



Public Facilities Committee Agenda

City of Newton In City Council

Wednesday, March 22, 2017

7:00 PM
Room 204

Items Scheduled for Discussion:

- #47-17 Petition for grant of location at Washington Street**
EVERSOURCE ENERGY petition for a grant of location to install \pm 673 feet of conduit from Manhole #3383 approximately 43' south of Walnut Street. [(Ward 2) 01/26/16 @ 12:31 PM]
- #48-17 Petition for grant of location at Washington Street**
EVERSOURCE ENERGY petition for a grant of location to install one hip guy at pole #447/94 approximately 180' \pm east of Lowell Avenue [(Ward 2) 01/26/16 @ 12:31 PM]
- #49-17 Petition for grant of location at Caldon Path**
EVERSOURCE ENERGY petition for a grant of location to install \pm 39' of conduit southerly to pole 359/12 (adjacent to 44 Caldon Path), headed in a southwesterly direction \pm 501' to two proposed manholes. [(Ward 8) 02/06/16 @ 11:07 AM]
- #50-17 Petition for grant of location at O'Rourke Path/Hanson Road/Callahan Path**
EVERSOURCE ENERGY petition for a grant of location to install conduit westerly from pole 359/9 a distance of 24' \pm in a southwesterly direction to one proposed manhole a distance of 466' \pm continuing southwesterly 12' \pm to a second proposed manhole in Callahan Path. [(Ward 8) 02/06/16 @ 11:02 AM]
- #51-17 Petition for grant of location at Timson Path/Saw Mill Brook Parkway**
EVERSOURCE ENERGY petition for a grant of location to install conduit westerly from pole 366/8 in Saw Mill Brook Parkway a distance of 430' \pm in a northerly direction to a proposed manhole in front of 15 Timson Path continuing northeasterly to a second proposed manhole in front of 27 Timson Path. [(Ward 8) 02/06/16 @ 11:04 AM]

The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: jfairley@newtonma.gov or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

#52-17 Petition for a grant of location at Spiers Road/Shute Path
EVERSOURCE ENERGY petition for a grant of location to install 141'± of conduit northwesterly from pole 371/16 on Spiers Road in a northwesterly direction to a proposed manhole in front of 147 Shute Path. [(Ward 8) 02/08/16 @ 2:55 PM]

#73-17 Eversource petition for grant of location at Osborne Path/Van Roosen Road
EVERSOURCE ENERGY petition for a grant of location to install conduit from a proposed manhole in front of 112 Osborne Path in a southwesterly direction to pole 352/4 a distance of 145'± in Van Roosen Road. [(Ward 8) 02/27/2017 @ 2:54 PM]

#74-17 Eversource petition for grant of location at Chinian Path
EVERSOURCE ENERGY petition for a grant of location to install one manhole 3' easterly to Chinian Path in a westerly direction 397± to a second proposed manhole in front of #49 Chinian Path continuing in a westerly direction 45'± to pole 232/22 in Wiswall Road. [(Ward 8) 02/06/16 @ 11:03 AM]

#72-17 Cellco petition for Grant of Location for wireless communication equipment
CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS petitioning for a grant of location to attach wireless communication equipment to existing utility poles at the following locations [02/08/2017 @3:01 PM]:

Locations

Commonwealth Ave (at intersection of Boylston/Chestnut St) at Eversource Pole #102/200
Albemarle Rd (adjacent to 250 Albemarle) at Eversource Pole #2X

#189-14 Update on the Zervas School construction project
PUBLIC FACILITIES COMMITTEE requesting periodic updates on the Zervas Elementary School Project. [04/17/14 @ 10:48 PM]

Referred to Public Facilities and Finance Committees

#76-17 Appropriate \$1 million for snow and ice removal expenses
HIS HONOR THE MAYOR requesting authorization to appropriate the sum of one million dollars (\$1,000,000) from Free Cash to supplement the Department of Public Works' snow and ice operations budget.

Personnel Costs – Overtime
(0140110-513001).....\$250,000
Rental Vehicles
(0140110-5273-5273)\$750,000
[03/13/17 @ 4:39 PM]

Referred to Public Facilities and Finance Committees

#77-17 Ordinance amendment to include ordinances on illicit discharges to storm drains

HIS HONOR THE MAYOR requesting amendments to the City of Newton Revised Ordinances, 2012 to include new sections related to illicit discharges to storm drains, which meet the requirements set forth under the City's Municipal Separate Storm Sewer System Permit. [03/13/17 @ 4:39 PM]

Referred to Public Facilities and Finance Committees

#78-17 Appropriate \$71,800 for engineering services

HIS HONOR THE MAYOR requesting authorization to appropriate and expend seventy-one thousand eight hundred dollars (\$71,800) from the Storm Water Surplus Account for the purpose of funding professional engineering services for the design and construction engineering phases of the rehabilitation of the Flowed Meadow Pump Station. [03/13/17 @ 4:39 PM]

Items Not Scheduled for Discussion at this Meeting:

#36-17 Ordinance amendment to require peer review of wires communication attachments
COUNCILOR CROSSLEY, ALBRIGHT AND LAPPIN requesting an Ordinance, pursuant to Mass. General laws Chapter 166, Section 22 and Chapter 44, Section 53G, the adoption of which would enable the City Council to require peer review of grant of location petitions, including proposed wireless communications equipment attachments to poles or structures in the public way (and on public lands), at the petitioner's expense, to assist the Council in deciding requested grants of location.

