interim Town Administrator, Town of Middleton
Katrina O'Leary, Town Planner, Town of Middleton
John Smolak, Esq., Smolak & Vaughan LLP

Site Plan



Building Elevations



South Elevation



East Elevation



North Elevation



West Elevation

View from Boston Street



Villebridge Middleton Square
Middleton, MA | March 8, 2022 | 2209 | © The Architectural Team, Inc.



tat

View from South Main Street



Villebridge Middleton Square
Middleton, MA | March 8, 2022 | 2019 | © The Architectural Team, Inc.

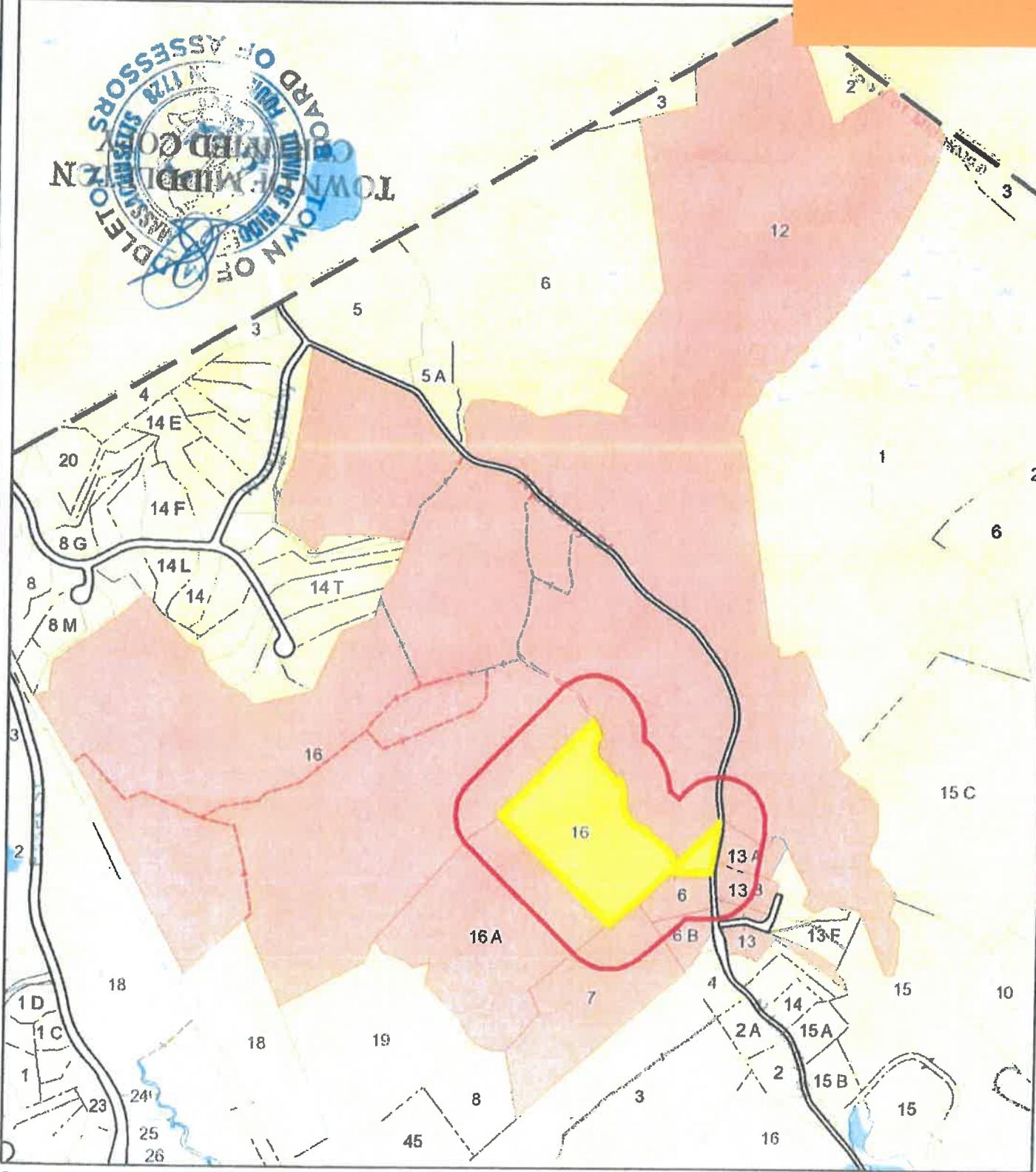


Middleton, MA

1 inch = 900 Feet

February 6, 2023

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Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

