

MIDDLETON SELECT BOARD
MEETING AGENDA
FULLER MEADOW ELEMENTARY SCHOOL
NATHAN MEDIA CENTER
143 SOUTH MAIN STREET, MIDDLETON, MA 01949
TUESDAY, MARCH 5, 2024
6:00 PM

This meeting is being recorded

6:00 pm 1. Business

- a. Warrant: 2418 and FP34
- b. Minutes: February 20, 2024 OS; February 20, 2024 ES
- c. Town Administrator Updates and Reports

6:10 pm 2. Public Comment

6:20 pm 3. Board and Committee Appointments:

- a. Cultural Council (1): Joanne Plourde
- b. ICDRC (1 member, 2 alt): Peter Graziani

6:25 pm 4. Create 5 member Planning Director Screening Committee and appoint Town Admin., Asst. Town Admin., one member of the Select Board. (Planning Board and ZBA to appoint their own designee)

6:30 pm 5. Locust St. Parcel engineering discussion with Scott Cameron of the Morin-Cameron Group, Inc.

6:50 pm 6. Vote on One Day Liquor License for Winter Hill Brewing (Indignant Brewing Co LLC) for The Lot on South Main Street

7:00 pm 7. Joint meeting with the Middleton Planning Board

- a. Planning Board alternate candidates –David Lebel, Joanne Plourde
- b. Review Zoning Amendments to the Zoning Bylaw and Map for an MBTA Communities Overlay District, Two-Family Dwellings, and Accessory Dwelling Units from the Planning Board and refer them to the Planning Board for public hearing and recommendation

7:35 pm 8. Transfer Station sticker fee schedule and recommendation from Solid Waste Advisory Committee

7:50 pm 9. Select Board MassDOT Letter of Support for Signalled Arrow at Intersection of Rt114 and Rt62

8:00 pm 10. Review new non-union classifications for three positions (all positions previously unclassified) and review market rate adjustment recommendation from the Collins Center

8:10 pm 11. Updates & Announcements

8:15 pm 12. Executive Session pursuant to G.L. c. 30A, s. 21(a)(3) to discuss strategy with respect to collective bargaining negotiations: AFCSME Representation Petition

13. Executive Session pursuant to G.L. c. 30A, s. 21(a)(2) – Police Chief Contract Negotiations

Upcoming Meetings:

March 19

Regular Select Board Meetings

March 28

Budget Hearing and Warrant Reading

May 14

Annual Town Meeting 7 pm at Howe-Manning
Elementary School

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.

Justin Sultzbach

la

From: Brian LaRoche <blaroche@pca360.com>
Sent: Wednesday, February 28, 2024 10:20 AM
To: Justin Sultzbach
Subject: Re: FP Warrant 34

[CAUTION:] This message was sent from outside of the Town of Middleton. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Hello Justin,

Please see a summary of the invoices contained in Warrant FP 34:

- **Context Architecture** - The architectural design team of Context includes a team of sub consultants from GGD (Mechanical, Electrical, Plumbing, Fire Protection) Bohler (Civil), Environmental and Food Service that are working on developing the bidding documents for the MMC project that are called Construction Contract Drawings. Context and their team are about 99% complete with the effort and delivered a progress set of drawings that numbered 240 sheets for the project. The bid documents will be issued on 2/28/24.
- **HSI** - Is a company that was hired to conduct pre-construction survey of adjoining properties to the project site. The purpose of the survey is to create a baseline condition of the neighboring properties prior to the start of construction. The first step for HSI is to mail certified letters to the abutters offering to schedule a time to have HSI conduct an optional photo/video survey of their property.
- **PCA360** - Is the Owner Project Manager for the Town. PCA360 is managing the team (designer, construction manager, Town vendors) and advocating on behalf of the Town throughout the course of the project. This month PCA360 has reviewed two progress sets of drawings and provided review comments to the design team. PCA360 attended multiple coordination meetings throughout the week with various team members. PCA360 is also working on procurement of Town vendors for various scopes.
- **TERVA** - Is the Commissioning agent for the Town, they are an independent 3rd party that is responsible for the functional testing of the systems once installed, at this point in the project they are reviewing the engineering of the project as well as the building envelope and providing comments to the design team to incorporate into the bidding documents. TERVA has been participating in weekly review calls with the design team for both the systems and envelope.

BEST REGARDS,

BRIAN LAROCHE



75 SECOND AVE, SUITE 305
NEEDHAM, MA 02494
WWW.PCA360.COM

T: 617.723.5056
M: 617.680.1286

The content of this email and any files transmitted are confidential and only intended for the use of the individual or entity to whom it is addressed. It is strictly forbidden to share any part of this message with any third party without the written consent of the sender.

From: Justin Sultzbach <justin.sultzbach@middletonma.gov>
Sent: Wednesday, February 28, 2024 9:17 AM



MEETING MINUTES
MIDDLETON SELECT BOARD MEETING
FULLER MEADOW SCHOOL, NATHAN MEDIA CENTER
143 SOUTH MAIN STREET, MIDDLETON, MA 01949
TUESDAY February 20, 2024 at 6:00 PM

This meeting was in person, broadcast live and recorded by Civic Media and posted on You Tube.

Select Board present: Chair Jeff Garber; Rick Kassiotis, Clerk; Brian Cresta, Kosta Prentakis, Debbie Carbone
Also attending: Justin Sultzbach, Town Administrator (TA); Jackie Bresnahan Assistant Town Administrator (ATA) /Human Resource Director; and others as noted.

With a quorum present Chair Garber called the meeting to order at 6 pm.

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.

Business

Warrant 2417 of February 22, 2024: Payroll \$ 802,504; Bills payable \$ 962,221; FP: 33 - \$ 27,056

The Town Accountant/Finance Director Sarah Wood has reviewed the warrant and requested the Board's approval. Town Administrator Sultzbach provided a brief overview of the warrant presented for approval.

On a motion by Prentakis second by Cresta, the Select Board voted unanimously to approve Warrant 2417 & FP 33 as presented.

- a. Minutes – On a motion by Kassiotis second by Cresta, the Board voted unanimously to approve the meeting minutes of February 6, 2024 OS; February 6, 2024 ES.*
- b. Acceptance of Donations – On a motion by Kassiotis, seconded by Cresta, the Board voted unanimously to accept the donation of \$ 1,000 to the Middleton Food Pantry from Bethesda Lodge.*
- c. Town Administrator Updates & Reports – J. Sultzbach*
 - J. Sultzbach received a draft of the Angelica's 40B Development Agreement. We will be reviewing this with Legal Counsel, with a draft to come forward to the Select Board in March.
 - J. Sultzbach had a meeting with the Morin-Cameron Group regarding the engineering at the Locust Street property. They have agreed to join the Select Board at your upcoming March 5th meeting to discuss the scope of work for the property.
 - We held a "Startup" meeting with the consultant that is exploring options for the Memorial Hall parcel upon our departure. As part of this process they will be going before various players in town – including a visit to an upcoming Select Board meeting. J. Bresnahan was recognized for coordinating the consultant.
 - J. Sultzbach had the pleasure of attending the Chocolate Walk on the Rail Trail with his family earlier this month. A huge thank you to all of the volunteers that worked so hard to make the Rail Trail a reality, and a thank you for all of the work they do to support this important community asset; the walk was well attended.
 - Our team is working to finalize the FY25 Capital Plan. We have spent the past several weeks meeting with Department Heads, with a final meeting held today to discuss the finer details. Our second "Budget Saturday" is set to be held on Saturday, March 2nd, starting promptly at 8:30am at the Fuller Meadow School.

- J. Sultzbach have been meeting with PCA 360 to review the 95% plans for the Municipal Building project. We remain on target for a late April/Early May groundbreaking. The board had questions regarding residents hooking up to water mains being installed for the new facility project.

2. Public Comment - There was none.

3. Recommendation by the Police Chief - Appointment of full-time Police Officer Roby Deschenes

Police Captain Matthew Armitage and Officer Roby Deschenes were present. Officer Deschenes previously worked in Middleton, attended the Police Academy, and received his Master's Degree. The Board spoke in support of Officer Deschenes returning to Middleton and supported the Chief's recommendation. This appointment included a one year probation period.

On a motion by Prentakis, seconded by Cresta, the Board voted unanimously to appoint Roby Deschenes as full-time police officer for the Middleton Police Department for term through June 30, 2025.

The Town Clerk was present and swore in Officer Deschenes as a full time officer.

4. Appointment of the tenant member of the Middleton Housing Authority - Candidate Sharon Purchase
S. Purchase was present and spoke on her request to be appointed as the tenant member of the Middleton Housing Authority. As a new resident to Middleton she would like to contribute and advocate for other residents. S. Purchase was open to volunteering in other capacities.

On a motion by Prentakis, seconded by Cresta, the Board voted unanimously to appoint Sharon Purchase as the tenant member of the Middleton Housing Authority for a five-year term to expire June 30, 2029.

5. Joint meeting with the Middleton Charter Review Committee – Discussion of potential charter amendments and timeline for Annual Town Meeting 2024.

With a quorum present the chair called the meeting to order at 6:15 pm. Present: Frank Twiss, Chair; Sharon Bainbridge; George Dow Sr; Sarah George; Natalie Lovett; James Vining. Not present: Trevor Currier F. Twiss reviewed the Chapter Committee is in the process of reviewing the Charter in detail and updating terms and language and will prepare recommendations for consideration by the Board. He spoke in general terms on sections of the Charter and noted the Committee will have a recommendations to the Select Board to be reviewed by Town Counsel. J. Sultzbach Town Administrator participated in the discussion on the office of the Town Administrator's role. F. Twiss said this would not be ready for 2024 Town Meeting.

It was agreed to have another joint meeting to discuss the proposed changes.

The Committee unanimously adjourned at 6:25 pm.

6. Continue Review of Articles for Warrant for the Annual Town Meeting (ATM), May 14, 2024

The Town Moderator **Barbara Piselli** was present for this agenda item. J. Sultzbach gave an overview of the ATM warrant, currently with 22 articles, and updated the Board on the recent changes/updates made. There was a brief review of the state mandate for MBTA communities to create zoning for multi-family housing by right and the possible financial consequence to towns that do not follow the bylaw. B. Cresta requested a discussion on making a recommendation for the one time significant increase in investment income; this will be part of the capital meeting March 3. The schools continue to work on "tightening" the budget.

7. Approval of vendor contract for Middleton Communications Tower – Industrial Communication

This vendor, Industrial Communication is on the state contract list. The communications tower is a part of the municipal complex project and construction budget. It was determined using the vendor for all aspects of the construction of the 80 foot tower was fiscally beneficial. The Town will work with the OPM to get final documents, design, and pricing. Middleton Fire will do the final detail work.

Although there is additional room on the tower, it is not certain at this time if there is room for i.e. cellular use for revenue; an RFP will be issued if this is determined to be a viable plan.

On a motion by Prentakis, seconded by Carbone, the Board voted unanimously to approve Industrial Communications LLC for the Middleton Communications Tower.

8. Follow up: MSBA (Massachusetts School Board Authority) Vote to Authorize Superintendent of School Scott Morrison to submit a Statement of Interest for the Fuller Meadow School roof repairs.

J. Sultzbach reviewed at the last meeting a high level of scope was requested. The director of facilities Steve Clifford provided a brief scope to re-roof approximately 32,000 square feet of the Fuller Meadow School at an estimated cost of \$2.2 million pending additional associated costs and inflation. This is on the spring 2024 capital plan in the event MSBA approves the project.

K. Prentakis compared this to the Masco project estimated at \$30M for roof, HVAC, and building management system and suggested Steve Clifford speak with Jeff Sands to compare cost & projects.

On a motion by Kassiotis, seconded by Carbone, the Middleton Select Board voted unanimously to support the following statement:

Having convened in an open meeting February 20, 2024, prior to the Statement of Interest submission closing date, the Middleton Select Board, in accordance with its charter, by-laws, and ordinances, hereby votes to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated 28 February 2024 for the Fuller Meadow Elementary School, located at 143 South Main Street, Middleton, Massachusetts which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future:

Priority 1.

The Middleton Public Schools seeks to replace a section of roofing of approximate 31,724 SqFt in size, located in the south west area of the school. The roofing is original to its section of the school building, constructed in 1995–1996. The roof is of ethylene propylene diene monomer (EPDM) synthetic rubber construction. The roofing has exceeded its service life and is in need of replacement to secure the safety, health, and function of the classrooms, gymnasium, and hallways it serves below, and hereby further specifically acknowledges that by submitting the Statement of Interest Form the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant, or any other funding commitment from the Massachusetts School Building Authority, or commits the Town of Middleton to filing an application for funding with the Massachusetts School Building Authority.

9. Updates & Announcements

March 12 – Planning Board Public Hearing on Zoning

10. Executive Session 7:09pm:

On a motion by Cresta, seconded by Kassiotis, the Board voted unanimously by roll call to enter into Executive Session pursuant to GLC 30A s. 21 (a) (2) To conduct strategy session in preparation for negotiations with nonunion personnel: Review new non-union classifications for three positions all positions previously unclassified) and review market rate adjustment recommendation from the Collin Center and not return to open session but adjourn directly from executive session.

Adjournment: The Board unanimously voted by roll call to enter executive session and not return to open session at 7:10 pm
The Board unanimously by roll call adjourned at 8:38pm.

Upcoming Meetings:

Select Board Meetings: March 5 & 19
March 2 – Saturday Capital Budget Meeting
March 28- Budget Hearing & Warrant Reading

Respectfully submitted by,
Catherine E. Tinsley
Catherine Tinsley, Recording Secretary

Rick Kassiotis, Select Board Clerk

Documents either distributed to the Select Board before the meeting in a packet or at the meeting:

- Agenda: February 20, 2024
- Warrant # 2417 & FP 33
- Minutes: *February 6, 2024 os/es*
- *Email J. Smith re Food Pantry donation 2.6.24*
- *Letter of Recommendation from Police Chief Sampson 2.16.14*
- Tenant Letter Application 1.2.24
- Memo J. Sultzbach to Select Board re Charter Review Committee 2.20.24
- ATM May 14, 2024 Warrant
- Industrial Communications contract w/ town of Middleton 11.9.23
- Email from S. Clifford to Town Administrator re Fuller Meadow School re-roofing scope 2.12.24
- Memo from J. Sultzbach to Select Board re Fuller Meadow Roof Authorization 2.20.24



3a

Town of Middleton
Memorial Hall
48 South Main Street
Middleton, Massachusetts
01949-2253
978-777-3617
www.middletonma.gov

TOWN OF MIDDLETON TALENT BANK APPLICATION

The Select Board maintains a Talent Bank of names of citizens of Middleton willing to serve on boards, commissions and committees. Names in this file are available for use by all Town Departments.

Name: Jeanne Plourde Telephone: _____
Address: 13 Bellview Ave Cell phone: 978-PZ8-7883
Email Address: jplourde23@verizon.net
Occupation: CDO at Northwest Arc

Background Experience: Working in Human Services providing Services and supports to people with ID/DD from birth to end of life, advocate for Elderly with My Family & Husband's Family. (Resume attached)
I am interested in serving on Town Boards and Committees involved in the following areas:

(Please check all that apply. The Board encourages you to attach a recent resume if available.)

1. ✓ Board of Health
1. ✓ Council on Aging
_____ Finance Committee
_____ Zoning Board of Appeals
_____ Conservation Commission
3. ✓ Cultural Council
_____ Other: _____

_____ Recreation Commission
_____ Historical Commission
1. ✓ Planning Board
_____ Industrial Commercial Development Review Committee
_____ Zoning Bylaw Review Committee
_____ Other: _____
_____ Other: _____

Amount of Time Available: Mon-Thurs after 5:00, also Flexible

Are you available year round for committee meetings? Yes ✓ No _____
If not, when are you available?

_____ Winter _____ Spring _____ Summer _____ Autumn

Are there any Boards or Committees in which you are particularly interested?