Referred to Public Facilities and Finance Committees

#56-17 Request to increase the Public Works Department by one full-time position

HIS HONOR THE MAYOR requesting authorization to add one full-time employee within the Public Works Department to manage all detail requests submitted to the Police Detail Coordinator. [02/27/17 @ 2:42 PM]

Referred to Programs & Services, Public Facilities, PS&T and Finance Committees

#59-17 Appropriate \$350,000 for construction of a Parks & Recreation/Police building

HIS HONOR THE MAYOR requesting authorization to appropriate three hundred fifty thousand dollars (\$350,000) from Overlay Surplus for the purpose of funding the construction of a new combined Parks & Recreation and Police Department facility to be located at the Elliot Street DPW yard. [02-17-17 @ 9:29 AM]

#12-16 Discussion with the DPW regarding the City's recycling and solid waste programs

COUNCILOR LEARY, NORTON, KALIS, HESS-MAHAN, ALBRIGHT, AND CROSSLEY requesting an update from and discussion with the Department of Public Works and the Solid Waste Commission on the current status of Newton's solid waste management and recycling program operations and performance objectives, future

goals and objectives, staffing, program challenges, and survey data due to be submitted to the Department of Environmental Protection. [12/28/15 @ 8:44 AM]

#5-17

Discussion with DPW regarding salt use for snow clearing operations

COUNCILORS CROSSLEY, ALBRIGHT requesting a discussion with the Commissioner of Public Works about City Policy that determines the use of salt on roadways during snow clearing operations, to understand how we might minimize the amount of salt used overall and consider eliminating the placement of salt barrels at certain locations throughout the City. [12/23/2016 @ 8:37 AM]

Referred to Programs & Services, Public Facilities and Finance Committees

#387-16

Appropriate \$250,000 for renovation of 1st Floor of the Ed Center

HIS HONOR THE MAYOR requesting authorization to appropriate and expend two hundred fifty thousand dollars (\$250,000) from the Override Capital Stabilization Fund for the purpose of renovating the space on the 1st floor of the Ed Center which has been vacated by the relocation of the Pre-K Program to the Aquinas site to house the Central High School Program, additional professional development meeting space, and general office space. [10/31/16 @ 2:05 PM]

#12-16

Discussion with the DPW regarding the City's recycling and solid waste programs

COUNCILOR LEARY, NORTON, KALIS, HESS-MAHAN, ALBRIGHT, AND CROSSLEY requesting an update from and discussion with the Department of Public Works and the Solid Waste Commission on the current status of Newton's solid waste management and recycling program operations and performance objectives, future goals and objectives, staffing, program challenges, and survey data due to be submitted to the Department of Environmental Protection. [12/28/15 @ 8:44 AM]

Referred to Public Facilities and Finance Committees

#385-16

Discussion about the Community Solar Share Program

PUBLIC FACILITIES COMMITTEE requesting discussion with the Administration and Public Buildings Department about the Community Solar Share Program, which intends to provide credits resulting from solar power generated at 70 Elliot Street to qualifying low income residents. [10/26/16 @ 4:20 PM]

Referred to Public Facilities and Finance Committees

#384-16

Appropriate \$71,000 to build an observation deck on the greenway

HIS HONOR THE MAYOR requesting authorization to appropriate and expend seventy-one thousand dollars (\$71,000) from Free Cash for the purpose of construction an observation on the greenway walking corridor. [10/31/16 @ 2:05 PM]

Referred to Public Facilities Committee

- #317-16 Discussion with Double Poles Working Group**
COUNCILOR LAREDO requesting a discussion with the Double Poles Working Group to receive an update on the work of the group and the status of double poles.
[07/11/2016 @ 12:44 PM]

Referred to Finance and Appropriate Committees

- #359-16 Submittal of the FY 2018 to FY 2021 Capital Improvement Plan**
HIS HONOR THE MAYOR submitting the Fiscal Years 2018 to 2022 Capital Improvement Plan pursuant to section 5-3 of the Newton City Charter. [10/11/16 @ 11:28 AM]

Referred to Programs & Services and Public Facilities Committees

- #344-16 Discussion regarding oversight of all city/school buildings to improve efficiencies**
COUNCILOR LAPPIN requesting a discussion regarding the Public Buildings Department overseeing all public buildings, including School Department facilities, to improve efficiencies. [10/07/16 @ 10:47 AM]

Referred to Programs & Services, Public Facilities and Finance Committees

- #175-16 Authorization to enter into a settlement agreement with National Grid.**
HIS HONOR THE MAYOR requesting authorization for the City to enter into a settlement agreement with Boston Gas Company d/b/a National Grid. [04/25/16 @ 6:52 PM]

Referred to Programs & Services and Public Facilities Committees

- #141-15 Discussion on tracking and improving the condition of the gas utility infrastructure**
ALD. BROUSAL-GLASER, SANGIOLO, HESS-MAHAN, COTE, NORTON AND ALBRIGHT requesting a discussion with the Director of Urban Forestry, a representative of the Department of Public Works and a representative of the Law Department about tracking and improving the condition of the gas utility infrastructure in Newton, new state statutes governing infrastructure repairs, coordination of increased repair work with city operations, the status of negotiations with National Grid to compensate for tree deaths resulting from gas leaks, and the possibility of creating a utilities working group to monitor progress on these and related issues. [05/26/15 @ 2:52 PM]

- #206-16 Resolution requesting the administration hire a composting expert**

COUNCILOR LEARY requesting a Resolution to the Mayor requesting that he consider hiring a composting expert: either a consultant, a composting operator, or the Mass DEP to review the Rumford Avenue Composting site. [05/31/16 @ 4:52 PM]

#207-16 Review of the management of the Rumford Avenue site

COUNCILOR LEARY requesting the Executive Office and the Commissioner of Public Works review the management of the entire Rumford Avenue site with the input of the Solid Waste Commission and present their findings to the Public Facilities Committee within a 3 to 6 month timeframe. [05/31/16 @ 4:52 PM]

Referred to Public Safety & Transportation and Public Facilities Committees

#208-16 Update on fire prevention at the compost operation at Rumford Avenue Landfill

COUNCILOR LEARY requesting the Executive Office, the Fire Department, and the Department of Public Works provide an update on fire safety issues at the compost operation at the Rumford Avenue Landfill including details about who is currently managing the site for fires. [05/31/16 @ 4:52 PM]

#163-16 Request for discussion with DPW to consider amend Ordinance for street reconstruction

COUNCILORS CROSSLEY, LAREDO & LAPPIN requesting a discussion with the Commissioner of Public Works, to review city policy and/or ordinances governing repairs to city streets within a period of years after full reclamation and/or milling and repaving of said streets, and to consider strengthening the requirements for repairs so as to protect the public investment in said streets.