	Overlay Reserve	Community Preservation Fund (proposed)	Ambulance Fund	Proposed Free Cash Contribution	Enterprise Fund Retained Earnings	Capital Stabilization Fund	State & Federal Funding	Notes
Water Enterprise Fund								
Water Main Extension (Essex St)					\$500,000		\$650,000	ARPA
Water Main Extension (Liberty St)					\$500,000		\$650,000	ARPA
Total Water Enterprise Fund	\$0	\$0	\$0	\$0	\$1,000,000	\$0	\$1,300,000	
Public Works								
Additional Chapter 90					\$125,000			
Tree Pruning					\$20,000			
Peabody St Bridge							\$425,000	\$125,000 ARPA; \$300,000 MDOT Earmark
Central Street Traffic Design							\$48,000	State Grant
Rail Trail								
Replace Car 1 W/Pickup Truck					\$57,643			
Replace Truck #5 (1-Ton Dump Truck)					\$89,233			
Paving (James Ave, Erin Way, Sgt. Roode Ln, Francis Dr.)							\$375,000	Ch. 90
Cemetery Monument Repairs								
Install Cameras and Lighting at Transfer Station								
Total Public Works	\$0	\$75,000	\$0	\$0	\$312,876	\$0	\$0	\$848,000
Police								
Ballistic Helmets & Shields & Police Vests					\$16,300			
Medical Emergency Bags					\$4,000			
Total Police	\$0	\$0	\$0	\$0	\$20,300	\$0	\$0	\$0
Fire								
Fire Training Costs for new Firefighter					\$15,500			
Replace Ambulance 2							\$370,000	
Digitize Documents (Phase 1 of 2)							\$23,000	
Lucas (CPR) Device							\$23,100	
Assistance to Firefighter grant (Town Match)							\$27,000	
Firefighter PPE							\$84,500	
Radio Equipment							\$8,200	
Total Fire	\$0	\$0	\$0	\$150,000	\$181,300	\$0	\$370,000	\$0
Masconomet Regional School - 33.44% Share								
Turf Field Design & Permitting (\$630,950 total cost)							\$150,162	
Masconomet Regional School	\$0	\$0	\$0	\$0	\$150,162	\$0	\$0	\$0
Essex Tech Capital contribution (4.1% Share)								
Town's portion of assessment							\$11,652	
Total Essex Tech Capital contribution	\$0	\$0	\$0	\$0	\$11,652	\$0	\$0	\$0

8.

	Overlay Reserve	Community Preservation Fund (proposed)	Ambulance Fund	Proposed Free Cash Contribution	Enterprise Fund Retained Earnings	Capital Stabilization Fund	State & Federal Funding	Notes
Council on Aging								
Refurbish the Accessible Entrance					\$38,000			
Replace Parking Lot Retaining Wall	\$150,000				\$100,000			
Council on Aging	\$150,000	\$0	\$0	\$138,000	\$0	\$0	\$0	
Information Technology								
Server Upgrades (Town-Wide)					\$30,000			
Network Upgrades					\$30,000			
Total Information Technology	\$0	\$0	\$0	\$60,000	\$0	\$0	\$0	
Board of Health								
Digitize BOH & Conservation Files (phase 1)					\$97,820			
Total Board of Health	\$0	\$0	\$0	\$37,820	\$0	\$0	\$0	
Non-Capital Article Free Cash Uses								
Fund Studies for municipal properties					\$50,000			
Prior Year Bills FY 23					\$1,783			
Total Non-Capital Article Free Cash Uses	\$0	\$0	\$0	\$51,783	\$0	\$0	\$0	
Reserve/Stabilization Transfers								
Funding for Other Past Employment Benefits								
Stabilization Fund					\$100,000			
Appropriation to Facilities Complex Stabilization Fund					\$250,000			
Total Reserve/Stabilization Transfers	\$0	\$0	\$0	\$350,000	\$0	\$0	\$0	
Capital Budget Total	\$150,000	\$75,000	\$150,000	\$1,373,893	\$1,000,000	\$370,000	\$2,148,000	

	Available Balance @ 1/31/23	Requested Total Funding (Operating & Capital)	Remaining Balance
PEG	\$ 465,811.87	\$ 153,155.00	\$ 312,656.87
Overlay Reserve	\$ 150,000.00	\$ 150,000.00	\$ 0
Community Preservation Fund	\$ 397,579.01	\$ 75,000.00	\$ 322,579.01
Ambulance Fund	\$ 1,032,689.75	\$ 800,000.00	\$ 232,689.75
Free Cash	\$ 1,662,794.96	\$ 1,373,892.90	\$ 288,902.06
Enterprise Fund Retained Earnings	\$ 1,353,474.00	\$ 1,000,000.00	\$ 353,474.00
Capital Stabilization Fund	\$ 945,316.56	\$ 370,000.00	\$ 575,316.56
Special Education Stabilization Fund	\$ 415,038.46	\$ 132,000.00	\$ 283,038.46



Chapter 392. Traffic Regulations

Article IV. Parking

§ 392-15. No parking any time.