Council on Aging

Jeanne Plourde

Signature

Please submit all responses to the Town Administrator's Office via the mailing address above or via email at:
deb.mahoney@middletonma.gov

Revised 9/28/23

Date

10.18.2023

JOANNE PLOURDE

13 Belview Ave
Middleton, MA 01949
jplourde23@verizon.net
978-828-7883

PROFESSIONAL EXPERIENCE

7/2012-present Northeast Arc, Danvers, Ma
Chief Operating Officer
Supports Northeast Arc's mission by providing executive level administrative management of all service lines, budget development and monitoring, administrative function including Quality Assurance, Compliance, Office Management, Facilities, and Information Technology. Acts as a member of the Executive and Senior Leadership Teams and is responsible for executive and senior level planning, decision-making and implementation of policies and initiatives. Lead development and implementation of Strategic Plan.

11/01-7/2012 Northeast Arc, Danvers, MA
Division Director
Responsible for overseeing the administration, management, and operations of the day services division inclusive of Work Supports, Day Habilitation services, and transportation Management and clinical supervision of Program Directors. Develop and monitor agency budgets and service contracts. Ensure compliance with applicable licensing and regulatory standards. Ensure compliance with national accreditation (CARF) Member of senior management team. Actively participate in agency strategic planning, policy development and expansion.

3/99-11/01 North Shore ARC, Heritage Industries, Danvers, MA
Assistant Division Director
Assist with management and supervision of vocational services. Develop and monitor agency budgets and service contracts. Ensure compliance with applicable licensing and regulatory standards. Ensure compliance with national accreditation (CARF). Active participant in agency strategic management team.

11/92-3/99 United Cerebral Palsy Association of MetroBoston Inc., Watertown, MA.
Associate Director for Program Services
Responsible for overseeing the administration, management, and operation of UCP programs including Supported Employment, Personal Care Attendant Program, Day Habilitation, Family Support, and Residential Services. Management and clinical supervision of program staff. Develop and monitor agency budgets. Assist with Coordination of human resources, recruiting, hiring, and training. Ensure compliance with applicable licensing and regulatory standards, UCP policies, procedures, and national accreditation standards (CARF). Agency's Human Rights Coordinator. Chairperson of Massachusetts Day Habilitation Coalition January 1997 through January 1999.

9/88 - 11/92 United Cerebral Palsy Association of MetroBoston Inc., Watertown, MA
Day Habilitation Director
Responsible for the daily operations of the Day Habilitation Program. Developed and managed individual service plans and therapeutic treatment plans. Hire, train and supervise professional, paraprofessional staff, students, and volunteers. Designed and implemented agency policies and procedures. Monitor compliance with licensing standards. Experience with DMR/DMA. In-service training committee.

EDUCATION

Suffolk University, Boston, MA
MPA (Masters of Public Administration)

University of Lowell, Lowell MA.
Bachelor of Arts, Psychology

REFERENCE

Furnished upon request.

Deb Mahoney

From: noreply@civicplus.com
Sent: Monday, July 24, 2023 5:08 PM
To: Jackie Bresnahan; Deb Mahoney
Subject: Online Form Submittal: Appointment Form 2023 (New and Reappointment)

[CAUTION:] This message was sent from outside of the Town of Middleton. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Appointment Form 2023 (New and Reappointment)

First Name	Peter
Last Name	Graziani
Board/Commission/Committee	Industrial and Commercial Design Review Committee
Response	I would like to be newly appointed
Email Address	Grazianipeter@gmail.com
Best Contact Phone Number	6175801111
Address	221 N Main St
City	Middleton
State	MA
Zip Code	01949
Resume Upload for New Applicants	<i>Field not completed.</i>
Electronic Signature Agreement	I agree.
Electronic Signature	Peter Graziani

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OFFICE OF THE TOWN ADMINISTRATOR

Town of Middleton
Memorial Hall
48 South Main Street
Middleton, MA 01949-2253
978-777-3617
www.middletonma.gov

February 28, 2024

To: Select Board; Town Administrator
From: Jackie Bresnahan, Assistant Town Administrator/HR Director
RE: Planning Director Screening Committee

In lieu of the departure of our current Town Planner, I would like to recommend the following make-up of a Planning Director Screening Committee. The chosen members would need to have availability in late March to review resumes and early April to interview candidates and make a recommendation to the Select Board.

Planning Director Screening Committee:

- One (1) Select Board representative
- One (1) Planning Board representative (of their choosing)
- One (1) Zoning Board representative (of their choosing)
- Town Administrator
- Assistant Town Administrator/HR Director

This make up will ensure the needs of the Select Board, Planning Board, and Zoning Board are represented.

I would also request that the Select Board appoint their representative, as well as the Town Administrator and ATA/HR Director, tonight with a term ending “upon the position being filled.”

In regards to timeline, the position will be posted on the Town website as well as mma.org and with various professional associations on Friday, March 1st. We will actively recruit throughout March and begin resume review at the end of the month.

Thanks in advance to the staff in 195 N. Main who will work with us to ensure there is no disruption in the activities of the Planning and Zoning Boards. I would like to thank Katrina O’Leary for her 10 years of service to the Town of Middleton.



TOWN OF MIDDLETON

OFFICE OF THE TOWN ADMINISTRATOR

48 South Main Street, Middleton, MA 01949

Telephone (978) 777-3617
justin.sultzbach@middletonma.gov

TO: Select Board
FROM: Justin Sultzbach, Town Administrator
DATE: March 5th, 2024
RE: Locust St Engineering

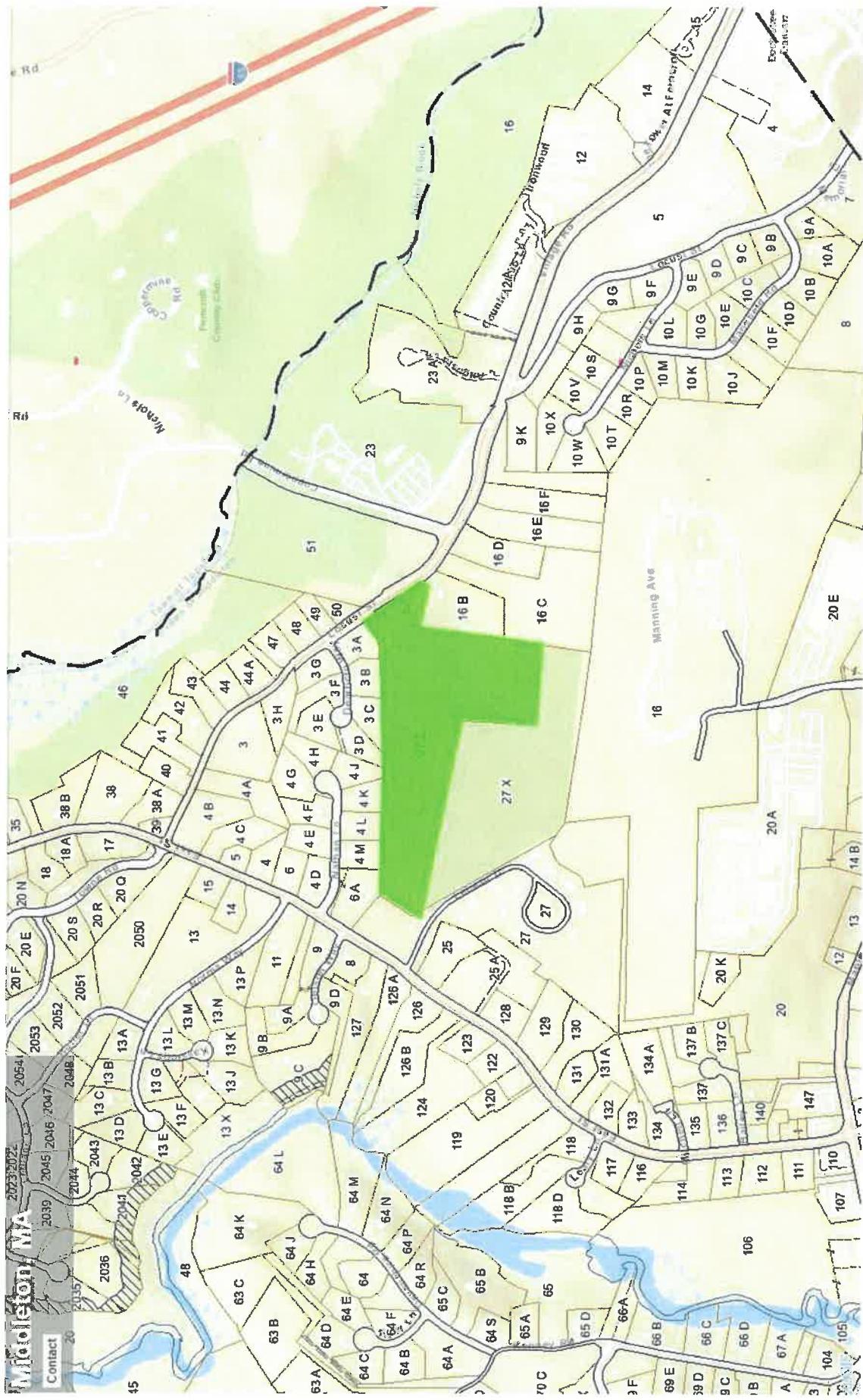
Board Members,

Before you tonight is Mr. Scott Cameron of the Morin-Cameron Group, Inc. Mr. Morin and his firm has extensive experience in professional civil engineering, land surveying and environmental consulting. Given that we are in the early planning stages of the town-owned Locust Street parcel, and based on feedback from the Select Board at recent meetings, we are looking to kick off a high level conversation about the potential of this community asset.

Given the parcel's close proximity to I95, it's geographic location at the edge of town away from Rt 114 traffic, and the current demand for residential development in the Commonwealth, we feel this is a highly desirable parcel. With this in mind, and given recent "runaway" development we have seen in surrounding areas, it would be in the Town of Middleton's best interest to develop a citizen-driven RFP process that would put in place certain guardrails to ensure whichever development that may go there is reflective of the needs and wants of the community.

Mr. Cameron can help us shape that conversation on an early level by helping our team better understand what could (and could not) be possible on this parcel. Once this is established we can begin work on preparing and collecting data on the parcel that will assist us as we go through the RFP development process for the disposition of the Locust Street parcel.





Unofficial Property Record Card - Middleton, MA

General Property Data

Parcel ID	0020-0000-0027 Z	Account Number	200125
Prior Parcel ID	--		
Property Owner	MIDDLETON TOWN OF MEMORIAL HALL	Property Location	LOCUST ST
Mailing Address	48 SOUTH MAIN ST	Property Use	Mun Vacant
		Most Recent Sale Date	9/28/2001
		Legal Reference	17704-498
		Grantor	WEBBER,ALAN E.
City	MIDDLETON	Sale Price	1,750,000
Mailing State	MA	Land Area	17.410 acres
ParcelZoning	R1B		

Current Property Assessment

Card 1 Value	Building Value 0	Xtra Features Value 0	Land Value 632,600	Total Value 632,600
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Building Description

Building Style	Foundation Type	Flooring Type
# of Living Units 0	Frame Type	N/A
Year Built N/A	Roof Structure	Basement Floor N/A
Building Grade	Roof Cover	Heating Type N/A
Building Condition N/A	Siding	Heating Fuel N/A
Finished Area (SF) N/A	Interior Walls N/A	Air Conditioning 0%
Number Rooms 0	# of Bedrooms 0	# of Bsmt Garages 0
# of 3/4 Baths 0	# of 1/2 Baths 0	# of Full Baths 0
		# of Other Fixtures 0

Legal Description

Narrative Description of Property

This property contains 17.410 acres of land mainly classified as Mun Vacant with a(n) style building, built about N/A , having exterior and roof cover, with 0 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

Property Images

No Sketch Available	No Map Available	No Picture Available
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Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

Unofficial Property Record Card - Middleton, MA

General Property Data

Parcel ID	0014-0000-0052	Account Number
Prior Parcel ID	-	
Property Owner	MIDDLETON TOWN OF MEMORIAL HALL	Property Location LOCUST ST
Mailing Address	48 SOUTH MAIN ST	Property Use Mun Vacant
City	MIDDLETON	Most Recent Sale Date
Mailing State	MA	Legal Reference
Parcel/Zoning	R1B	Grantor
		Sale Price 0
		Land Area 0.749 acres

Current Property Assessment

Card 1 Value	Building Value 0	Xtra Features Value 0	Land Value 321,800	Total Value 321,800
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Building Description

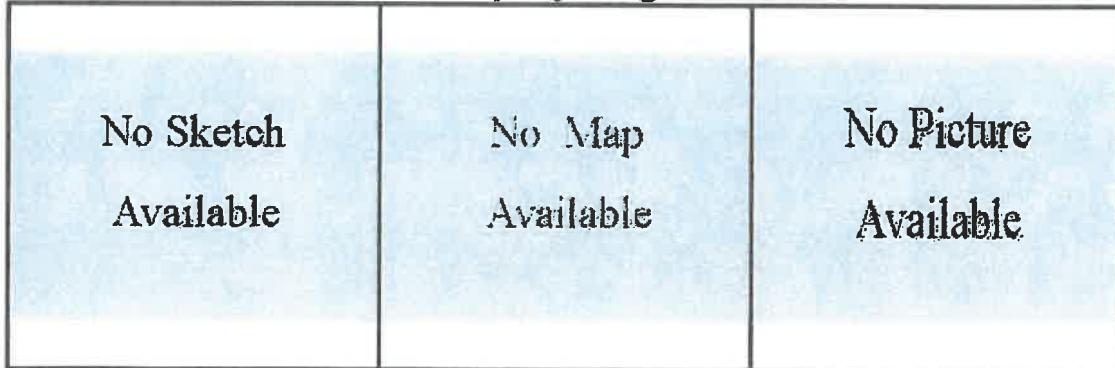
Building Style	Foundation Type	Flooring Type N/A
# of Living Units 0	Frame Type	Basement Floor N/A
Year Built N/A	Roof Structure	Heating Type N/A
Building Grade	Roof Cover	Heating Fuel N/A
Building Condition N/A	Siding	Air Conditioning 0%
Finished Area (SF) N/A	Interior Walls N/A	# of Bsmr Garages 0
Number Rooms 0	# of Bedrooms 0	# of Full Baths 0
# of 3/4 Baths 0	# of 1/2 Baths 0	# of Other Fixtures 0

Legal Description

Narrative Description of Property

This property contains 0.749 acres of land mainly classified as Mun Vacant with a(n) style building, built about N/A, having exterior and roof cover, with 0 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

Unofficial Property Record Card - Middleton, MA

General Property Data

Parcel ID 0014-0000-0003 Z Account Number 16270K
Prior Parcel ID -
Property Owner MIDDLETON TOWN OF LOCUST ST
MEMORIAL HALL
Mailing Address 48 SOUTH MAIN ST Property Use Mun Vacant
City MIDDLETON Most Recent Sale Date 9/28/2001
Mailing State MA Zip 01949 Legal Reference 17704-498
ParcelZoning R1B Grantor ALAN E WEBBER
Sale Price 1,750,000
Land Area 0.115 acres

Current Property Assessment

Card 1 Value	Building Value 0	Xtra Features Value 0	Land Value 23,900	Total Value 23,900
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Building Description

Building Style	Foundation Type	Flooring Type N/A
# of Living Units 0	Frame Type	Basement Floor N/A
Year Built N/A	Roof Structure	Heating Type N/A
Building Grade	Roof Cover	Heating Fuel N/A
Building Condition N/A	Siding	Air Conditioning 0%
Finished Area (SF) N/A	Interior Walls N/A	# of Bsmt Garages 0
Number Rooms 0	# of Bedrooms 0	# of Full Baths 0
# of 3/4 Baths 0	# of 1/2 Bath 0	# of Other Fixtures 0

Legal Description

Narrative Description of Property

This property contains 0.115 acres of land mainly classified as Mun Vacant with a(n) style building, built about N/A , having exterior and roof cover, with 0 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

Property Images

No Sketch Available	No Map Available	No Picture Available
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Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

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COMPANY PROFILE

[INQUI](#)

The Morin-Cameron Group, Inc. is a leading provider of professional civil engineering, land surveying and environmental consulting services in New England. Morin-Cameron Group, Inc. was originally founded in 1978 by Thomas E. Neve as a civil engineering, land surveying and land use planning firm. In 1988, Partner John M. Morin joined the firm and worked up through the ranks, assuming ownership in 2004. In 2012, Partner Scott P. Cameron joined the firm and collectively rebranded the company to The Morin-Cameron Group, Inc. In 2018, MCG acquired Christiansen & Sergi, Inc. based in Haverhill, Massachusetts.