#26-16 Proposed amendments to Sec. 5-54 through 5-58 of the Ordinances

COUNCILOR CROSSLEY, ALBRIGHT, HARNEY AND SANGIOLO requesting revisions to Sections 5-54 through 5-58 of the City of Newton Ordinances to clarify the City Council's role and decision-making process with respect to design review, funding, and budget oversight during the construction process of municipal capital building projects; in particular, to better align City Council decisions with typical steps in the design development process, and where applicable, with Massachusetts School Building Authority (MSBA) and other state requirements. [01/11/16 @ 4:53 PM]

#313-15 Request for an update on the Second Water Meter Program

ALD. LAPPIN requesting an update from the Department of Public Works on the second water meter program including: the progress of the inspection and programming of the approximately 900 new outdoor irrigation meters provided by the City to property owners that have yet to be inspected and/or programmed by the City; the process going forward for the issuance, inspection, programming and tracking of

second meters; and the notification of residents who already had second meters regarding the process for registering their meters. 10/26/15 @ 7:15 PM]

Referred to Public Facilities and Finance Committees

#223-15

Discussion on the process of licensing the use of city buildings

ALD. LAREDO requesting a discussion of the process of licensing the current and future use of city building, including: (a) how licensees may request the use of city buildings; (b) the process for determining which licensees will get the use of city buildings; (c) how the fees for the use of city buildings are set; and (d) how the current process compares to the process for permitting the use of school buildings. [08/13/15 @ 11:20 AM]

Referred to Programs & Services and Public Facilities Committees

#201-15

Discussion regarding the condition of the Kennard Estate building

ALD. SANGIOLO requesting a discussion with the Commissioner of Public Buildings, the Commissioner of Parks and Recreation, and the Executive Department regarding the condition of the property located at 246 Dudley Road (Kennard Estate) and how much, if any, repairs and upgrades will be needed as the City relocates the Parks and Recreation Department to that location. [09/01/15 @ 4:00 PM].

Referred to Public Facilities and Finance Committees

#191-16

Funding to relocate the Zervas modulars to NSHS and Brown Middle School

HIS HONOR THE MAYOR requesting authorization to transfer the sum of five hundred thousand dollars (\$500,000) to the Public Buildings Department for the purpose of funding the relocation modular classrooms from the Zervas Elementary School to Newton South High School and Brown Middle School from the following accounts:

| <u>Department</u> | <u>Account</u> | <u>Amount</u> |
|------------------------|------------------------------|---------------|
| Executive Office | Full-time Salaries | \$40,000 |
| Treasury | Debt Service (010772-582A48) | \$403,784 |
| Treasury | Debt Service (010772-582A49) | \$21,216 |
| Financial Info Systems | Full-time Salaries | \$35,000 |

[05/09/16 @ 4:59 PM]

#83-15

Discussion and update on energy items

ALD. CROSSLEY, GENTILE, & ALBRIGHT requesting a discussion and update from the Administration on the following energy related items: status of municipal power purchasing contracts for gas and electricity; status of the Power Purchase Agreement including solar PV rooftop installations, power offset (cost benefit) to date and review of potential future projects; and an update on municipal energy consumption including the recent Green Communities report filed with the Department of Energy Resources. [03/26/15 @ 9:19 AM]

Referred to Public Facil, Programs & Serv, and Public Safety & Trans Committees

- #46-15** **Discussion of parking options for school and municipal parking lots**
ALD. JOHNSON & CICCONE, requesting a discussion with the Commissioner of Department of Public Works and the School Department to determine and discuss parking options including use of school properties based on the current municipal parking lot programs including the issuance of permits. [02/11/15 @ 1:35 PM]
- #328-14** **Review of double utility poles**
ALD. ALBRIGHT, DANBERG, & LAREDO requesting a review of double poles in Newton including a random sampling of ten double poles on the north side and ten double poles on the south side of Newton to determine which utility is holding up the removal of double poles. [08/19/14 @ 9:16 AM]

Referred to Programs & Services and Public Facilities Committees

- #119-14** **Discussion with ISD on plans to address City non-compliance with ADA standards**
ALD. ALBRIGHT AND CROSSLEY requesting discussion with the Inspectional Services Department to explain the development of short and long term plans to identify and correct buildings, sidewalks, playgrounds, etc...that do not conform to American Disability Act (ADA) standards. The discussion should include information on how improvements will be incorporated into the Capital Improvement Plan or if less than \$75,000 into a comprehensive budget plan to correct ADA deficiencies. [03/12/14 @ 4:18 PM]
- #131-13** **Updates and discussion on the sewer, water and storm water systems**
ALD. CROSSLEY, FULLER, SALVUCCI, JOHNSON, CICCONE requesting periodic updates and discussion, at the discretion of the members of the Public Facilities Committee or the Commissioner of Public Works, on the condition functioning, operations and management of all elements of the City sewer, water and storm water systems including the following:
- Water meters
 - Implementation of the ten project area strategic plan to remove infiltration in the City sewer system
 - Implementation of the long range strategic plan to repair and replace City water mains, especially to correct for fire flow
 - Status of the City's Private Inflow Removal Program to resolve and disconnect illegal storm water connections to the City sewer system
 - Current billing practices
 - Rates analyses needed to facilitate an informed comparison of billing options to include the following options either alone or in combination: seasonal rates, second meters, tiered rates, frequency of billing, low income credits.

Referred To Programs & Services And Public Facilities Committees

#36-12

Inspection of private sewer lines and storm water drainage connections

ALD. CROSSLEY & FULLER requesting Home Rule legislation or an ordinance to require inspections of private sewer lines and storm water drainage connections prior to settling a change in property ownership, to assure that private sewer lines are functioning properly and that there are no illegal storm water connections to the city sewer mains.

A) Sewer lines found to be compromised or of inferior construction would have to be repaired or replaced as a condition of sale;

B) Illegal connections would have to be removed, corrected, and re-inspected in accordance with current city ordinances and codes, as a condition of sale.