[Added 6-5-1952]

Upon the following streets or parts of streets parking is hereby prohibited:

Name of Street	Side	Location
Boston Street [Added 7-29-1969]	Both	From Pleasant Street to South Main Street
Boston Street [Added 12-12-1990]	South	From South Main Street to a point 230 feet westerly
Central Street [Added 12-12-1990]	North	From North Main Street to a point 845 feet easterly
Central Street [Added 12-12-1990]	South	From North Main Street to Washington Street easterly (690 feet)
Central Street [Added 8-20-1992]	Southeast	From the intersection with Washington Street a distance of 370 feet to the driveway of the rear parking lot of the Middleton Green Property. This area is hereby designated as a tow-away zone.
East Street [Added 9-13-1994]	Both	From Maple Street (Route 62) for a distance of 320 feet northerly
East Street [Added 7-10-1956]	Both	From Thunder Bridge northerly for a distance of approximately 300 feet
East Street [Added 7-10-1956]	Both	From Thunder Bridge southerly to Peabody Street
Gregory Street [Added 9-13-1994]	East	From a point 140 feet south of Maple Street (Route 62) for a distance of 225 feet southerly
Howe Manning School, along the side [Added 10-12-1999]		From Central Street to the northern edge of the rear entrance to the Howe Manning School
Lake Street [Added 12-12-1990]	North	From North Main Street to a point 75 feet westerly
Lake Street [Added 12-12-1990]	South	From North Main Street to a point 170 feet westerly
Manning Avenue [Added 9-13-1994]	Both	From Maple Street (Route 62) for a distance of 270 feet northerly
Maple Street [Added 12-12-1990]	North	From North Main Street to a point 195 feet easterly
Maple Street (Route 62) [Added 9-13-1994]	North	From a point 135 feet west of Perkins Road to the Danvers Town line

Name of Street	Side	Location
Maple Street (Route 62) [Added 9-13-1994]	South	From a point 85 feet west of Gregory Street to the Danvers Town line
Maple Street (Route 62) [Added 9-13-1994]	South	From a point 135 feet west of Perkins Road to a point 375 feet east of Perkins Road
Maple Street [Added 12-12-1990]	South	From South Main Street to a point 155 feet easterly
Meadow Drive [Added 3-3-1992]	Northwest	From the corner of Rt. 114 a distance of approximately 80 feet
Meadow Drive [Added 3-3-1992; repealed 7-23-2013]		
North Main Street [Added 12-12-1990]	East	From a point 55 feet north of Central Street to a point 765 feet northerly (710 feet)
North Main Street	South	From the easterly side line of Lakeview Avenue and proceeding in an easterly direction for 560 feet
North Main Street [Added 12-12-1990]	West	From Lakeview Avenue to a point 600 feet southerly
Park Street (West) [Added 12-12-1990]	East	From Central Street to a point 260 feet northerly
Park Street (West) [Added 12-12-1990]	West	From Central Street to a point 265 feet northerly
Washington Street [Added 12-12-1990]	West	From Central Street to Maple Street southerly (550 feet)

§ 392-16. No parking during certain hours.

[Added 8-20-1992]

Upon the following streets or parts of streets parking is hereby prohibited during the hours indicated:

Name of Street	Side	Hours	Location
Roadway leading to and within the Howe-Manning Park	Both	8:00 a.m. to 9:00 a.m. and 2:00 p.m. to 3:00 p.m. when school is in session	Entire length

§ 392-17. Parking time limited.

[Added 12-12-1990]

Upon the following streets or parts of streets parking is hereby limited during the hours indicated:

Name of Street	Side	Time Limit; Hours	Location
Central Street [Added 8-20-1992]	Northeast	30 minutes; school hours	In front of the Howe-Manning School in the designated parking lane
North Main Street	West	1 hr.; 9:00 a.m. to 4:00 p.m.	From a point 40 feet north of Lake Street to a point 100 feet (60 feet)

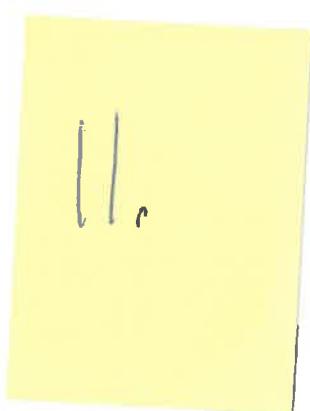
§ 392-17.1. Winter on-street parking ban on public ways.

[Added 1-5-2016]

No person shall park a vehicle on any public street from midnight until 6:00 a.m. from December 1 through April 1. Any vehicle found parked in violation of the provisions of this section may be fined and/or moved under the direction of an officer and at the expense of the owner to a place where parking is permitted.



Council on Aging
Old Town Hall
38 Maple Street
Middleton, MA. 01949
978-777-4067
www.townofmiddleton.org



March 7, 2023

Board of Selectmen
48 South Main Street
Middleton, MA. 01949

Re: Council on Aging Donations

Please add the following two donations to your agenda for acceptance by the Board of Selectmen for the Middleton Council on Aging, and notify me when the check has been accepted so that it can then be deposited.

Thank you,

Jillian Smith

Jillian Smith
COA Director

A donation has been made payable to the Middleton Council on Aging for the following:

Date: 2/21/23

Name: Gregory & Pod Regis Fanaras

Donation: \$500 Check Number: 3854

This donor would like to remain anonymous Yes XX No

Donation is in memory of or to honor: Jeannie Benard

Date: 2/24/23

Name: Woolbright Development Inc

Donation: \$500 Check Number: 3154

This donor would like to remain anonymous Yes XX No

Donation is in memory of or to honor: Jeannie Benard