MCG serves residential and commercial owners, municipalities, architects, attorneys, developers, contractors and other professionals in the land development industry. Our team of innovative and proactive civil engineers, land surveyors and professionals are committed to providing our Clients with unrivaled service.

MCG has offices in Danvers and Haverhill, Massachusetts.

About

- [The MCG Way](#)
- [Company Profile](#)
- [Owners](#)
- [Giving Back](#)

[About](#)[Services](#)[Contact Information](#)

Our qualified staff has assisted Residential, Commercial, Institutional and Recreational Clients since 1978. We provide Professional Civil Engineering, Land Surveying, Environmental Consulting and Land Use services in the land development sector.

We look forward to hearing from you before you begin your next project.

Company Profile | The Morin-Cameron Group, Inc.

Civil engineering
Land surveying
Environmental consulting
Land use planning

Danvers Location

66 Elm Street
Danvers, MA 01923
P: 978-777-8586

Haverhill Location

25 Kenoza Avenue
Haverhill, MA 01830
P: 978-373-0310

Email

info@morincameron.com

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HOME

ABOUT

SERVICES

PROJECTS

CARI



SCOTT CAMERON, P.E.

INQUI



SCOTT CAMERON, P.E.

Welcome to our website and thank you for taking the time to learn about our company. I'd like to share with you a short narrative about my upbringing and background.

I grew up in Southern New Hampshire and Northeastern Massachusetts. I spent my childhood mucking through swamps, woods and fields, in search of the next rock to flip over in anticipation of what was living beneath. When I was 8, my family moved to a new subdivision in a small town in the Merrimack Valley. The road was still under construction when we moved in to the house my father built. My natural curiosity for how things work found me shadowing the site contractor, asking questions and doing my best not to annoy them. In hindsight, they had the patience of saints. Around the same time, my father and extended family were expanding their restaurant. I remember walking through the bare steel frame of the building, watching the brick layers mortaring CM walls, electricians, plumbers, carpenters...it was an exciting experience for a kid to be part of. It was these early run-ins with construction and the wild that planted the seeds that would eventually grow into my professional career.

Later in my youth, I learned the principles of hard work, commitment and leadership through Boy Scouts of America, sports and work. I earned the rank of Eagle Scout, a proud accomplishment which I still display on the wall in my office. I played varsity cross-country and track and field through all of high school. Being the child of a restaurant family, I also worked at my family's restaurant starting in middle-school. The restaurant instilled on me the customer service values of the hospitality industry. These childhood experiences shaped my core of values of hard work, integrity, courtesy and workmanship.

In 1999, I was accepted into Northeastern University's College of Engineering. My childhood interests in the environment and construction led me to the civil engineering program, in which I excelled. Northeastern is a co-operative work/study curriculum so in between class semesters, I worked in the industry. I worked at Modern Continental Enterprise Group, Parsons-Brinkerhoff and SEA Consultants (now Kleinfelder) during this time.

Following graduation in 2004, I accepted a job at McKenzie Engineering Group where I worked out of their Saugus office. It was a small company and within short time, I was given an opportunity to take a leadership role for the company. It wasn't long before the owner and I moved the office to Danvers where I began growing a network of clients. I must tip my hat to Brad McKenzie for his mentorship and patience during my time at his company. It was during this time that I was immersed into the world of the public permitting process. I attended meetings with planning boards, conservation commissions and town officials. Worked with attorneys, developers, architects and other professionals on strategy, scope and constant thinking on your feet. The public arena is where I really found my niche in the industry and doors started opening for me. It was September 29, 2008, the start of the economic recession and a day that I'll never forget, that started me on a path to ownership.

During the economic recession of 2008-2010, everyone in our industry was looking for work. Development had ground to a halt, and I was not alone in pursuing every lead I could find. I found a lot of small house addition jobs during this time and many of them needed septic system inspections. So, I started a small company specializing in septic system inspections, Cameron Site Inspection, Inc. that I could work on weekends. It filled an economic need for me and my family while we waited out the recession. It also taught me the basics of owning a business. It wasn't long before I convinced myself that owning an engineering company was the next logical step in my career.

The concept of a partnership between John and myself began in late 2011 over a coffee and orange juice. It wasn't long before we formed The Morin-Cameron Group. The company has grown considerably since its rebranding. I owe this success to our collective commitment to excellence, and the outstanding staff that surrounds us and makes this happen. I am very excited about what the future holds for our Company.

~Scott P. Cameron, P.E., Principal

in

Services

- Civil engineering
- Land surveying
- Environmental consulting
- Land use planning

Contact Information

Danvers Location
66 Elm Street
Danvers, MA 01923
P: 978-777-8586

Haverhill Location
25 Kenoza Avenue

About

Our qualified staff has assisted Residential, Commercial, Institutional and Recreational Clients since 1978. We provide Professional Civil Engineering, Land Surveying, Environmental Consulting and Land Use services in the land development sector.

We look forward to hearing from you before you begin your next project.

Haverhill, MA 01830

P: 978-373-0310

Email

info@morincameron.com

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- REDACTED -



Town of Middleton
Memorial Hall
48 South Main Street
Middleton, Massachusetts
01949-2253
978-777-3617
www.middletonma.gov

One Day Liquor License Application

License Fee Payable to the Town of Middleton

ALL QUESTIONS MUST BE ANSWERED AND A TELEPHONE NUMBER PROVIDED

Business Name Winter Hill Brewing Co (Indignant Brewing Co LLC)

Business Address 328 Broadway, Somerville, MA 02145

Social Security Number/FID Number _____

Applicant Information

Individual's Name Breck Bailey

Home Address _____

Mobile Number 203-249-2890

Is the Applicant a United States Citizen? Yes No

Driver's License Number & State

E-Mail Address breck@winterhillbrewing.com

Date of Event: Weekends from 4/20/24 - 6/30/24 Time from: Noon to 8p

Location of Licensed Activity: The Lot on South Main (145 South Main Street, Middleton, MA)

Beer Garden at The Lot on South Main

www.english-test.net

Name of Caterer _____



Town of Middleton

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Middleton, Massachusetts
01949-2253
978-777-3617
www.middletonma.gov

Number of People Attending Adults 100 Children 20

Type of License (select one)

One-Day All-Alcoholic (only available for non-profit purposes) One-Day Beer & Wine
 Charitable Wine Pouring Charitable Wine Auction

Is the alcohol being donated? Yes No

Where is the liquor being purchased from? Winter Hill Brewing (Farmer Brewer) & Hogs Head Wine Co.

Are they a licensed wholesaler? Yes No

Who will be serving the alcohol? Winter Hill Brewing Co. Employees

Does the server have liquor liability insurance? Yes No

Is the event held by, or held for the benefit of, a business or non-profit group?

Business Yes No Non-Profit Yes No

Will there be a cash bar? Yes No

Is there an entrance fee or donation required? Yes No

Is the event open to the general public? Yes No

****Special One Day Licensees must purchase Alcoholic Beverages from a licensed supplier. Special Licensee cannot purchase alcoholic beverages from a Package Store and cannot accept donations of alcoholic beverages from anyone.****



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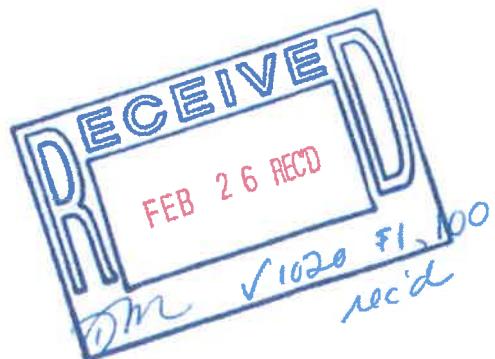
Liability Disclaimer for Special One Day License

By exercising the privileges of this license in serving persons with alcoholic beverages, the licensee is potentially exposed to significant liability for injuries and damages to persons served or to others who are injured or damaged by the persons served. Your acceptance and exercise of this license will be deemed to be acknowledgement that you are aware of this potential liability. You are encouraged to discuss the risks associated with exercising your privileges of the license and the precautions appropriate to avoid injuries, damage and liability to others with your legal advisor. The Town of Middleton, and the Select Board as Local Licensing Authority, shall not be liable to the licensee or others if injury or damage shall result from the exercise of the license.

Signature of Applicant

2/9/2024

Date





INDIBRE-01

HGM1

DATE (MM/DD/YYYY)
2/8/2024

CERTIFICATE OF LIABILITY INSURANCE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERs NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER

Salem Five Insurance Services, LLC
445 Main Street
Woburn, MA 01801

CONTACT HH

PHONE
(A/C, No, Ext): (781) 933-3100

FAX
(A/C, No): (781) 933-9048

E-MAIL
ADDRESS: insurance.services@salemfive.com

INSURED

Indignant Brewing Co LLC
328 Broadway
Somerville, MA 02145

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: Hanover

22292

INSURER B: Allmerica Financial Benefits Ins

41840

INSURER C: Capitol Specialty Insurance Corp

INSURER D: Wesco Insurance Company

INSURER E:

INSURER F:

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD / WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A	X COMMERCIAL GENERAL LIABILITY		ZBNH674216	7/1/2023	7/1/2024	EACH OCCURRENCE	\$ 1,000,000	
	CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR					DAMAGE TO RENTED PREMISES (Ex occurrence)	\$ 100,000	
	GEN'L AGGREGATE LIMIT APPLIES PER:					MED EXP (Any one person)	\$ 10,000	
	POLICY <input type="checkbox"/> PRO- JECT <input type="checkbox"/> LOC					PERSONAL & ADV INJURY	\$ 1,000,000	
	OTHER:					GENERAL AGGREGATE	\$ 3,000,000	
B	AUTOMOBILE LIABILITY		AWNH674207	7/1/2023	7/1/2024	PRODUCTS - COMPOP AGG	\$ 3,000,000	
	ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS					LICQUOR LIAB	\$ 2,000,000	
	X HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY					COMBINED SINGLE LIMIT (Ex accident)	\$ 1,000,000	
C	X UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR		XS23030067	7/1/2023	7/1/2024	BODILY INJURY (per person)	\$	
	EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE					BODILY INJURY (per accident)	\$	
	DED <input type="checkbox"/> RETENTION \$					PROPERTY DAMAGE (per accident)	\$	
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	Y/N N/A	WWC3689123	1/15/2024	1/15/2025	X PER STATUTE	OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/>					E.I. EACH ACCIDENT	\$ 1,000,000	
	If yes, describe under DESCRIPTION OF OPERATIONS below					E.I. DISEASE - EA EMPLOYEE	\$ 1,000,000	
A	Liquor Liability		ZBNH674216	7/1/2023	7/1/2024	E.I. DISEASE - POLICY LIMIT	\$ 1,000,000	
A	Property		ZBNH674216	7/1/2023	7/1/2024	Per Occurrence	\$ 1,000,000	
						BPP	\$ 275,000	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Beer Garden Service on Saturday's and Sunday's from April 20, 2024 through June 30, 2024.

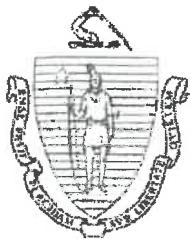
The town of Middleton is included as additional insured per written contract or agreement

CERTIFICATE HOLDER

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



The Commonwealth of Massachusetts

Department of Industrial Accidents

Office of Investigations

Lafayette City Center

2 Avenue de Lafayette, Boston, MA 02111-1750

www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses

Applicant Information

Please Print Legibly

Business/Organization Name: Indignant Brewing Co LLC (d/b/a Winter Hill Brewing Co)

Address: 328 Broadway

City/State/Zip: Somerville, MA 02145

Phone #: MA

Are you an employer? Check the appropriate box:

1. I am a employer with 25 employees (full and/or part-time).*
2. I am a sole proprietor or partnership and have no employees working for me in any capacity.
[No workers' comp. insurance required]
3. We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
4. We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

5. Retail
6. Restaurant/Bar/Eating Establishment
7. Office and/or Sales (incl. real estate, auto, etc.)
8. Non-profit
9. Entertainment
10. Manufacturing
11. Health Care
12. Other

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: Salem Five Insurance Services

Insurer's Address: 445 Main Street

City/State/Zip: Woburn, MA 01801

Policy # or Self-ins. Lic. # WWC3689123

Expiration Date: 1/15/2025

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under § 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature:

Date: 2/9/2024

Phone #: 203-249-2890

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____

Issuing Authority (check one):

1. Board of Health
2. Building Department
3. City/Town Clerk
4. Licensing Board
5. Selectmen's Office
6. Other

Contact Person: _____ Phone #: _____



C E R T I F I C A T E

Issued: 9/17/2021

Expires: 9/17/2024

IC#:

5557661

Bertram L. Holdridge
Winter Hill Brewing
128 Broadway
Somerville, MA 02140-2803

For service visit us online at www.etips.com

CERTIFIED

On-Premise

Issued: 06/07/2023

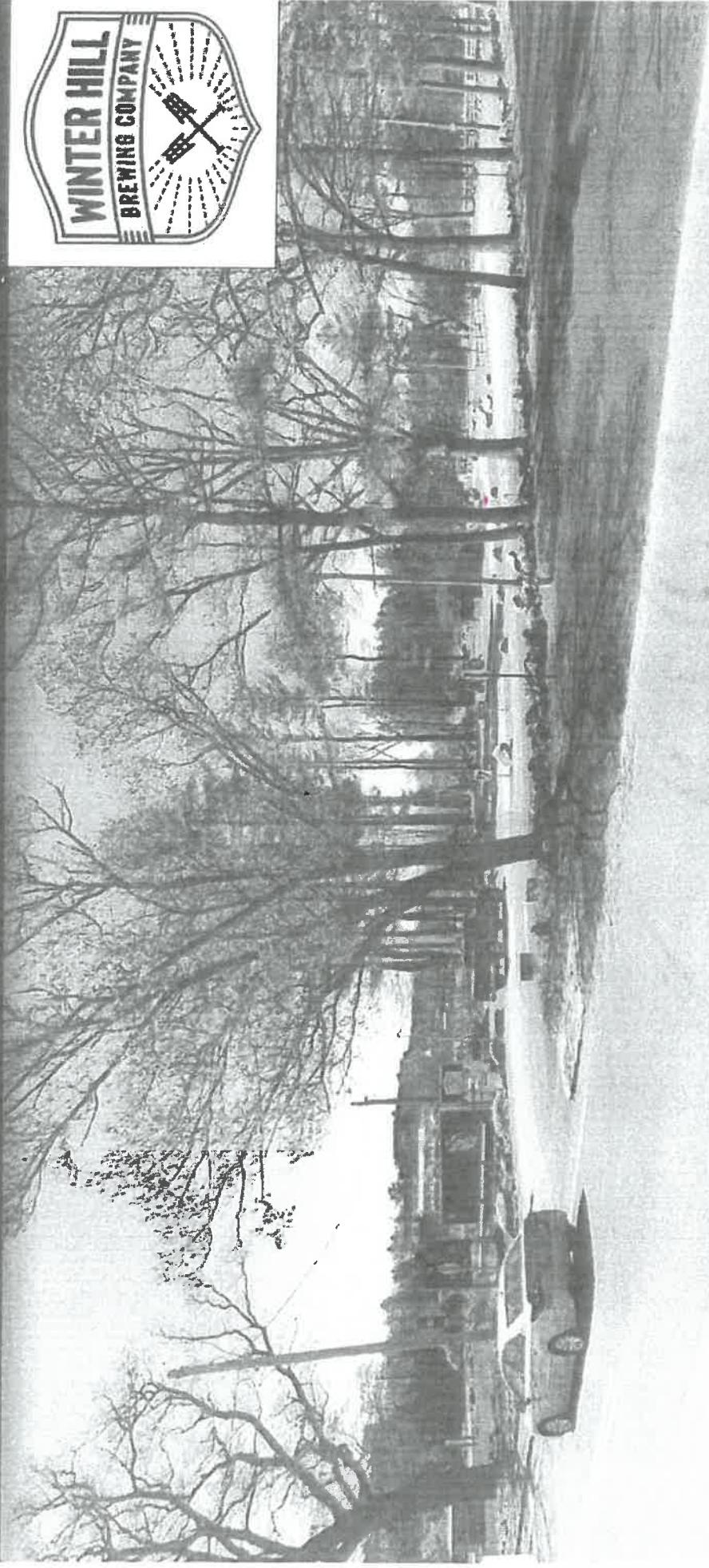
Certificate #: ON-000028858508

Expires: 06/06/2026

Hannah Payne

20 Harriet Street
Brighton
MA 02135

Beer Garden at The Lot on South Main



Saturday and Sunday - April 20 - June 30

Beer Garden at The Lot

Logistics

- Dates: Saturday and Sundays (April 20 – June 30)
- Noon – 8p

Operations Overview

- Beverage service to include beer, wine and non alcoholic offerings
- Food to be served continuously throughout event by existing Lot food vendors
- All alcoholic beverage activities will be managed by Winter Hill Brewing Company employees, all of whom are TIPS certified
- Event would be staffed by ~2-4 TIPS certified employees
- Fully insured (\$2m GL / liquor liability)