[01/24/12 @ 8:07 AM]

Programs & Services Voted No Action Necessary 6-0 on 11/17/14

#367-09

Discussion on repair of underground streetlight connections

PUBLIC FACILITIES COMMITTEE requesting discussion with the Law Department on how to resolve the dispute with NStar regarding whose responsibility it is to repair the streetlight connection between the manhole and the base of the streetlight.
[10/21/09 @ 9:00 PM]

#188-14

Update on the Cabot School construction project

PUBLIC FACILITIES COMMITTEE requesting periodic updates on the Cabot Elementary School Project. [04/17/14 @ 10:48 PM]

Referred to Public Safety & Transportation And Public Facilities Committees

#413-11

Updates on the renovations to the City's fire stations

ALD. CICCONE, SALVUCCI, GENTILE & LENNON updating the Public Facilities and Public Safety & Transportation Committees on the progress of renovations to the city's fire stations. [11-17-11 @11:07 AM]

Referred to Programs & Services and Public Facilities Committees

#27-16

Updates from the Administration on the renovations at the Aquinas site

PROGRAMS & SERVICES AND PUBLIC FACILITIES COMMITTEES requesting that the School Department and/or Executive Department provide updates on removal of asbestos and other toxic materials that were identified at the Aquinas site, the scope and timing of window replacement in particular, and renovations that may be necessary to facilitate short and long-term plans for uses and operations at the site.
[01/10/16 @ 1:14 PM]

#237-15

Update on mitigation funds from Special Permits in Newton Centre

ALD. CROSSLEY, LAREDO, and SCHWARTZ requesting an update on funds accrued from voluntary contributions from Special Permits in Newton Centre, which can be made

available to complete a safe pedestrian crossing at 714-724 Beacon Street via Special Permit Board Order #1-15 and conditions noted therein. 09/14/15 @ 10:40 AM]

Referred to Programs & Services Committees and Public Facilities

#12-17

Request for updates on the Library Expansion Project

COUNCILORS CROSSLEY, ALBRIGHT AND BLAZAR requesting periodic updates from the Library Trustees and Library Director on the Library expansion project. [01/03/2017 @ 3:55 PM]

Referred to Programs & Services Committees and Public Facilities

#13-17

Request for updates on the Archive Expansion Project

COUNCILORS CROSSLEY, ALBRIGHT, AND BLAZAR requesting periodic updates from the City Clerk on the Archives expansion project. [01/03/2017 @ 3:56 PM]

#200-15

Update on the strategic plan for street and sidewalk improvements

ALD. LAREDO requesting that the Department of Public Works provide an update on the creation of a strategic plan for the improvement of streets and sidewalks in the City. [08/13/15 @ 11:20 AM]

Respectfully submitted,

Deborah J. Crossley, Chair

Final Label Report

| SBL | Owner | Number | Street | Unit |
|------------|---------------------------------|--------|---------------|------|
| 84005 0001 | QUI GUO JIE | 7 | AVERY PATH | |
| 84005 0002 | PODOLNY BORIS | 15 | AVERY PATH | |
| 84005 0003 | CAFFRAY JAMES G | 21 | AVERY PATH | |
| 84017 0006 | CALDON LLC | 6 | CALDON PATH | |
| 84018 0002 | MIRSKY RICHARD D & MARA F | 11 | CALDON PATH | |
| 84017 0005 | 12 CPD LLC | 12 | CALDON PATH | |
| 84018 0003 | JACKSON HORATIO H TR | 17 | CALDON PATH | |
| 84017 0004 | GIESTA JANNA TR | 18 | CALDON PATH | |
| 84017 0003 | FERREIRA DESOUZA ALVARO | 24 | CALDON PATH | |
| 84018 0004 | SOKOLL MARK A & MARJORIE U | 25 | CALDON PATH | |
| 84017 0002 | ZHENG ZHIEN | 30 | CALDON PATH | |
| 84018 0005 | MEDEIROS DAVID A & ADRIANNE TRS | 35 | CALDON PATH | |
| 84017 0001 | ROYFMAN EDWARD | 36 | CALDON PATH | |
| 84018 0006 | FELTON LOUISE A | 9 | CALLAHAN PATH | |
| 84018 0007 | DILLON CARMEN V | 21 | CALLAHAN PATH | |
| 84026 0006 | CHO HYONG KOO & HYUN OK | 41 | CALLAHAN PATH | |
| 84012 0008 | FETTERMAN ANNE & JOSHUA | 16 | CHINIAN PATH | |
| 84012 0007 | BOISVERT RENE P & BARBARA N | 26 | CHINIAN PATH | |
| 84020 0004 | CURCIO JERAMY & KYRA | 40 | CHINIAN PATH | |
| 84021 0007 | BRANFMAN STEVEN J & ELLEN A | 43 | CHINIAN PATH | |
| 84020 0003 | BALL DOUGLAS N | 48 | CHINIAN PATH | |
| 84021 0008 | ARONOVA ALINA L | 49 | CHINIAN PATH | |
| 84021 0009 | MURPHY STEVEN J TR | 55 | CHINIAN PATH | |
| 84020 0002 | BEN-SIMON ALBERT & GUILA | 56 | CHINIAN PATH | |
| 84014 0003 | RUBIN PAUL L/E | 9 | CIBEL PATH | |
| 84014 0006 | ROBINSON RODERICK & LEIDIMAR | 10 | CIBEL PATH | |
| 84014 0002 | PERI EMIL & ARJANA | 15 | CIBEL PATH | |
| 84014 0007 | COPMAN HELEN L TR | 16 | CIBEL PATH | |
| 84014 0001 | LINSKY LEONARD & BEVERLY L | 8 | EARLY PATH | |
| 84018 0001 | ZHANG LIZHONG | 44 | HANSON RD | |
| 84018 0012 | KEE KEVIN T & LILA A | 56 | HANSON RD | |
| 84026 0001 | CUNNINGHAM KENNETH E TR | 66 | HANSON RD | |
| 84021 0004 | CUTTER KATHLEEN ENNIS & ALAN H | 8 | KERR PATH | |
| 84026 0002 | LEE DICK J | 9 | OROURKE PATH | |
| 84018 0011 | FADER IRA C | 10 | OROURKE PATH | |
| 84026 0003 | SABERY KEYVAN | 17 | OROURKE PATH | |
| 84018 0010 | SRIPADA PAVANARAM K & HEMALATHA | 18 | OROURKE PATH | |
| 84018 0009 | SCHENKER MATTHEW P | 24 | OROURKE PATH | |
| 84026 0004 | MURPHY KENNETH | 25 | OROURKE PATH | |
| 84018 0008 | BERGELSON GRYGORY | 32 | OROURKE PATH | |
| 84026 0005 | AGGARWAL GORAV | 35 | OROURKE PATH | |
| 84021 0005 | KANEKAR SHANTESH & SPURTI | 65 | OSBORNE PATH | |
| 84021 0006 | RABINO SAMUEL TR | 75 | OSBORNE PATH | |
| 84020 0005 | BEDNARZH ANDREW | 91 | OSBORNE PATH | |
| 84012 0006 | RAO THOMAS G & KATHERINE L | 98 | OSBORNE PATH | |

| SBL | Owner | Number | Street | Unit |
|------------|-------------------------------------|--------|---------------------|------|
| 84020 0006 | STARIKOV FRED & LYN | 99 | OSBORNE PATH | |
| 84012 0005 | SAHL ROBERTA L | 104 | OSBORNE PATH | |
| 84020 0007 | LO ERIC & MARY | 105 | OSBORNE PATH | |
| 84012 0004 | AGOUREEV EVGUENI | 112 | OSBORNE PATH | |
| 84020 0008 | RIVERSIDE COMMTY M HLTH & R CTR INC | 117 | OSBORNE PATH | |
| 84012 0003 | LEE LONG JANE CHANG | 118 | OSBORNE PATH | |
| 84005 0010 | CHEN YAO MING | 624 | SAW MILL BROOK PKWY | |
| 84005 0009 | SNEIDER JONATHAN E | 634 | SAW MILL BROOK PKWY | |
| 84014 0004 | HOSHINO PETER & RUTH | 689 | SAW MILL BROOK PKWY | |
| 84014 0005 | SARIN SUNIL K & MARY S | 701 | SAW MILL BROOK PKWY | |
| 84013 0001 | WONG VICTOR & BETTY | 715 | SAW MILL BROOK PKWY | |
| 84013 0002 | GLICKMAN JONATHAN N | 727 | SAW MILL BROOK PKWY | |
| 84013 0003 | SHEAR KAREN R & ELLIOT | 735 | SAW MILL BROOK PKWY | |
| 84013 0004 | PLASKY PAUL & SUSSMAN ILENE | 741 | SAW MILL BROOK PKWY | |
| 84012 0013 | TRAN THUCUC T | 751 | SAW MILL BROOK PKWY | |
| 84005 0008 | ADAMS MIRIAM | 12 | SHUTE PATH | |
| 84005 0007 | DEGTIAROV ARKADY | 20 | SHUTE PATH | |
| 84005 0006 | LICON HAROLD A JR | 26 | SHUTE PATH | |
| 84005 0005 | CHENG THOMAS W | 30 | SHUTE PATH | |
| 84010 0029 | DUNNE RICHARD C | 141 | SPIERS RD | |
| 84010 0028 | LEWIS MATTHEW T & ROBIN M | 147 | SPIERS RD | |
| 84010 0027 | WOLFE CHARLOTTE ROTH TR | 151 | SPIERS RD | |
| 84010 0026 | SLUTSKY ALEXANDER M | 157 | SPIERS RD | |
| 84010 0025 | APOTHERKER BRUCE M & GITTE N | 163 | SPIERS RD | |
| 84005 0004 | SUDALTER MELVYN S & SIMONE H TRS | 164 | SPIERS RD | |
| 84010 0024 | BLACKER RICHARD H & KAREN G | 169 | SPIERS RD | |
| 84004 0005 | SKOLNICK JOEL & AVITAL TRS | 172 | SPIERS RD | |
| 84010 0023 | UHLMANN ERIK | 175 | SPIERS RD | |
| 84013 0008 | BOYNICK RUTH TR | 22 | STEIN CIR | |
| 84013 0007 | MACNAIR DAVID G | 30 | STEIN CIR | |
| 84019 0002 | SOLOMON SCHECHTER DAY SCHOOL INC | 60 | STEIN CIR | |
| 84012 0012 | 10 TIMSON PATH LLC | 10 | TIMSON PATH | |
| 84013 0005 | ROSSER ROBERT WILLIAM & MARY L | 15 | TIMSON PATH | |
| 84012 0011 | KAGAN TATIANA | 18 | TIMSON PATH | |
| 84012 0010 | SHOCKER SYLVIA R | 24 | TIMSON PATH | |
| 84013 0006 | CHTERENTAL IGOR | 27 | TIMSON PATH | |
| 84012 0009 | ROSEN SHELLEY J | 30 | TIMSON PATH | |
| 84012 0001 | ROMANOW RICHARD H & JOYCE E | 15 | VAN ROOSEN RD | |
| 84012 0002 | LEVY BOAZ & TAMAR | 21 | VAN ROOSEN RD | |
| 84020 0009 | WONG RONALD T & ANNY L | 43 | VAN ROOSEN RD | |
| 84021 0010 | BABCHUCK SMADAR SARA | 206 | WISWALL RD | |
| 84020 0001 | LEVINE EMILY L | 218 | WISWALL RD | |

#10002

CITY OF NEWTON
MASSACHUSETTS

47-17

RECEIVED
2017 JAN 26 PM 12:31
DAVID A. O'NEIL, CLERK
NEWTON, MA 02459

PETITION for GRANT OF LOCATION

To the Petitioner:

City of Newton Ordinance Section 23-52 requires that each petition for grant of location be submitted to the City Council before it is sent to the Public Works Department for a preliminary review. The comments of the Public Works Commissioner will be part of the record submitted to the City Council. Upon filing with the City Council, the petition will be scheduled for a public hearing before the Public Facilities Committee of the City Council. **The petitioner is responsible for insuring that the petition is complete and all required materials are in order for review.** Attached please find the City Engineer's Standard Requirements for Plans and the Department of Public Works Permit Processing brochure.