Dates of Operation

	Saturday	Sunday
April	20	21
	27	28
May	4	5
	11	12
	18	19
	25	26
June	1	2
	8	9
	15	16
	22	23
	29	30



Location – 100 Winchester Street

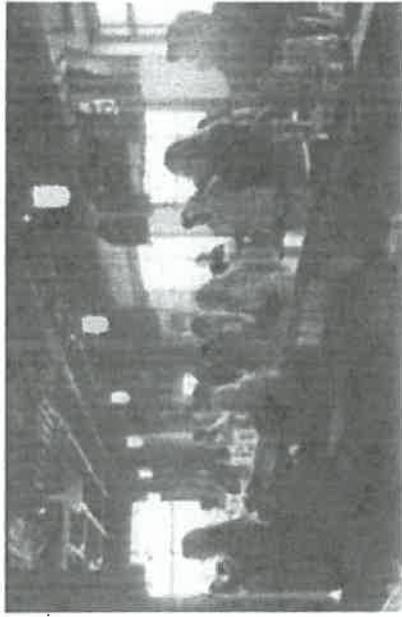


S Signage



About Winter Hill Brewing

- WHBC has operated a full service restaurant and catering business at 328 Broadway since April of 2016 (licensed under Farmer Pouring permit)



- Premises includes 150+ person tap room serving breakfast, lunch and dinner



- Offsite food and beverage experience includes public beer gardens, weddings, corporate events, music festivals and fundraisers

- Have been operating mobile beer gardens for 6 years (operated ~45+ in 2022 - 2023)
- Private offsite events include: Weddings, corporate events, fundraising events, graduation parties, etc.

▼ “The Yard” Beer Garden in Medford



▲ Somerville Taproom

Representative “Beer Garden” Experience

- ✓ Boston Local Music Festival (2,000+)
- ✓ Davis Square Yard (600+)
- ✓ Ball Square Yard (600+)
- ✓ deCordova Sculpture Park (400+)
- ✓ Gilman Square Block Party (400+)
- ✓ Assembly Row Beer Garden (1,000+)
- ✓ Rock the Harbor Gloucester (1,000+)
- ✓ Somerville Night Markets (500+)

(estimated attendance in parenthesis)





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48 South Main Street
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01949-2253
978-774-3589
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7
A

TOWN OF MIDDLETON TALENT BANK APPLICATION

The Select Board maintains a Talent Bank of names of citizens of Middleton willing to serve on boards, commissions and committees. Names in this file are available for use by all Town Departments.

Names: DAVID LEBEL Telephone: 978-360-5854
Address: 4 WHITE CANYON Bus. Telephone: _____

Email Address: dslebel@mtnet.com

Occupation Contractor MIDDLETON WELL & PUMP

Background Experience: CONSTRUCTION SUPERVISOR'S LICENSE
IN PAST AND HAVE BEEN A contractor FOR OVER

I am interested in serving on Town Boards and Committees involved in the following areas: 25+ years
(Please check all that apply. The Board encourages you to attach a recent resume if available.)

<input type="checkbox"/> Board of Health	<input type="checkbox"/> Recreation Commission
<input type="checkbox"/> Council on Aging	<input type="checkbox"/> Historical Commission
<input type="checkbox"/> Finance Committee	<input checked="" type="checkbox"/> Planning Board
<input type="checkbox"/> Board of Appeals	<input type="checkbox"/> Industrial Commercial Development Review Committee
<input type="checkbox"/> Conservation Commission	<input type="checkbox"/> Zoning Bylaw Review Committee
<input type="checkbox"/> Cultural Council	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____

Amount of Time Available: _____

Are you available year round for committee meetings? Yes No
If not, when are you available?

_____ Winter _____ Spring _____ Summer _____ Autumn

Are there any Boards or Committees in which you are particularly interested?

Planning Board
Al Bresnahan

6-23-2023

Signature

Please submit all responses to the Town Administrator's Office via the mailing address above or via email at
jackie.bresnahan@middletonma.gov

Date



Town of Middleton
Memorial Hall
48 South Main Street
Middleton, Massachusetts
01949-2253
978-777-3617
www.middletonma.gov

TOWN OF MIDDLETON TALENT BANK APPLICATION

The Select Board maintains a Talent Bank of names of citizens of Middleton willing to serve on boards, commissions and committees. Names in this file are available for use by all Town Departments.

Name: Jeanne Plourde Telephone: _____
Address: 13 Bellview Ave Cell phone: 978-828-2883
Email Address: plourde23@verizon.net
Occupation: CDO at Northwest Arc

Background Experience: Working in Human Services providing Services and Supports to people with ID/DD from birth to end of life, advocate for Elderly with my Family & Husband's Family. (resume attached)

I am interested in serving on Town Boards and Committees involved in the following areas:

(Please check all that apply. The Board encourages you to attach a recent resume if available.)

<u>1. ✓</u>	Board of Health	<u>Recreation Commission</u>
<u>1. ✓</u>	Council on Aging	<u>Historical Commission</u>
<u> </u>	Finance Committee	<u>Planning Board</u>
<u> </u>	Zoning Board of Appeals	<u>Industrial Commercial Development Review Committee</u>
<u> </u>	Conservation Commission	<u>Zoning Bylaw Review Committee</u>
<u>3. ✓</u>	Cultural Council	<u>Other:</u> _____
<u> </u>	Other: _____	<u>Other:</u> _____

Amount of Time Available: Mon-Thurs after 5:00, also Flexible

Are you available year round for committee meetings? Yes ✓ No _____
If not, when are you available?

_____ Winter _____ Spring _____ Summer _____ Autumn

Are there any Boards or Committees in which you are particularly interested?

Council on Aging

Jeanne Plourde

Signature

Please submit all responses to the Town Administrator's Office via the mailing address above or via email at:
deb.mahoney@middletonma.gov

Date

10.18.2023

Revised 9/28/23



JOANNE PLOURDE

13 Bellevue Ave
Middleton, MA 01949
jplourde23@verizon.net
978-828-7883

PROFESSIONAL EXPERIENCE

7/2012-present **Northeast Arc, Danvers, Ma**
Chief Operating Officer
Supports Northeast Arc's mission by providing executive level administrative management of all service lines, budget development and monitoring, administrative function including Quality Assurance, Compliance, Office Management, Facilities, and Information Technology. Acts as a member of the Executive and Senior Leadership Teams and is responsible for executive and senior level planning, decision-making and implementation of policies and initiatives. Lead development and implementation of Strategic Plan.

11/01-7/2012 **Northeast Arc, Danvers, MA**
Division Director
Responsible for overseeing the administration, management, and operations of the day services division inclusive of Work Supports, Day Habilitation services, and transportation Management and clinical supervision of Program Directors. Develop and monitor agency budgets and service contracts. Ensure compliance with applicable licensing and regulatory standards. Ensure compliance with national accreditation (CARF) Member of senior management team. Actively participate in agency strategic planning, policy development and expansion.

3/99-11/01 **North Shore ARC, Heritage Industries, Danvers, MA**
Assistant Division Director
Assist with management and supervision of vocational services. Develop and monitor agency budgets and service contracts. Ensure compliance with applicable licensing and regulatory standards. Ensure compliance with national accreditation (CARF). Active participant in agency strategic management team.

11/92-3/99 **United Cerebral Palsy Association of MetroBoston Inc., Watertown, MA.**
Associate Director for Program Services
Responsible for overseeing the administration, management, and operation of UCP programs including Supported Employment, Personal Care Attendant Program, Day Habilitation, Family Support, and Residential Services. Management and clinical supervision of program staff. Develop and monitor agency budgets. Assist with Coordination of human resources, recruiting, hiring, and training. Ensure compliance with applicable licensing and regulatory standards, UCP policies, procedures, and national accreditation standards (CARF). Agency's Human Rights Coordinator. Chairperson of Massachusetts Day Habilitation Coalition January 1997 through January 1999.

9/88 -- 11/92 **United Cerebral Palsy Association of MetroBoston Inc., Watertown, MA**
Day Habilitation Director
Responsible for the daily operations of the Day Habilitation Program. Developed and managed individual service plans and therapeutic treatment plans. Hire, train and supervise professional, paraprofessional staff, students, and volunteers. Designed and implemented agency policies and procedures. Monitor compliance with licensing standards. Experience with DMR/DMA. In-service training committee.

EDUCATION

Suffolk University, Boston, MA
MPA (Masters of Public Administration)

University of Lowell, Lowell MA.
Bachelor of Arts, Psychology

REFERENCE

Furnished upon request.

MEMORANDUM

To **Katrina O'Leary, Town Planner, Town of Middleton**

From **Emily Keys Innes, AICP, LEED AP ND**

Date **February 8, 2023**

Project **23122 – Zoning Bylaw Update**

Subject **Draft Zoning – Version 8**

Cc: **Mage Pate, Research Analyst**

This memorandum and its accompanying attachments provide the draft text of three zoning articles for discussion. These three articles are the ones identified by the Planning Board for the Spring 2024 Annual town Meeting.

- Article A: Two-family Dwellings (p. 2)
- Article B: Accessory Dwelling Units (p. 4)
- Article C: MBTA Communities Multifamily Overlay District. (p. 9)

Article A: Allow Two-Family Dwellings

On petition of the Middleton Planning Board to see if the Town will vote to amend the Middleton Zoning Bylaw by removing Section 7.2 "Conversion of single-family dwelling in R2 District" and replacing with a new Section 7.2 "Standards for Two-Family Dwelling," modifying the Table of Use Regulations, modifying the Table of Dimensional Requirements, and that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Middleton:

7.2 Standards for Two-Family Dwelling

Two-family dwellings are allowed as-of-right in any Residential District.

7.2.1 General Requirements for all Two-Family Dwellings

1. A Two-Family Dwelling may be created by:
 - a. Conversion of part of an existing single-family dwelling, including new or existing additions, into a second dwelling unit;
 - b. Constructing a new Two-family Dwelling structure.
2. Lot area requirements shall be in conformance with the Table of Dimensional Requirements.
3. Sufficient parking shall be provided in accordance with the Table of Minimum Requirements in Section 5.1.
4. The methods of waste disposal must satisfy Board of Health requirements.
5. Driveways and curb cuts must be shared between the two units. A special permit from the Planning Board is required for separate driveways and curb cuts.

7.2.3 General Requirements for a Two-Family Dwelling Structure

1. Garage doors shall not comprise more than 40% of the linear length of the same architectural plane of the elevation facing the front yard.

Modify the Table of Use Regulations as follows:

Table of Use Regulations

Use	Districts						
	R-1a	R-1b	RA	R-2	B	M-1	IH
B. Residential							
1. Single-family detached dwelling	Y	Y	Y	Y	N	N	N

2. Two-family dwelling (See Section 7.2)	PB Y	PB Y	N Y	PB Y	N	N	N
3. Conversion of single family nonconforming dwelling into two-family dwelling (See Section 7.2)	PB	PB	N	PB	N	N	N
3. 4. Multifamily dwelling; conversion of existing single family dwelling into multifamily dwelling (See Section 7.1)	N	N	N	PB	N	N	N
4. 5. Flexible development (See Section 7.3)	N	PB	PB	N	N	N	N
5. 6. Rooming or boarding house with not more than 2 boarders.	Y	Y	Y	N	N	N	N

Modify the Table of Dimensional Requirements as follows:

Table of Use Dimensional Requirements

Requirement	Districts			
	R-1a	R-1b	RA	R-2
Minimum Area (square feet)	20,000 for a single-family, 40,000 for a two-family	40,000 for a single-family, 80,000 for a two-family	2 acres for a single-family, 4 acres for a two-family	20,000 for a single family, 40,000 for a two-family, See Section 7.1 for Multi-family

Requirement	Districts		
	B	M-1	IH
Minimum Area (square feet)	40,000	80,000	160,000

Explanation: This article would replace the existing Section 7.2, which allows the conversion of Single-Family Dwellings in the R-2 District to homes with more than one unit by Special Permit, only if in conformance with Section 7.1 which requires 20,000 SF per unit. Currently, two-family dwellings are also allowed by Special Permit in the R-1a and R-1b districts if the lots have twice the required lot area for a single-family dwelling.

The new Section 7.2 would allow Two-Family Dwellings in any residential district, either as conversions of Single-Family Homes or as new construction, as long as the lot is twice the current minimum lot area of the residential district in which the proposed Two-Family is located.

The Two-Family Dwelling unit would be allowed as-of-right, which means a building permit would be required. A special permit from the Planning Board is required for separate driveways and curb cuts.

All dimensional standards in the relevant district would need to be met. Septic systems may be shared or separate, must be sized appropriately, and must follow the Board of Health's regulations.

On petition of the Middleton Planning Board to see if the Town will vote to amend the Middleton Zoning Bylaw by adding Section 7.5 "Accessory Dwelling Units," modifying Section 3.1, Table of Use Regulations, Section 3.2, Accessory Uses & Structures, modifying Section 10. "Definitions," and that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Middleton:

Article B: Allow Accessory Dwelling Units

Section 7.5 Accessory Dwelling Units

7.5.1 Purpose and Intent. The intent of permitting accessory dwelling units is to:

1. Provide homeowners with a means of obtaining rental income, companionship, security, and services, thereby enabling them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave.
2. Add moderately priced rental units to the housing stock to meet the needs of smaller households and make housing units available to moderate income households who might otherwise have difficulty finding housing.
3. Develop housing units in single-family neighborhoods that are appropriate for households of various sizes.
4. Provide housing units for persons with disabilities.
5. Encourage a more economic and energy-efficient use of the Town's housing supply while maintaining the appearance and character of the Town's traditional residential neighborhoods.
6. Protect stability, property values, and the residential character of a neighborhood.

7.5.2 Ownership.

An Accessory Dwelling Unit shall not be owned separately than the Principal Dwelling with which the Accessory Dwelling Unit is associated. A Building with an Accessory Dwelling Unit may not be divided into condominiums, even if owned by the same person or entity.

7.5.3 General Requirements

1. The Building Commissioner may issue a Building Permit authorizing the installation and use of an attached Accessory Dwelling Unit within an existing or new owner-occupied, single-family dwelling only when the following conditions are met:

- a. The unit shall be a complete, separate housekeeping unit containing both kitchen and bath and otherwise meet the requirements of the definition of "Accessory Dwelling Unit" in Section 1A of chapter 40A of the General Laws and Section 10 of these bylaws.
- b. There shall be no more than one Accessory Dwelling Unit on a lot. Only a Single-Family Dwelling is eligible to have an Accessory Dwelling Unit.
- c. The owner(s) of the residence in which the Accessory Dwelling Unit is created shall continue to occupy at least one of the dwelling units as their primary residence. The ADU Property Owner may not lease the Owner Unit for any duration during periods when the ADU Property Owner is not residing in the Owner Unit. For the purposes of this section, the "owner" shall be one or more individuals who hold title directly or indirectly to the dwelling and for whom the dwelling is the primary residence.
- d. Once an Accessory Dwelling Unit has been added to a single-family residence or lot, the accessory dwelling unit shall never be enlarged beyond the nine hundred (900) square feet allowed by statute or this bylaw.
- e. To encourage the development of housing units for individuals with disabilities and persons with limited mobility, the Planning Board may allow reasonable deviation from the stated conditions where necessary to install features that facilitate access and mobility for disabled persons.