Grant of Location Process:

1. Applicant submits completed Petition Form and required materials to the City Council
2. Public Works Department conducts preliminary review and gives written comments to the applicant
3. Engineering Division files Petition Form with comments with the Clerk of the City Council
4. City Council schedules petition for a public hearing before the Public Facilities Committee of the City Council
5. Public Facilities Committee recommendations are forwarded to the City Council for a final decision

Questions may be directed to:

Lou Taverna, City Engineer, 617-796-1020
City Council Office, 617-796-1210

I. IDENTIFICATION (Please Type or Print Clearly)

Company Name Eversource Energy

Address 200 Calvary Street
Waltham, MA 02453

Phone Number 781-314-5053 Fax Number 781-314-5165

Contact Person Maureen Carroll Title Right of Way Agent

Signature *Maureen Carroll* Date 1/18/2017
Person filing application

If a telecommunications company, indicate how certified by the Department of Telecommunications and Energy:

II. DESCRIPTION OF PROJECT: to be completed by petitioner

A. Write here or attach a description of the project including, location, proposed time frame for completion, type of materials to be used, benefit provided to the City, project mitigation plan as applicable, street reconstruction plan including timetable for completion.

Eversource to install 673 feet of conduit in Washington Street

Eversource to install one manhole #30340 in Washington Street

B. Include or attach a sketch to provide a visual description of the project. If plans are attached, provide:

Title of Plan Washington Street, Newton

Date of plan October 27, 2016

III. PUBLIC WORKS DEPARTMENT REVIEW

Date received by Public Works Department _____

Check One:

Minor Project

Major Project

Lateral

(Refer to City Engineer Standard Requirements for Plans for definition of minor and major project)

Plans Submitted:

Certified Plot Plan

Stamped Plans

DATE AND COMMENTS:

RECOMMENDATIONS:

| | |
|---|--|
| <p><i>will need Newton Polize Details - NPD may restrict hours of operation (Possible Night work)</i></p> | <p><i>Road Restoration per street opening permit CDF Excavatable backfill conc. Roadway with Asphalt overlay</i></p> |
| <p><i>L. Terena 3/6/17. Per 27, 2017</i></p> | <p><i>John Dwyer Associate City Eng.</i></p> |

V. RECOMMENDATION TO PUBLIC FACILITIES COMMITTEE:

Commissioner, Public Works

Date

WASHINGTON ST. HAS 1" TO 2" OF ASPHALT OVERLAYING
WELDED WIRE MESH, OVERLAYING 8" REINFORCED CONCRETE
PANELS.

January 18, 2017

City Council
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

RE: Washington Street
Newton, MA
WO #2162759


Dear Members of the Council:

The enclosed petition and plan is being presented by the NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY Company for the purpose of obtaining a Grant of Location to install 673 ± feet of conduit in Washington Street

This work is being done to relocate the existing overhead electric service to underground electric service.

Your immediate attention to this matter is appreciated. If you have any questions, please call Maureen Carroll at (781) 314-5053.

Sincerely,


Steven M. Owens
Rights & Permits Supervisor

SMO/kj
Attachments

PETITION OF NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY FOR LOCATION FOR CONDUITS AND MANHOLES

To the City Council of the City of Newton Massachusetts

Respectfully represents NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct a line for such transmission under the public way or ways hereinafter specified.

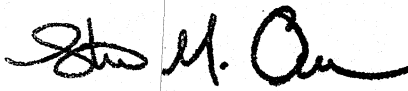
WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Council may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be loacted substantially as shown on the plan made by A. DeBenedictis dated October 27, 2016 and filed herewith, under the following public way or ways of said City.

Washington Street - At and westerly from manhole #3383 approximately 43 feet south of Walnut Street a distance of 673 ± feet of conduit

Install one (1) manhole #30340

WO #2162759

NSTAR ELECTRIC COMPANY
DBA EVERSOURCE ENERGY

By: 

Steven M. Owens, Supervisor
Rights and Permits

Dated this 18th day of January, 2017

City of Newton, Massachusetts

Received and filed _____, 2017

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES

47-17

City of Newton Massachusetts, _____, 2017

In City Council

WHEREAS, NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY has petitioned for permission to construct a line for the transmission of electricity for lighting, heating, or power under the public way or ways of the City hereinafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is ORDERED that NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY be and hereby is granted permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein under the following public way or ways of said City:

Washington Street - At and westerly from manhole #3383 approximately 43 feet south of Walnut Street a distance of 6'73 ± feet of conduit

Install one (1) manhole #30340

WO #2162759

All construction work under this Order shall be in accordance with the following conditions:

1. Conduits and manholes shall be located as shown on the plan made by **A. DeBenedictis dated October 27, 2016**
2. Said Company shall comply with the requirements of existing ordinances and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. All work shall be done to satisfaction of the **City Council** or such officer or officers as it may appoint to supervise the work.