7.5.4 Physical Requirements

The Accessory Dwelling Unit shall:

- 1. Satisfy the requirements to be a Dwelling Unit as set forth in this Zoning Bylaw, the State Building Code and the State Fire Code, the Wetlands Protection Act, and applicable Town regulations, including having a separate entrance sufficient to meet requirements for safe egress.
- 2. Remain subordinate in appearance to the Principal Dwelling.
- 3. The Accessory Dwelling Unit shall comply with all dimensional regulations for single-family homes applicable to the lot on which it is located.
- 4. An Accessory Dwelling Unit shall have no more than two bedrooms and shall not have more than nine hundred (900) square feet of floor area.
- 5. In addition to the parking spaces required in Section 5.1 for the principal dwelling, a minimum of one additional off-street parking space shall be

provided for the Accessory Dwelling Unit. The Planning Board may issue a special permit to modify or waive this parking requirement.

6. Prior to issuance of a permit, a floor plan shall be submitted to the Building Commissioner showing the proposed interior and exterior changes to the building.

7.5.5 Special Requirements for Detached Accessory Dwelling Units

1. All newly constructed detached Accessory Dwelling Units or those which are constructed as part of other accessory structures on a property, including carriage houses, barns, or detached garages, will require a Special Permit to be issued by the Planning Board as Special Permit Granting Authority in accordance with Section 9.4 under these bylaws and only when the following conditions are met:
 - a. All conditions under 7.5.3 and 7.5.4, above.
 - b. Any structure containing a detached Accessory Dwelling Unit may be located only in the Rear Yard and/or Side Yard of the principal dwelling and must conform to the rear and side yard setback requirements.
 - c. Exterior staircases shall not be visible from a public way and shall be designed to complement the Principal Dwelling.
2. No more than five (5) special permits for new Detached Accessory Dwelling Units shall be issued by the Planning Board in a single calendar year.

7.5.6 Administration and Enforcement

1. It shall be the duty of the Building Commissioner to administer and enforce the provisions of this Bylaw in accordance with Section 9.0 of these bylaws.
2. Approval for an Accessory Dwelling Unit requires that the owner shall occupy one of the dwelling units. The zoning approval and the notarized affidavit required in a. and c. below shall be recorded in the Southern Essex District Registry of Deeds or Land Court, as appropriate, in the chain of title to the property, with documentation of the recording provided to the Building Commissioner, prior to the occupancy of the accessory dwelling unit.
 - a. Prior to issuance of a permit, the owner(s) shall send a notarized affidavit stating that the owner will occupy one of the dwelling units on the premises as the owner's primary residence, except for bona fide temporary absences.
 - b. The Accessory Dwelling Unit shall not be legally separated or sold apart from the single-family dwelling.

- c. When a structure, which has received a permit for an Accessory Dwelling Unit is sold, the new owner(s), if they wish to continue to exercise the Permit, shall, within thirty (30) days of the sale, submit a notarized affidavit to the Building Commissioner stating that they will occupy one of the dwelling units on the premises as their primary residence, except for bona fide temporary absences. If such notice is not received within thirty (30) days, the structure shall be nonconforming under this bylaw and the new owner will have to submit a new application for the Accessory Dwelling Unit under the provisions of this bylaw and bring the Accessory Dwelling Unit up to date with the Building Code in effect at the time of the new application before the new application can be approved.
3. The minimum leasing term for the unit that is not occupied by the ADU Property Owner shall be the greater of 30 days or such other period governing short term rentals which may be set forth from time to time in the Town Bylaws. The Accessory Dwelling Unit may not be leased more than once in any 30-day period.
4. If the Accessory Dwelling Unit has been built or is being operated in violation of the provisions of this Section the Building Commissioner may, in addition to other remedies, order the removal of any one or more of the provisions that create a separate dwelling unit, such as living, sleeping, cooking, and eating.

7.5.7 Effective Date and Compliance of Existing Non-Conforming Units

1. This Section 7.5 shall apply to all building permits issued after the effective date of this bylaw or September 1, 2024, whichever is later, for construction of new Accessory Dwelling Units.
2. All Single-Family Dwellings prior to the date of adoption of this Section 7.5 that contain a self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same lot as a principal dwelling are illegal and shall be brought into compliance with this Section 7.5 or discontinued. If building permits for such work are issued prior to December 31, 2025, and associated construction completed by December 31, 2026, owners shall not be subject to penalties otherwise applicable to correction of non-conforming structures.

Modify the Table of Use Regulations as follows:

Table of Use Regulations

Use	Districts						
	R-1a	R-1b	RA	R-2	B	M-1	IH
B. Residential							
6. Attached Accessory Dwelling Unit (See Section 7.5)	Y	Y	Y	Y	N	N	N
7. Detached Accessory Dwelling Unit (See Section 7.5)	PB	PB	PB	PB	N	N	N

Modify Section 10 Definitions as follows:

Under DWELLING:

ACCESSORY DWELLING UNIT – A self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same lot as a principal dwelling, subject to otherwise applicable dimensional and parking requirements, that: (i) maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the principal dwelling sufficient to meet the requirements of the state building code for safe egress; (ii) is not larger in floor area than 1/2 the floor area of the principal dwelling or 900 square feet, whichever is smaller; and (iii) is subject to such additional restrictions as may be imposed by a municipality, including but not limited to additional size restrictions, owner-occupancy requirements and restrictions or prohibitions on short-term rental of accessory dwelling units, and does not include use of trailers or mobile homes, however mounted.

Modify Section 3.2 Accessory Uses & Structures

Under Section 3.2.1 Add:

7. Accessory Dwelling Units that comply with Section 7.5

Under Section 3.2.3, Add the bold-underlined text below to the following excerpt:

Accessory building. An accessory building including a detached garage, but not including an Accessory Dwelling Unit under Section 7.5, located on any lot shall not be located closer than 25 feet to the street on which the lot is located and shall not be any closer to any side or rear lot line than the greater of the height of such accessory building above the ground or 20 feet. No accessory building shall be located closer than 20 feet to any dwelling or main structure on a lot unless both structures conform to regulations relative to fire safety.

Explanation: This article would add a new Section 7.5, which allows a homeowner to add an Accessory Dwelling Unit (ADU) in an existing or new single-family dwelling as-of-right and in a detached structure by Special Permit from the Planning Board. ADUs are important additions to a community's housing strategy, allowing for multi-generational living, private space for caretakers to enable seniors to stay in their homes longer, or rental income to support the homeowner. Accessory Dwelling Units may be allowed by right within an existing Single-Family Dwelling, in an attached building, such as a garage or newly built extension, or by special permit as a detached building. ADUs are limited in size to 900 sq. ft. and a maximum of two bedrooms. They may not be sold separately from the Single-Family Dwelling and any rental must be for more than 30 days. This triggers public health laws related to tenants and prevents the use from being considered a transient use, which would require additional building code considerations.

On petition of the Middleton Planning Board to see if the Town will vote to amend the Middleton Zoning Bylaw and map by adding Section 8.8 “Allow Multifamily Dwellings,”, modify Section 2.2 Overlay Districts, modify Section 9.5 “Site Plan Review,” modify Section 10. “Definitions,” and that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Code of Middleton:

Article C: Allow Multifamily Dwellings

Modify Section 2.2 Overlay Districts, as follows:

Add “**MBTA Communities Multi-family Overlay District (MCMOD)**” to the list of Overlay Districts.

Add new Section 8.8 MBTA Communities Multifamily Overlay District

8.8.1. Purpose

1. The purpose of the MBTA Communities Multi-family Overlay District (MCMOD) is to allow multi-family housing as of right in accordance with Section 3A of the Zoning Act (Massachusetts General Laws Chapter 40A). This zoning provides for as of right multi-family housing to accomplish the following purposes:
 - a. Encourage the production of a variety of housing sizes and typologies to provide equal access to new housing throughout the community for people with a variety of needs and income levels;
 - b. Preserve open space in the community by locating new housing within or adjacent to existing developed areas and infrastructure.
 - c. Increase the municipal tax base through private investment in new residential developments.

8.8.2. Establishment and Applicability

1. **Overlay District.** This MCMOD is an overlay district that is superimposed over the underlying zoning district (s) and is shown on the Zoning Map.
2. **Applicability of MCMOD.** An applicant may develop multi-family housing located within the MCMOD in accordance with the provisions of this Section 8.8.
3. **Underlying Zoning.** The MCMOD is an overlay district superimposed on underlying zoning districts. The regulations for use, dimensions, and all other provisions of this Zoning Bylaw governing the respective underlying zoning

district(s) shall remain in full force, except for uses allowed as of right as specified under this section 8.8. Uses that are not identified in this Section 8.8 are governed by the requirements of the underlying zoning district(s).

OPTION 1

4. **Location of Sub-districts.** The MCMOD contains the following sub-districts, all of which are shown on the MCMOD Boundary Map:
 - a. Northeast District A. Map/Parcel #: 21/12 and 21/14.
 - b. Northeast District B. Map/Parcel #: 21/12A
 - c. Southwest District A. Map/Parcel #: 30/2
 - d. Southwest District B. Map/Parcel #: 30/1

OPTION 2

5. **Location.** The MCMOD contains the following parcels: Map 21, Parcels 4, 5, 12, 12A, 14, 15, 16

8.8.3. Definitions.

For purposes of this Section 8.8, the following definitions shall apply.

1. **AFFORDABLE UNIT.** A multi-family housing unit that is subject to a use restriction recorded in its chain of title limiting the sale price or rent or limiting occupancy to an individual or household of a specified income, or both.
2. **AFFORDABLE HOUSING.** Housing that contains Affordable Units as defined by this Section 8.8.
3. **AREA MEDIAN INCOME (AMI).** The median family income for the metropolitan statistical region that includes the Town] of Middleton, as defined by the U.S. Department of Housing and Urban Development (HUD).
4. **DEVELOPMENT STANDARDS.** Provisions of **Section 8.8.7 General Development Standards** made applicable to projects within the MCMOD.
5. **SITE PLAN REVIEW AUTHORITY.** The Board of Appeals for the Town of Middleton.
6. **SUBSIDIZED HOUSING INVENTORY (SHI).** A list of qualified Affordable Housing Units maintained by EOHLIC used to measure a community's stock of low-or moderate-income housing for the purposes of M.G.L. Chapter 40B, the Comprehensive Permit Law.

8.4. Permitted Uses

1. **Uses Permitted As of Right.** The following uses are permitted as of right within the MCMOD.
 - a. Multi-family housing, as defined in Section 10. This use may include one or more of the following building types defined in Section 10 of the Bylaw: Duplex Dwelling Unit (minimum of two such units per lot), Multifamily Dwelling, Garden Apartment, Mid-Rise Apartment, or High-Rise Apartment.
2. **Accessory Uses.** The following uses are considered accessory as of right to any of the permitted uses in Section 8.4.1.
 - a. Parking, including surface parking and parking within a structure such as an above ground or underground parking garage or other building on the same lot as the principal use.

8.5. Dimensional Standards

1. **Table of Dimensional Requirements.** Notwithstanding anything to the contrary in this Zoning, the dimensional requirements applicable in the MCMOD are as follows:

OPTION 1

Dimensional Standard	Subdistricts			
	Northeast		Southwest	
	A	B	A	B
Minimum Area (square feet)	160,000	160,000	80,000	80,000
Minimum frontage (feet)	400	400	150	150
Minimum Lot Width (feet)	400	400	150	150
Minimum Front Setback (feet)	50	50	50	50
Minimum Side Yard (feet)	50	50	25	25
Minimum Rear Yard (feet)	50	50	25	25
Lot coverage by buildings (%)	35	35	35	35

Minimum Open Space (%)	50	50	50	50
Minimum Building Height (feet)	75	35	35	35
Maximum Building Height (stories)	7	3	3	3
Lot Area per Dwelling Unit (square feet)	None	4,000	4,000	5,000

OPTION 2

Dimensional Standard	
Minimum Area (square feet)	160,000
Minimum frontage (feet)	400
Minimum Lot Width (feet)	400
Minimum Front Setback (feet)	50
Minimum Side Yard (feet)	50
Minimum Rear Yard (feet)	50
Lot coverage by buildings (%)	35
Minimum Open Space (%)	50
Minimum Building Height (feet)	35
Maximum Building Height (stories)	3
Lot Area per Dwelling Unit (square feet)	2,500

2. **Multi-Building Lots.** In the MCMOD, lots may have more than one principal building.
3. **Exceptions.** The limitation on height of buildings shall not apply to chimneys, ventilators, towers, silos, spires, or other ornamental features of buildings, which features are in no way used for living purposes and do not constitute more than 25% of the ground floor area of the building.
4. **Exceptions: Renewable Energy Installations.** The Site Plan Review Authority may waive the height and setbacks in Section 8.8.5 Dimensional Standards to accommodate the installation of solar photovoltaic, solar thermal, living, and other eco-roofs, energy storage, and air-source heat pump equipment. Such installations shall not create a significant detriment to abutters in terms of

noise or shadow and must be appropriately integrated into the architecture of the building and the layout of the site. The installations shall not provide additional habitable space within the development.

8.8.6. Off-Street Parking

1. All requirements of Section 5.1 in this Bylaw apply except that 1.5 spaces per dwelling unit are required for a Residential Dwelling Unit within the MCMOD.
2. Parking spaces shall be permitted either as surface parking or within garages or other structures.
3. One bicycle parking space shall be provided for each unit.
4. For a multi-family dwelling development of 25 units or more, covered bicycle parking spaces shall be provided for twenty-five percent of the required spaces.

8.8.7. General Development Standards

1. Development standards in the MCMOD are applicable to all multi-family development in a MCMOD Overlay District. These standards are components of the MCMOD Site Plan Review process in Section 8.8.9. Site Plan Review.
2. Site Design.
 - a. **Connections.** Sidewalks shall provide direct connections among building entrances, the public sidewalk (if applicable), bicycle storage, and parking.
 - b. **Vehicular access.** Where feasible, curb cuts shall be minimized, and shared driveways encouraged.
 - c. **Open Space Land.** Open Space Land as defined in Section 10 of this Bylaw shall be contiguous undeveloped land and, where feasible, connected to Open Space Land in adjacent lots.
 - d. **Screening for Parking.** Surface parking adjacent to a public sidewalk shall be screened by a landscaped buffer of sufficient width to allow the healthy establishment of trees, shrubs, and perennials, but no less than 6 (six) feet in width. The buffer may include a fence or wall of no more than three feet in height unless there is a significant grade change between the parking and the sidewalk.
 - e. **Parking Materials.** The parking surface may be concrete, asphalt, decomposed granite, bricks, or pavers, including pervious materials but not including grass or soil not contained within a paver or other structure.

- f. **Plantings.** Plantings shall include species that are native or adapted to the region. Plants on the Massachusetts Prohibited Plant List, as may be amended, shall be prohibited.
- g. **Lighting.** Light levels shall meet or exceed the minimum design guidelines defined by the Illuminating Engineering Society of North America (IESNA) and shall provide illumination necessary for safety and convenience while preventing glare and overspill onto adjoining properties and reducing the amount of skylight.
- h. **Mechanicals.** Mechanical equipment at ground level shall be screened by a combination of fencing and plantings. Rooftop mechanical equipment shall be screened if visible from a public right-of-way.
- i. **Dumpsters.** Dumpsters shall be screened by a combination of fencing and plantings. Where possible, dumpsters or other trash and recycling collection points shall be located within the building.
- j. **Stormwater Management.** Strategies that demonstrate compliance of the construction activities and the proposed project with the most current versions of the Massachusetts Department of Environmental Protection Stormwater Management Standards, the Massachusetts Stormwater Handbook, Massachusetts Erosion Sediment and Control Guidelines, and, if applicable, additional requirements under the Town of Middleton's Stormwater Permit, and an Operations and Management Plan for both the construction activities and ongoing post-construction maintenance and reporting requirements.
- k. **Noise.** The proposed development shall not unreasonably interfere with the reasonable use and enjoyment of property within the Town as a result of the generation of noise. Practices and systems shall reduce noise pollution in order to preserve and enhance the natural and aesthetic qualities of the Town; preserve property values; and preserve neighborhood character.

3. Buildings: General.

- a. **Position relative to principal street.** The primary building shall have its principal façade and entrance facing the principal street or principal common driveway. See also Section 8.8.7. Buildings: Corner Lots.
- b. **Entries.** Where feasible, entries shall be clearly defined and linked to a paved pedestrian network that includes the public sidewalk.

4. Buildings: Multiple buildings on a lot.

- a. Parking and circulation on the site shall be organized so as to reduce the amount of impervious surface. Where possible, parking and loading areas shall be connected to minimize curb cuts onto public rights-of-way.
- b. A paved pedestrian network shall connect parking to the entries to all buildings and the buildings to each other.
- c. The orientation of multiple buildings on a lot should reinforce the relationships among the buildings. All building façade(s) shall be treated with the same care and attention in terms of entries, fenestration, and materials.
- d. The building(s) adjacent to the public street shall have a pedestrian entry facing the public street.

5. **Buildings: Shared Outdoor Space.** Multi-family housing shall have common outdoor space that all residents can access. Such space may be located in any combination of ground floor, courtyard, rooftop, or terrace. All outdoor space shall count towards the project's minimum Open Space requirement, as defined in Section 8.8.5.
6. **Buildings: Corner Lots.** A building on a corner lot shall indicate a primary entrance either along one of the street-facing façades or on the primary corner as an entrance serving both streets.
 - a. Such entries shall be connected by a paved surface to the public sidewalk, if applicable.
 - b. All façades visible from a public right-of-way shall be treated with similar care and attention in terms of entries, fenestration, and materials.
 - c. Fire exits serving more than one story shall not be located on either of the street-facing façades.
7. **Buildings: Principal Façade and Parking.** Parking shall be subordinate in design and location to the principal building façade.
 - a. **Surface parking.** Surface parking shall be located to the rear or side of the principal building. Parking shall not be located in the setback between the building and any lot line adjacent to the public right-of-way.
 - b. **Integrated garages.** The principal pedestrian entry into the building shall be more prominent in design and placement than the vehicular entry into the garage.

- c. **Parking structures.** Building(s) dedicated to structured parking on the same lot as one or more multi-family buildings or mixed-use development shall be subordinate in design and placement to the multi-family or mixed-use building(s) on the lot.
8. **Waivers.** Upon the request of the Applicant and subject to compliance with the Compliance Guidelines, the Site Plan Review Authority may waive the requirements of this Section 8.8.7. General Development Standards, in the interests of general safety, design flexibility, and overall project quality, and upon a finding of consistency of such variation with the overall purpose and objectives of the MCMOD.

8.8.8 Affordability Requirements.

1. **Purpose.**
 - a. Promote the public health, safety, and welfare by encouraging a diversity of housing opportunities for people of different income levels;
 - b. Provide for a full range of housing choices for households of all incomes, ages, and sizes;
 - c. Increase the production of affordable housing units to meet existing and anticipated housing needs; and
 - d. Work to overcome economic segregation allowing Middleton to be a community of opportunity in which low and moderate-income households have the opportunity to advance economically.
2. **Applicability.** This requirement is applicable to all residential developments with 10 or more dwelling units, whether new construction, substantial rehabilitation, expansion, reconstruction, or residential conversion (Applicable Projects). No project may be divided or phased to avoid the requirements of this section.
3. **Affordability requirements.**
 - a. **Subsidized Housing Inventory.** All units affordable to households earning 80% or less of AMI created in the MCMOD under this section must be eligible for listing on EOHLC's Subsidized Housing Inventory.
4. **Provision of Affordable Housing.** In Applicable Projects, not fewer than ten percent (10%) of housing units constructed shall be Affordable Housing Units. For the purpose of calculating the number of units of Affordable Housing required within a development project, a fractional unit shall be rounded up to the next whole number. The Affordable Units shall be available to households earning income up to eighty percent (80%) of the AMI.

5. Fee in Lieu.

- a. As an alternative to the requirements of paragraph (3) of this section, and at the sole discretion and majority vote of the Select Board upon a recommendation of the Affordable Housing Trust, the developer or property owner shall contribute a fee to the Municipality's Affordable Housing Trust Fund in lieu of providing all or a portion of the required Affordable Housing Units within the proposed development. Approval of a payment in lieu of affordability from the Select Boards and a recommendation from the Affordable Housing Trust must be obtained prior to application and submitted with the initial Application for Site Plan Review.
- b. The payment shall be an amount equal to the required number of affordable housing units multiplied by the median price of a Middleton market-rate home comparable in type, size, and number of bedrooms proposed for the market rate units reported for a minimum of three (3) home sales over a period of twelve (12) months prior to the date of application submission, if available. Median home cost utilized in the formula must be approved by the Middleton Affordable Housing Trust, or designee. The applicant shall calculate the proposed sum based on an appraisal of the comparable home sales and submit documentation of the relevant data source(s) as part of the application.
- c. Any payment to the Affordable Housing Trust Fund as an in lieu contribution for Affordable Housing Units shall be made as follows: at least 50 percent of the total owed prior to the issuance of a building permit; and the remaining total owed prior to the issuance of an occupancy permit.

6. Development Standards. Affordable Units shall be:

- a. Integrated with the rest of the development and shall be compatible in design, appearance, construction, and quality of exterior and interior materials with the other units and/or lots;
- b. Dispersed throughout the development;
- c. Located such that the units have equal access to shared amenities, including light and air, and utilities (including any bicycle storage and/or Electric Vehicle charging stations) within the development;
- d. Located such that the units have equal avoidance of any potential nuisances as [market-rate units] within the development;
- e. Distributed proportionately among unit sizes; and

- f. Distributed proportionately across each phase of a phased development.
- g. Occupancy permits may be issued for market-rate units prior to the end of construction of the entire development provided that occupancy permits for Affordable Units are issued simultaneously on a pro rata basis.

7. Administration.

- a. The Building Commissioner shall be responsible for administering and enforcing the requirements in this section.

8.8.9. Site Plan Review

- 1. **Applicability.** Site Plan Review under Section 9.5 of the Middleton zoning bylaw is required for all projects within the MCMOD. An application for Site Plan Review shall be reviewed by the Zoning Board of Appeals for consistency with the purpose and intent of Sections 8.8.4 through 8.8.8 and Section 9.5.11
- 2. **Submission Requirements.** As part of any application for Site Plan Review for a project within the MCMOD submitted under Sections 8.8.5 through 8.8.8, the Applicant must meet the requirements of this section and Section 9.5 Site Plan Review of this Bylaw and the requirements contained in the Zoning Board of Appeals Rules.
- 3. **Site Plan Approval.** Site Plan approval for uses listed in Section 8.8.4 Permitted Uses shall be granted upon determination by the Zoning Board of Appeals that the following conditions have been satisfied. The Zoning Board of Appeals may impose reasonable conditions, at the expense of the applicant, to ensure that these conditions have been satisfied.
 - a. The Applicant has submitted the required fees and information as set forth in the Town of Middleton's requirements for a Building Permit and Site Plan Review; and
 - b. The project as described in the application meets the development standards set forth in Section 8.8.7. General Development Standards and the objectives under Section 9.5.11.
- 4. **Project Phasing.** An Applicant may propose, in a Site Plan Review submission, that a project be developed in phases subject to the approval of the Site Plan Review Authority, provided that the submission shows the full buildout of the project and all associated impacts as of the completion of the final phase. However, no project may be phased solely to avoid the provisions of Section 8.8.8 Affordability Requirements.

J. Severability.

If any provision of this Section 8.8 is found to be invalid by a court of competent jurisdiction, the remainder of Section 8.8 shall not be affected but shall remain in full force. The invalidity of any provision of this Section 8.8 shall not affect the validity of the remainder of the Town of Middleton's Zoning Bylaw.

Modify Section 9.5 Site Plan Review, as follows

Add the following to Section 9.5.2 Applicability.

9.5.2. Applicability. The following types of activities and uses require site plan review by the Zoning Board of Appeals:

1. Garden apartments in a residence district;
2. Any new buildings or structures in a Business District, Light Industrial District, Institutional Overlay District, or Interstate Highway Business District;
3. An addition to or alteration of an existing building for commercial use; or
4. **Multifamily Dwellings under Section 8.8; or**

Modify Section 10.0 Definitions, as follows:

Add the following definitions to Section 10.0 Definitions:

APPLICANT – A person, business, or organization that applies for a building permit, Site Plan Review, or Special Permit.

AS-OF-RIGHT – Development that may proceed under a zoning ordinance or by-law without the need for a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval.

PARKING, SURFACE — One or more parking spaces without a built structure above the space.

PARKING, STRUCTURED — A structure in which vehicle parking is accommodated on multiple stories; a vehicle parking area that is underneath all or part of any story of a structure; or a vehicle parking area that is not underneath a structure, but is entirely covered, and has a parking surface at least eight feet below grade. Structured Parking does not include surface parking or carports, including solar carports.

Replace the existing definition of Multifamily Dwelling with the following new definition:

MULTIFAMILY DWELLING— A building with 3 or more residential dwelling units or 2 or more buildings on the same lot with more than 1 residential dwelling unit in each building.

Replace the existing definition of Dwelling Unit with the following new definition:

RESIDENTIAL DWELLING UNIT— A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

- **Explanation:** This article would bring the Town of Middleton into compliance with Section 3A of Massachusetts General Laws Chapter 40A. This law is commonly referred to as the MBTA Communities Act. Middleton qualifies as an Adjacent Community as defined by the Compliance Guidelines, which were distributed by the Executive Office of Housing and Livable Communities (EOHLC) to provide guidance on how to comply with the law. In addition to the Compliance Guidelines, EOHLC provided two major tools to help communities comply: the Compliance Model and the Sample Zoning.

As an Adjacent Community, the Town of Middleton must pass zoning that is compliant with the law by December 31, 2024. The Town is required to zone a minimum of 50 acres for multifamily housing as-of-right. The calculated unit capacity of the zoning district must be a minimum of 750 units. The Compliance Model is used to determine whether the Town of Middleton meets the minimum requirements and to test zoning options to bring the Town into compliance. The Town held a public forum in November 2023 to discuss geographic options for potential districts and plans to hold a second public forum on January 30, 2024 to discuss the results of that meeting and how those results were incorporated into this draft article. The draft is based on the Sample Zoning provided by EOHLC and modified to fit Middleton's existing Zoning Bylaw.

The Town already allows multifamily by Special Permit in the R-2 District. The requirement for a special permit means that this district does not comply with Section 3A's requirement for as-of-right multifamily zoning. Participants at the November forum also indicated their concern with adding more units, and more traffic, along Route 114 which is where the R-2 districts are located.

The following section is the Explanation for Option 1.

An example of a new multifamily development in Middleton is the Blu Haven Residences at the corner of Routes 114 and 62. This multifamily development has 45 townhouses. However, this development is age-restricted; such development does not comply with Section 3A, which requires that the buildings be suitable for families. With 45 units on 23.62 acres, the existing density of 1.91 units per acre is far below the 15 dwelling units per acre required by Section 3A.

Ferncroft Towers is another example of existing multifamily development in Middleton. This is a condominium tower and is in one of the few areas within town that has access to sewer, rather than septic (through the South Essex Sewer District). Ferncroft Towers is currently zoned IH or Interstate Highway Business. According to ResiDensity, this site has 177 units on 4.87 acres, and thus a density of 36.37 units per acre; well over the required minimum density of 15 units per acre.

Adjacent to that parcel are the two towers of Ironwood on the Green, with 204 units on 7.82 acres and a density of 26.10 units per acre. The third parcel along Village Road is the Villas at Ironwood on the Green, with 30 townhouses on 5.84 acres for a total density of 5.13 units per acre. While this is below the required density, the three parcels together have an existing 411 units on 18.53 acres for a total density of just over 22 units per acre.

Rezoning this area to meet or slightly exceed the existing units would meet over half of the Town's minimum required unit capacity and is over the required density. However, the area does not meet the required geographic area of 50 acres.

Another possible area is the site known as the Bostik site, which is in the southwestern corner of town. This site is currently zoned M1 for Light Industry, and there are two parcels, one with 19.03 acres and the second with 37.099 acres.

Participants in the November workshop identified both these areas as suitable for multifamily housing. For example, the Ironwood/Ferncroft area has easy access to Route 1 and I-95 and access to sewer. This area is also within a 20-minute drive of either the Hamilton-Wenham or the North Beverly commuter rail stations. The Bostik area is an already developed site adjacent to the Independence Greenway and the Ipswich River Reservoir. This site is about a fifteen-minute drive from the Reading commuter rail platform.

The Town does not anticipate that the Bostik parcels will be available for residential use in the near term. However, rezoning the larger site would allow the Town to meet its geographic requirements and allowing for an appropriate level of residential use would provide an incentive for a future developer to provide the needed infrastructure for a residential development on that site. With the adjacent amenities, a multifamily development could be attractive to future residents.

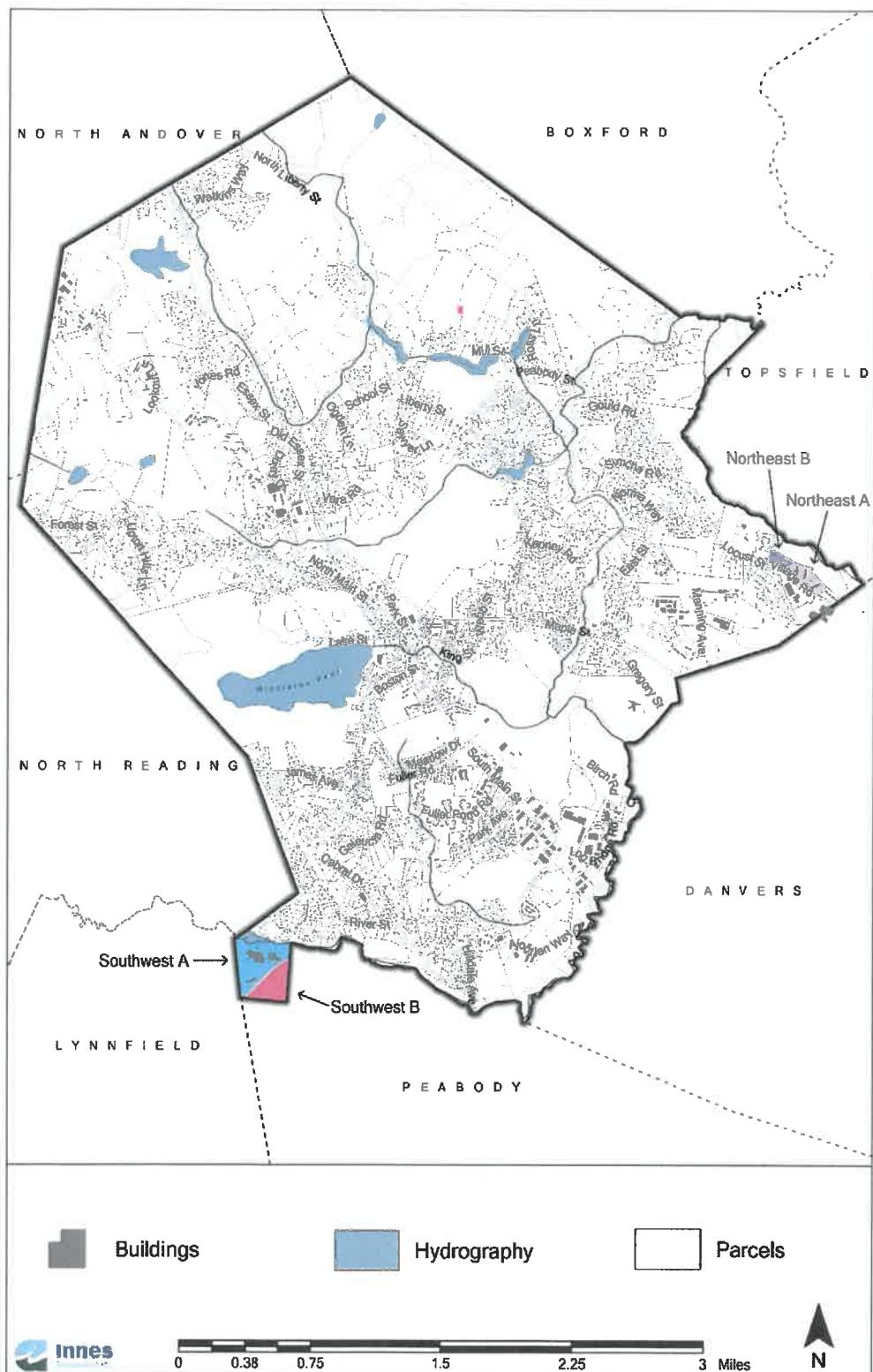
Option 1 in this article is designed to allow multifamily as of right in both places – the existing three parcels for Ironwood/Ferncroft (the northeast subarea) and the two Bostik parcels (the southwest subarea). The dimensional standards are designed to preserve the existing unit capacity and density in the northeast subarea while projecting sufficient capacity at the southwest subarea to make residential a viable use if the current use changes.