A True Record. Attest: _____
City Clerk

Approved _____ 2017

Mayor

CERTIFICATE

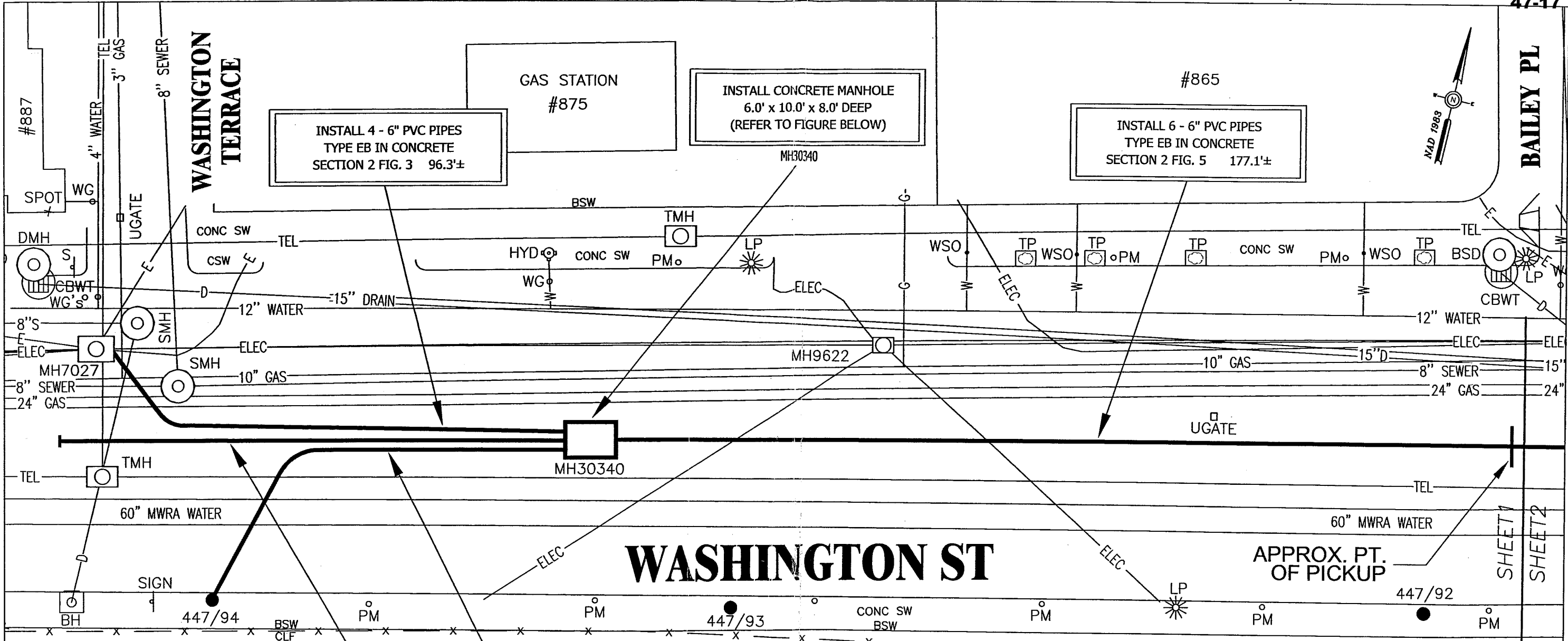
I hereby certify that the foregoing Order was adopted after due notice and public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.) and any additions thereto or amendments thereof, to wit:--after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the City Clerk to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation and a public hearing held on the ____ day of _____ 2017, at **City Council** in the said City

City Clerk

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the **City Council** of the City of **NEWTON** Massachusetts duly adopted on the _____ day of _____, 2017 and recorded with the records of location Orders of said City. Book ____ Page ____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____
Clerk of City of **NEWTON**, Massachusetts



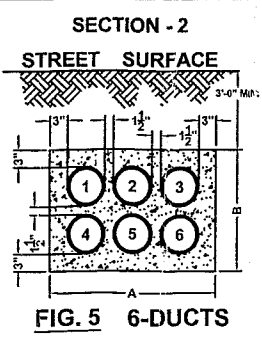
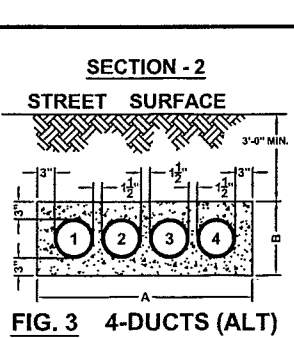
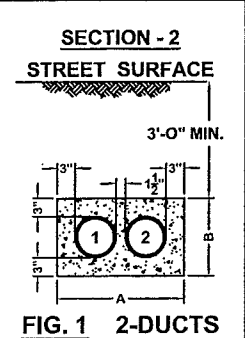
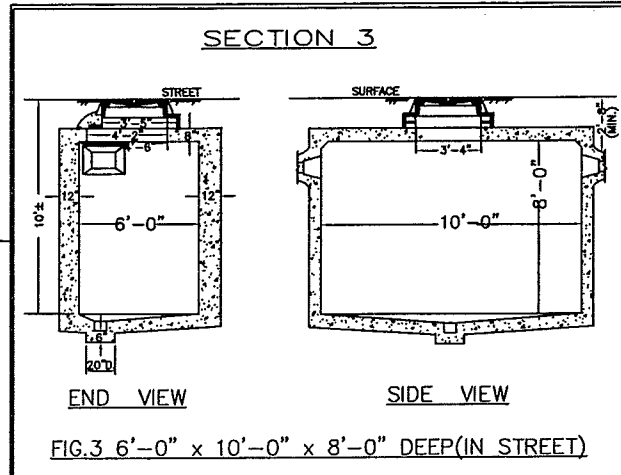
INSTALL 4 - 6" PVC PIPES
TYPE EB IN CONCRETE
SECTION 2 FIG. 3 96.3'±

INSTALL CONCRETE MANHOLE
6.0' x 10.0' x 8.0' DEEP
(REFER TO FIGURE BELOW)

INSTALL 6 - 6" PVC PIPES
TYPE EB IN CONCRETE
SECTION 2 FIG. 5 177.1'±

INSTALL 6 - 6" PVC PIPES
TYPE EB IN CONCRETE
SECTION 2 FIG. 5 100'±

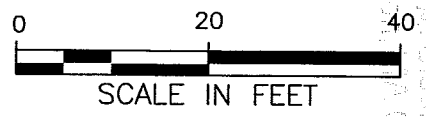
INSTALL 2 - 5" PVC PIPES
TYPE EB IN CONCRETE
SECTION 2 FIG. 1 85'±



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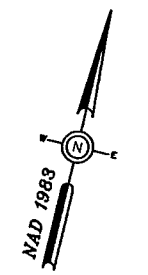
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MASS. LAW
REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233