The following section is the Explanation for Option 2.

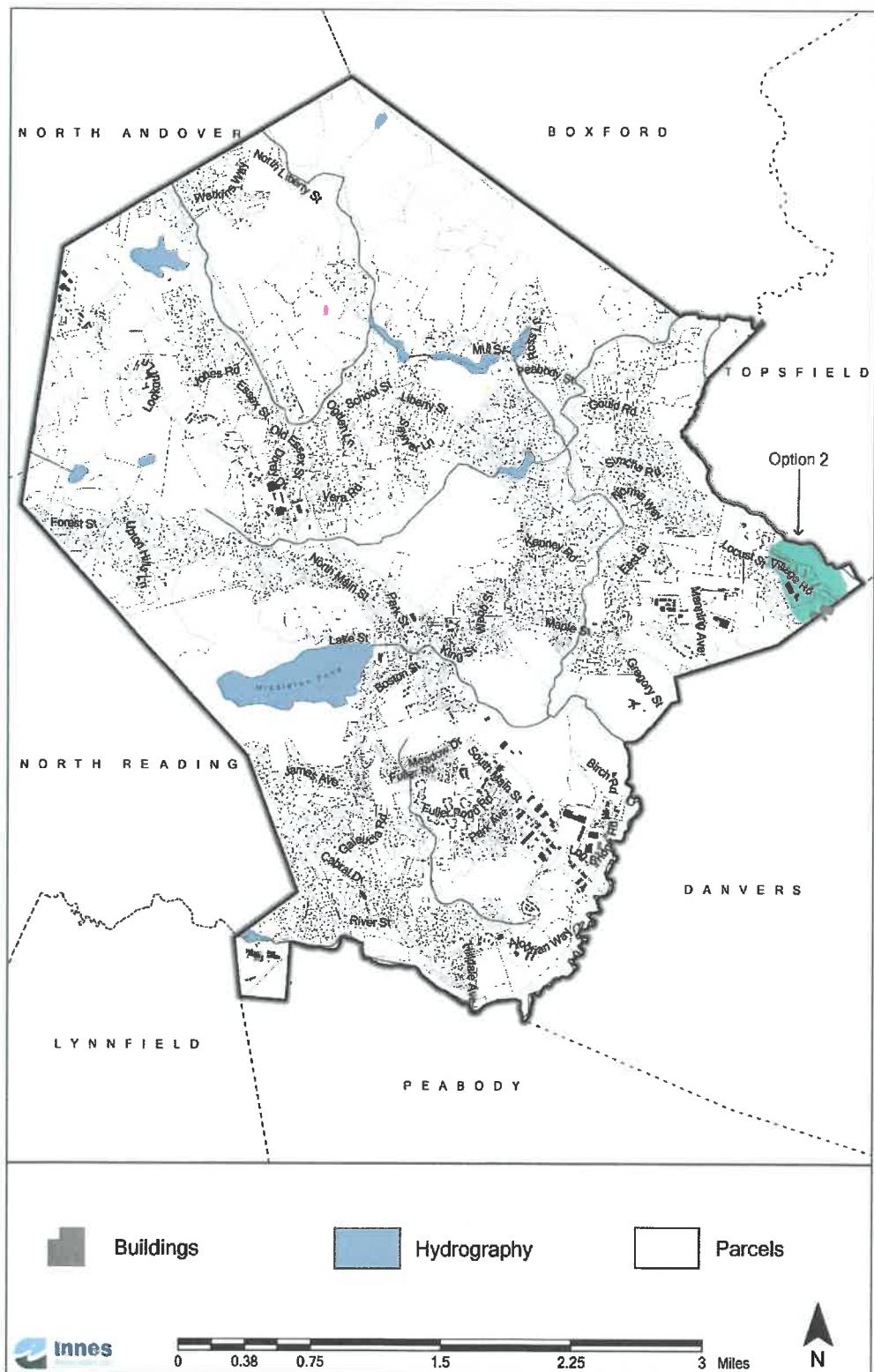
At the public meeting on January 30, 2024, some participants indicated a preference for zoning the entire Interstate Highway Business (IH) district as the town's compliance multifamily district. Option 2 is an overlay district on all parcels in the IH district. This would include the three parcels discussed earlier, the Ferncroft Country Club, the portion of the Doubletree Danvers that is within Middleton, the office building at 35 Village Road, the condominiums along Callaway Drive, and some smaller pieces of undevelopable land. Of those sites, only the condominiums on Callaway Drive have residential units now: 8 units on 3.98 acres for a total density of 2.01 units per acre.

It is possible that EOHLC might reject the Ferncroft Country Club as a developable parcel as it does not have frontage on a street; it would have to be combined with a parcel with sufficient frontage. All other parcels in the area appear to have the minimum required frontage. Without the acreage provided by the Ferncroft Country Club, this option is not compliant.

Option 1



Option 2





OFFICE OF THE TOWN ADMINISTRATOR

Town of Middleton
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www.middletonma.gov



March 1, 2024

To: Select Board; Town Administrator
CC: Finance Committee; Solid Waste Advisory Committee
From: Jackie Bresnahan, Assistant Town Administrator/HR Director
RE: Transfer Station Sticker Fee Policy

The goal of the policy outlined below is to establish a financial policy for the Transfer Station Sticker Fees. This policy is generated from the Solid Waste Advisory Committee's recommended breakdown of what costs should be expenditures covered by the tax rate and what expenditures should be covered by the sticker fee revenue. I have worked to incorporate feedback from Operating Budget Saturday discussions as well.

At the time of annual appointments, we will include an extension of the Solid Waste Advisory Committee for a one year and two year check in on the implementation of this policy and their other recommendations, as discussed by the Select Board and Finance Committee.

Transfer Station Sticker Fee Policy

Revised March 1, 2024

Voted ----

The Town Administration shall annually prepare the Operating Budget for the Transfer Station through the normal operating budget process as outlined in the Town's Charter, Bylaws, and Financial Policies. Prior to Operating Budget Saturday of any given year (or February 10th if the Operating Budget Saturday is not held), Administration will utilize the current proposed Transfer Station Budget and the "Transfer Station Costs and Sticker Price Calculation" workbook to identify the Transfer Station Sticker Cost for the upcoming fiscal year. This report will be provided to the Select Board and Finance Committee.

As outlined in the above-mentioned workbook, Trash Tipping Fees, Recycling Fees, and Truck Fuel and Oil should be 100% covered by the sticker fee revenue. The Personnel, Utilities, and Repairs should be fully funded by the tax rate. Regulatory work and maintenance of landfills will not be included in this calculation in any way.

Additionally, the 2nd Trash Sticker (for a second vehicle) and the Recycling Only Sticker price should be fixed at about 25% of the 1st Trash Sticker price. All prices were calculated and then rounded to the nearest \$5.00. If you adjust the ratio of the stickers sold, you will find combinations where the 2nd Sticker and the Recycling Sticker prices are different (by \$5), and that is a feature of the calculation details and is not an error.

By March 15th of any given year, the Select Board, at a regularly scheduled public meeting, will take up the action item for the following fiscal year's Transfer Station Sticker Fees to allow time for implementation into the final operating budget.

Transfer Station Costs and Sticker Price Calculation

		Detail	Bud/Act	% Tax Rate	% Sticker	Previous FY-2	Previous FY-1	Current FY	Budget FY	Budget FY	Comments
									Sticker	Tax	
Wages	FT/PT/OT Personnel	B		100%	0%	\$133,000	\$ 136,000	\$149,000	\$ 149,000	\$ -	Does not include Supt., Asst. Supt., Clerk
Services	Utilities: Electric, Septic, etc.	B		100%	0%	\$ 4,300	\$ 3,800	\$ 4,100	\$ 4,100	\$ -	
Eq. Repair	Repairs to all Xfer Sta Equipment	B		100%	0%	\$ 10,000	\$ 13,000	\$ 16,000	\$ 20,000	\$ -	\$ 4,100
	Trash Disposal	A		0%	100%	\$186,960	\$ 168,266	\$191,743	\$ 229,236	\$ -	
	Fuel/Oil for trucks	B		0%	100%	\$ 35,000	\$ 32,000	\$ 35,000	\$ 35,000	\$ -	
	Recycling Disposal	A		0%	100%	\$ 35,313	\$ 19,524	\$ 36,761	\$ 38,000	\$ -	
Average	Cost to have a Transfer Station					\$147,300	\$ 152,800	\$169,100	\$ 173,100	\$ 173,100	Taxes should cover this number
38%							36%	41%	39%	36%	
62%	Cost to dispose of Trash/Recycling					\$257,273	\$ 219,790	\$263,504	\$ 302,236	\$ 302,236	Stickers should cover this number

\$404,573 \$ 372,590 \$432,684 \$ 475,336

Drives

Overview

This spreadsheet can be used to calculate the Transfer Station Sticker Fees.

Numbers in **Blue** should be entered or confirmed. All others are calculated and should not be changed. The sheet is protected so that you cannot make changes except to the **Blue** numbers unless you "Unprotect" the sheet.

The numbers used are in the columns named "% Sticker" and "Budget FY".

The "% Sticker" column represents the amount of the money budgeted to come from the Sticker Fees. The SWAC decided that it should be 100% for Tipping Fees, Recycling Fees, and Fuel/Oil for the Trucks.

The "Budget FY" column is for the amount to be budgeted for the item. Only the items with a "%Sticker" value greater than 0% (e.g., 100%) are included in the Sticker Calculation.

Also, in Rows 17-20, there is a "Number Sold" column to place the number of Stickers expected to be sold in the Budget FY.

Numbers in the "Previous FY-1 and -2" columns and "Current FY" are for information and history only and have no effect on the calculation.

SWAC Calculation: Oil should be 100% paid by the Stickers. The balance (Personnel, Utilities, and Repairs) should be fully on the Tax Rate.

The SWAC voted that the 2nd Trash Sticker and the Recycling Only Sticker price should be fixed at about 25% of the 1st Trash Sticker price. All prices were calculated and then rounded to the nearest \$5.00. If you adjust the ratio of the stickers sold, you will find combinations where the 2nd Sticker and the Recycling Sticker prices are different (by \$5), and that is a feature of the calculation details and is not an error.

Questions, comments, suggestions - contact John Erickson



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March 5th, 2024

Mr. Paul Stedman
 District Highway Director
 MassDOT District 4
 519 Appleton Street,
 Arlington, MA 02476

Mr. Stedman,

We write to you today on behalf of the citizens of Middleton to respectfully request a change to the signalization at the state-owned intersection of Boston St. (Rt. 62) and N. Main St. (Rt. 114). As recently expressed by our Town Administrator in a meeting with our State House delegation, we are experiencing significant traffic issues all along the Rt. 114 corridor. A recent traffic study completed in the fall of 2023 suggests that these issues will continue to increase in severity over the next five to ten years if left unchecked. It is our understanding that a comprehensive review of the Rt. 114 corridor takes time, and implementing a long term solution will take even longer. We look forward to working on this together over the coming years, and we appreciate any guidance and support you could provide.

While we await these much needed improvements, we are committed to helping identify low cost high impact changes to items such as shifting lane painting on existing roadways and updating signals where appropriate. Specifically, we have identified the need for a “left turn arrow” for vehicles driving north on Rt. 114 looking to turn onto Rt. 62 at the intersection described above. Under current conditions, as little as one vehicle waiting to turn left can obstruct half the southbound capacity. This is a significant contributor to hazardous and frustrating bottleneck conditions that create a safety issue as vehicles attempt to rapidly change lanes to avoid the long line of vehicles stacked behind the left turning vehicle. The addition of an arrow would provide immediate relief to this issue. While we understand you must follow the process, we ask that a left turn arrow be installed as soon as feasible.

Cordially,

THE MIDDLETON SELECT BOARD

Jeffrey P. Garber, Chair

Richard W. Kassiotis, Jr., Clerk

Debbie Carbone

Brian M. Cresta

Kosta E. Prentakis

Justin B. Sultzbach, Town Administrator



OFFICE OF THE TOWN ADMINISTRATOR

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February 29, 2024

To: Select Board; Town Administrator
From: Jackie Bresnahan, Assistant Town Administrator/HR Director
RE: Implementation of Collins Center Report

Board members, as you will recall, we completed a Compensation and Classification Study with the Collins Center in 2021-2022. The three phases of the implementation included classification of employees to their new grades, the One-Time Implementation Policy, and an ongoing phase which included the personnel evaluation policy and merit pay policy as well as future evaluations of the market to stay current. This was an incredible amount of work to get done in the time frame we accomplished it and I would like to take this opportunity to thank the Board for the hard work of that process and allowing us to move forward with the market refresh.

For this implementation, there are three tasks ahead of us from the report and I've laid them out below to ensure consistency with the best practices we established previously, but with an understanding of the current affordability concerns.

Classification

There are three positions (Veterans Director, Police Captain, and COA Outreach) that need to be classified for the first time. These three positions, while not being classified in 2021-2022, have changed dramatically since their inception. Updates to their job descriptions with the Collins Center have captured those changes. I recommend all three be placed by the Board in the recommended grade the Collins Center provided. At the meeting on Tuesday, I will be making a recommendation for placements in the grades based on the previously used one-time implementation policy. The max these adjustments would add for FY 25 would be \$35,000.

Market Adjustments

In addition to this classification, we have the market refresh, which based on the data affects the positions in grades A, B, and E the most significantly. We are recommending Grades A and B have the full market adjustment implemented. We recommend Grade E's market adjustment be split over two years. This includes a \$19,324.00 increase to the FY 25 for all positions in these grades.

Cost of Living

With support from the Collins Center, we recommend no COLA or Cost of Living Adjustment for positions that received market adjustments. The COLA for FY 25 is greater than the suggested market adjustment for Grade D so we recommend maintaining a COLA for that grade at this time. Grade C was within market, but we recommend maintaining the planned COLA for those employees. This makes no changes to the proposed FY 25 budget as currently presented.

Merit Pay

On Tuesday, I will provide a revised total merit dollar amount based on these potential changes and the increase to 1.5% the Board discussed on Operating Budget Saturday so the Board can provide direction.



EDWARD J. COLLINS, JR. CENTER FOR PUBLIC MANAGEMENT
JOHN W. McCORMACK GRADUATE SCHOOL OF POLICY AND GLOBAL STUDIES
UNIVERSITY OF MASSACHUSETTS BOSTON

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mccormack.umb.edu/centers/cpm
collins.center@umb.edu

Memorandum

TO: Jackie Bresnahan, Assistant Town Administrator/Human Resources Director
FROM: Becca Brienza Meekins, Public Services Manager
DATE: February 15, 2024
RE: Classification and Compensation Update – FY2024 Recommendations

Executive Summary

Please allow this memorandum to serve as a set of recommendations resulting from the FY2024 Classification and Compensation Study Update for the Town of Middleton. The Town of Middleton retained the Edward J. Collins Center for Public Management (Collins Center) to conduct a full classification and compensation study of three positions and a labor market survey for approximately 21 non-union positions. The study resulted in the classification of three previously un-classified positions, accurate and legally compliant position descriptions for those three positions, updated labor market wage data for all non-union positions, and recommendations for market adjustments if warranted.

Position Descriptions

The Collins Center project team began with a review of the three previously un-classified positions. Those positions were the Veterans Services Director/Veterans Agent, the Outreach Coordinator for the Council on Aging, and the Police Captain. To best understand the positions, responsibilities, qualifications required, etc., the Center began with a review of existing job descriptions and a questionnaire for incumbent employees to fill out. The questionnaires elicit information including but not limited to the nature of the work performed, the complexity and scope of responsibilities and the requirements needed to fill the position, if vacant.

After the collection of questionnaires, interviews were conducted with the incumbent employees to learn more about the positions. The information gathered through the questionnaires and interviews was used to develop the draft of position descriptions. The drafts were submitted to the Town for distribution to employees and supervisors for comments. Comments will be received and incorporated into the final drafts before completion of the study.

Rating of Positions for Classification & Internal Equity

Once descriptions were drafted, the Collins Center used a point factor rating method to objectively evaluate the positions. The application of an objective position evaluation system that is consistently applied to each position is critical in assuring the internal equity of the classification plan. The evaluation system utilized by the Collins Center is one that has been successfully implemented in many municipalities and other governmental organizations in the Commonwealth, including in a larger study completed in Middleton in 2022. Each position was assigned a point factor in a series of categories, including those listed below.

Supervision Received	Supervision Exercised	Accountability
Judgement	Complexity	Personal Contacts
Confidentiality	Education/Licenses	Experience
Work Environment	Physical Requirements	Motor Skills
Physical Skills	Occupational Risks	

Using the existing classification schedule implemented in a previous project with the Town, the project team incorporated the three positions evaluated in this study, resulting in an updated classification structure reflected below. The highlighted positions indicate positions reviewed as part of the most recent update.

DEPARTMENT	POSITION TITLE	RECOMMENDED TITLE	GRADE
Police	Police Captain	Deputy Chief	E
Public Works	DPW Superintendent		E
Administration	ATA/HR Director		E
Assessing	Principal Assessor		D
Inspectional Services	Building Commissioner		D
Council on Aging	Director		D
Public Works	Deputy DPW Sup.		D
Health	Director		D
Library	Director		D
Planning	Town Planner		D
Treasurer/Collector	Treasurer/Collector		D
Conservation	Conservation Agent		D
Library	Assistant Director		C
Veterans Agent/VSO	Veterans Director		C
Assessing	Deputy Assessor		B
Town Clerk	Assistant Town Clerk		B
Treasurer/Collector	Assistant Treasurer/Collector/Payroll & Benefits Coor.		B
Council on Aging	Assistant Director		A
Police	Confidential Admin Asst to the Police Chief		A
Administration	Confidential Admin Asst to the TA Office		A
Council on Aging	Outreach Coordinator		A

Updated job descriptions will benefit the town in recruitment efforts, performance measurement efforts, and ensure compliance with laws and regulations related to pay equity, the Americans with Disabilities Act, and the Fair Labor Standards Act. Titles of the positions reviewed are in line with market titles for similar positions in other communities, however, the project team recommends modifying the Police Captain's title to Deputy Chief.

Succession planning is becoming an area of focus for many municipalities across the state. With a shrinking qualified labor pool, an extraordinarily competitive labor market, and constrained resources, municipalities are focusing inward to nurture existing talent with a desire to lead, which leads to opportunities for retention and growth within a department, thus reducing the risk of turnover. Numerous studies have revealed the cost of attrition to be much higher than the cost to retain and train existing staff. As the market becomes more competitive, the Center has continued to recommend to communities to explore opportunities for growth within the organization, rather than competing externally, particularly when there are competent and willing staff within the organization already. The Police Captain's current role is clearly second in command to the Chief of Police. The position is administrative, exempt from FLSA, and is integral in developing and administering department-wide policy. Given these factors, we recommend modifying the title to reflect the second in command status to Deputy Chief.

Currently, the Director of Veterans Services/VSO is paid with a stipend. This method of compensating part-time staff is not uncommon but is often based on a methodology of average hours worked per week in combination with a market wage for the position. The Director of Veterans Services position was analyzed and classified as part of this project. As a result, the Center recommends combining the average number of hours worked per week and multiplying that by a rate within Grade C to establish the stipend amount. This methodology considers hours worked, the classification of the position, and the market wages associated with it.

Market Salary Survey

The project team received data from 8 of Middleton's 12 selected market municipalities. Those municipalities were: Boxford, Hamilton, Ipswich, Littleton, North Reading, Rowley, Topsfield and Wilmington. To supplement the additional 8 municipalities, the project team also utilized data from Andover, Beverly, Burlington, Essex, Gloucester, Newburyport, Peabody, Reading, Rockport, Salem, Salisbury, Stoneham, Swampscott, Tewksbury, Wenham and Woburn. The project team conducted two analyses of data, one with the larger group of municipal data, and one only including the 8 selected market municipalities. The analyses of Middleton's wages against the 8 selected comparable municipalities, as well as the larger group, yielded similar results, suggesting clear market wage ranges for selected positions.

To ensure accurate comparisons, the Center evaluated hourly rates across the market communities selected. The variety of workweek schedules requires the pay analysis to be conducted on an hourly basis. The Center evaluates both average and median pay. The analysis of the median pay helps to mitigate outlying data points.

Salary Schedule Update Recommendations

Middleton's existing salary schedule is comprehensive and within industry standards, with ranges of 30% for each established grade. Using the median and average maximum pay for positions within each grade, the Center recommends the following modifications to the existing ranges for FY2024. These modifications should be treated as market adjustments and do not consider cost of living increases established for FY2025.

DEPARTMENT	POSITION TITLE	RECOMMENDED TITLE	GRADE	Current FY24 Range		FY24 Market Adjustment Range	
Police	Police Captain	Deputy Chief	E				
Public Works	DPW Superintendent		E	\$46.13	\$59.96	\$51.54	\$67.00
Administration	ATA/HR Director		E				
Assessing	Principal Assessor		D				
Inspectional Services	Building Commissioner		D				
Council on Aging	Director		D				
Public Works	Deputy DPW Sup.		D				
Health	Director		D	\$41.00	\$53.30	\$41.83	\$54.38
Library	Director		D				
Planning	Town Planner		D				
Treasurer/Collector	Treasurer/Collector		D				
Conservation	Conservation Agent		D				
Library	Assistant Director		C	\$35.88	\$46.64	None - Within Market	None - Within Market
Veterans Agent/VSO	Veterans Director		C				
Assessing	Deputy Assessor		B				
Town Clerk	Assistant Town Clerk		B	\$27.68	\$35.98	\$29.04	\$37.75
Treasurer/Collector	Assistant Treasurer/Collector/Payroll & Benefits Coor.		B				
Council on Aging	Assistant Director		A				
Police	Confidential Admin Asst to the Police Chief		A	\$24.60	\$31.98	\$26.57	\$34.54
Administration	Confidential Admin Asst to the TA Office		A				
Council on Aging	Outreach Coordinator		A				

Conclusion

The Collins Center would like to thank the Town of Middleton for their continued partnership and recognize the Town for their commitment to ensuring their classification and compensation plan remains current and competitive. We believe that this updated plan will serve the Town well in current and future recruitment and retention efforts.

Summary of Market Survey Minimum

EXISTING TITLE	Middleton Current Minimum Rate	Survey Average Minimum	Survey Median Minimum	Middleton Minus Average Minimum	Middleton Minus Median Minimum
ATA/HR Director	\$46.13	\$53.84	\$50.60	7.71	4.47
Confidential Admin Asst to the TA Office	\$24.60	\$31.22	\$31.14	6.62	6.54
Principal Assessor	\$41.00	\$48.62	\$45.21	7.62	4.21
Deputy Assessor	\$27.68	\$32.85	\$31.16	5.17	3.48
Conservation Agent	\$41.00	\$35.50	\$35.43	5.50	5.58
COA Director	\$41.00	\$39.57	\$39.14	1.43	1.86
COA Assistant Director	\$24.60	\$33.99	\$32.38	9.39	7.78
COA/Vets Outreach Coordinator	\$27.68	\$26.16	\$26.87	1.52	0.81
Health Director	\$41.00	\$47.23	\$46.25	6.23	5.25
Building Commissioner	\$41.00	\$47.27	\$43.00	6.27	2.00
Library Director	\$41.00	\$44.50	\$43.14	3.50	2.14
Library Assistant Director	\$35.88	\$36.81	\$39.48	0.93	3.60
Town Planner	\$41.00	\$46.36	\$48.71	5.36	7.71
Police Captain	\$46.13	\$48.21	\$48.34	2.08	2.21
Confidential Admin Asst to the Police Chief	\$24.60	\$29.33	\$29.79	4.73	5.19
DPW Superintendent	\$46.13	\$57.66	\$56.29	11.53	10.16
Deputy DPW Sup.	\$41.00	\$50.24	\$50.36	9.24	9.36
Assistant Town Clerk	\$27.68	\$30.24	\$28.10	2.56	0.42
Treasurer/Collector	\$41.00	\$47.78	\$47.69	6.78	6.69
Assistant Treasurer/Collector/Payroll & Benefits Coor.	\$27.68	\$33.99	\$32.44	6.31	4.76
Veterans Service Officer/Veterans Agent	\$35.88	\$35.30	\$34.02	0.58	1.86

Summary of Market Survey Maximum

EXISTING TITLE	Middleton Current Maximum Rate	Survey Average Maximum	Survey Median Maximum	Middleton Minus Average Maximum	Middleton Minus Median Maximum
ATA/HR Director	\$59.56	\$65.33	\$64.35	5.37	4.39
Confidential Admin Asst to the TA Office	\$31.98	\$40.34	\$38.29	8.36	6.31
Principal Assessor	\$53.30	\$57.26	\$54.26	3.96	0.96
Deputy Assessor	\$35.98	\$39.70	\$39.24	3.72	3.26
Conservation Agent	\$53.30	\$40.48	\$40.16	12.82	13.14
COA Director	\$53.30	\$48.80	\$47.49	4.50	5.81
COA Assistant Director	\$31.98	\$40.82	\$40.42	8.84	8.44
COA/Vets Outreach Coordinator	\$35.98	\$32.21	\$31.34	4.47	3.60
Health Director	\$53.30	\$57.84	\$57.72	4.54	4.42
Building Commissioner	\$53.30	\$56.08	\$54.49	2.78	1.19
Library Director	\$53.30	\$55.31	\$56.03	2.01	2.73
Library Assistant Director	\$46.64	\$44.60	\$43.21	2.04	3.43
Town Planner	\$53.30	\$57.46	\$58.03	4.16	4.73
Police Captain	\$59.96	\$61.93	\$60.38	6.37	4.82
Confidential Admin Asst to the Police Chief	\$31.98	\$35.44	\$35.97	3.46	3.99
DPW Superintendent	\$59.96	\$70.66	\$67.80	10.70	7.84
Deputy DPW Sup.	\$53.30	\$59.42	\$58.37	6.12	5.07
Assistant Town Clerk	\$35.98	\$34.86	\$34.20	1.12	1.78
Treasurer/Collector	\$53.30	\$56.72	\$53.28	3.42	0.02
Assistant Treasurer/Collector/Payroll & Benefits Coor.	\$35.98	\$40.88	\$39.16	4.90	3.18
Veterans Service Officer/Veterans Agent	\$46.64	\$41.86	\$38.94	4.78	7.70

Summary of Market Survey Minimum (Includes only 8 Middleton Selected Municipalities)

EXISTING TITLE	Middleton Current Minimum Rate	Survey Average Minimum	Survey Median Minimum	Middleton Minus Average Minimum	Middleton Minus Median Minimum
ATA/HR Director	\$46.13	\$54.72	\$50.51	8.59	4.38
Confidential Admin Asst to the TA Office	\$24.60	\$32.74	\$32.49	8.14	7.89
Principal Assessor	\$41.00	\$45.70	\$44.73	4.70	3.73
Deputy Assessor	\$27.68	\$29.10	\$28.72	1.42	1.04
Conservation Agent	\$41.00	\$33.71	\$32.88	7.29	8.13
COA Director	\$41.00	\$38.35	\$38.00	2.65	3.00
COA Assistant Director	\$24.60	\$32.38	\$32.38	7.78	7.78
COA/Vets Outreach Coordinator	\$27.68	\$26.79	\$25.70	0.89	1.98
Health Director	\$41.00	\$44.39	\$41.74	3.39	0.73
Building Commissioner	\$41.00	\$45.94	\$42.80	4.94	1.80
Library Director	\$41.00	\$46.23	\$42.97	5.23	1.97
Library Assistant Director	\$35.88	\$33.52	\$32.38	2.36	3.50
Town Planner	\$41.00	\$45.13	\$53.13	4.13	12.13
Police Captain	\$46.13	\$48.52	\$50.97	2.39	4.84
Confidential Admin Asst to the Police Chief	\$24.60	\$25.99	\$26.89	1.39	2.29
DPW Superintendent	\$46.13	\$55.20	\$52.66	9.07	6.53
Deputy DPW Sup.	\$41.00	\$47.60	\$47.60	6.60	6.60
Assistant Town Clerk	\$27.68	\$25.66	\$26.52	2.03	1.17
Treasurer/Collector	\$41.00	\$45.42	\$44.73	4.42	3.73
Assistant Treasurer/Collector/Payroll & Benefits Coor.	\$27.68	\$29.55	\$29.10	1.87	1.42
Veterans Service Officer/Veterans Agent	\$35.88	\$36.77	\$36.77	0.89	0.89

Summary of Market Survey Maximum (Includes only 8 Middleton Selected Municipalities)

EXISTING TITLE	Middleton Current Maximum Rate	Survey Average Maximum	Survey Median Maximum	Middleton Minus Average Maximum	Middleton Minus Median Maximum
ATA/HR Director	\$59.56	\$64.56	\$62.86	4.60	2.90
Confidential Admin Asst to the TA Office	\$31.98	\$39.58	\$38.29	7.60	6.31
Principal Assessor	\$53.30	\$56.13	\$54.24	2.83	0.94
Deputy Assessor	\$35.98	\$37.42	\$36.77	-1.44	0.79
Conservation Agent	\$53.30	\$40.05	\$41.73	13.25	11.57
COA Director	\$53.30	\$46.05	\$45.18	7.25	8.12
COA Assistant Director	\$31.98	\$40.42	\$40.42	8.44	8.44
COA/Vets Outreach Coordinator	\$35.98	\$31.13	\$30.99	3.39	3.25
Health Director	\$53.30	\$54.40	\$53.45	1.10	0.15
Building Commissioner	\$53.30	\$53.36	\$53.46	0.06	0.16
Library Director	\$53.30	\$56.43	\$57.69	3.13	4.39
Library Assistant Director	\$46.64	\$42.62	\$40.70	4.02	5.95
Town Planner	\$53.30	\$53.12	\$55.79	0.18	2.49
Police Captain	\$59.96	\$61.22	\$62.03	5.66	6.47
Confidential Admin Asst to the Police Chief	\$31.98	\$33.21	\$33.13	1.23	1.15
DPW Superintendent	\$59.96	\$68.34	\$69.08	8.38	9.12
Deputy DPW Sup.	\$53.30	\$54.54	\$54.73	1.24	1.43
Assistant Town Clerk	\$35.98	\$32.04	\$32.55	3.94	3.44
Treasurer/Collector	\$53.30	\$56.43	\$56.11	3.13	2.81
Assistant Treasurer/Collector/Payroll & Benefits Coor.	\$35.98	\$37.76	\$36.79	-1.78	0.81
Veterans Service Officer/Veterans Agent	\$46.64	\$34.20	\$35.09	12.44	11.55