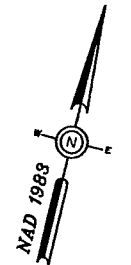
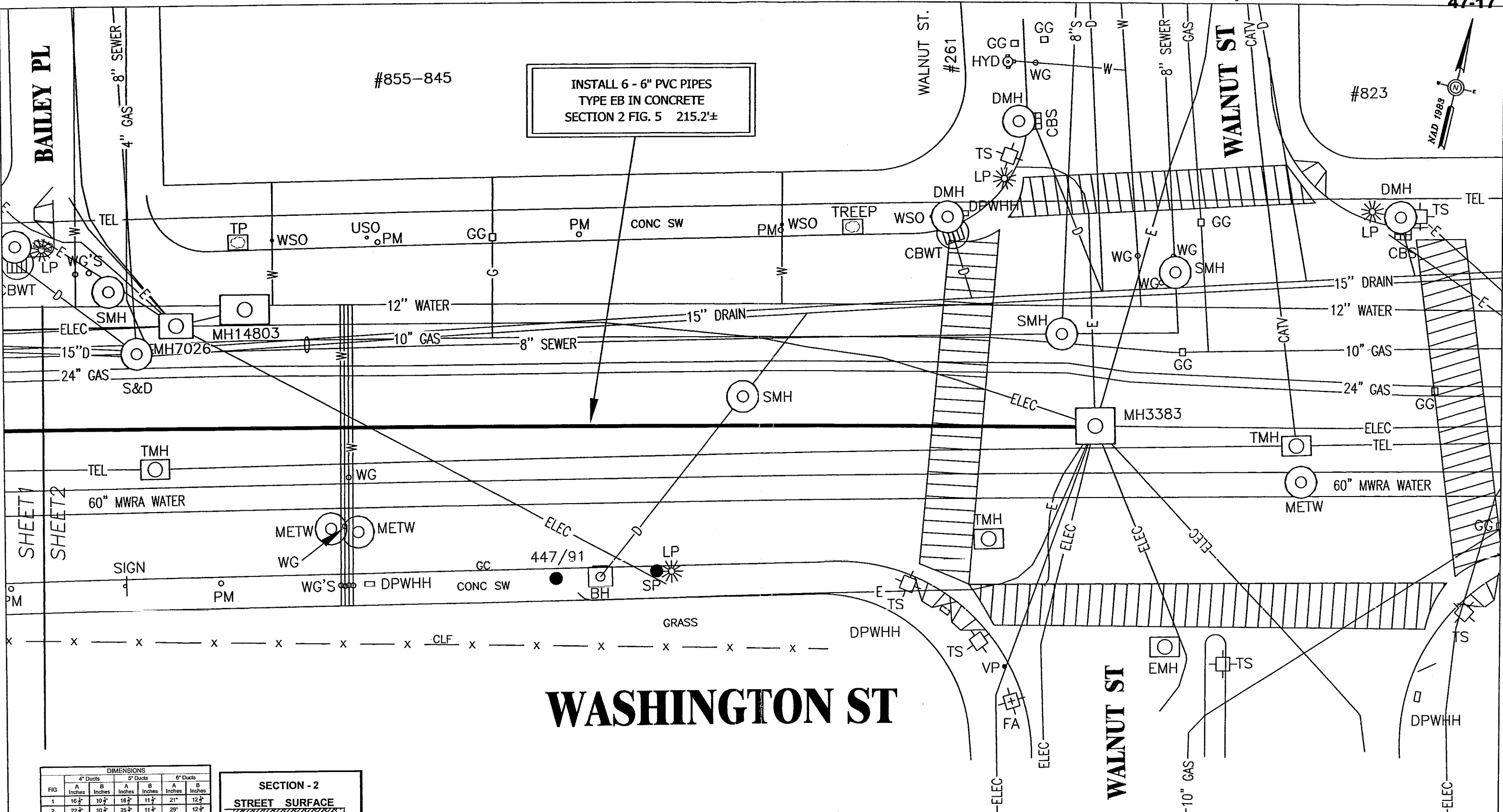


| |
|--------------------------|
| C# 188-16 |
| Ward # |
| Work Order # 2162759 |
| Surveyed by: MR/JF |
| Research by: SC |
| Plotted by: LM |
| Proposed Structures: LM |
| Approved: A DEBENEDICTIS |
| P# |

| | |
|--|-----------------------|
| NSTAR EVERSOURCE ELECTRIC d/b/a 1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125 | |
| Plan of WASHINGTON ST. NEWTON | |
| Showing PROPOSED CONDUIT & NEW MANHOLE LOCATION | |
| Scale 1"=20' | Date OCTOBER 27, 2016 |
| SHEET 1 of 2 | |



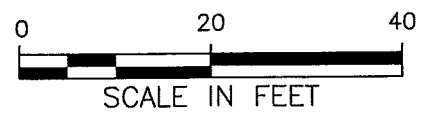
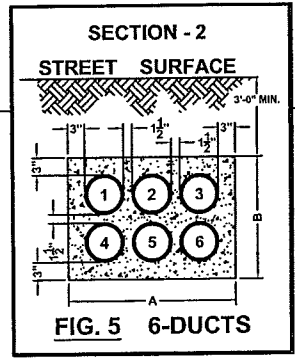
2017 JAN 25 PM 12:22
 Planning Department
 Newton, MA



SHEET 1
SHEET 2

WASHINGTON ST

| FIG | 4" Ducts | | 5" Ducts | | 6" Ducts | |
|-----|----------|----------|----------|----------|----------|----------|
| | A Inches | B Inches | A Inches | B Inches | A Inches | B Inches |
| 1 | 16 1/2 | 10 1/2 | 18 1/2 | 11 1/2 | 21 | 12 1/2 |
| 2 | 22 1/2 | 10 1/2 | 25 1/2 | 11 1/2 | 29 | 12 1/2 |
| 3 | 28 1/2 | 10 1/2 | 32 1/2 | 11 1/2 | 37 | 12 1/2 |
| 4 | 16 1/2 | 16 1/2 | 18 1/2 | 18 1/2 | 21 | 21 |
| 5 | 22 1/2 | 16 1/2 | 25 1/2 | 18 1/2 | 29 | 21 |
| 6 | 16 1/2 | 22 1/2 | 18 1/2 | 25 1/2 | 21 | 29 |
| 7 | 16 1/2 | 28 1/2 | 18 1/2 | 32 1/2 | 21 | 37 |
| 8 | 28 1/2 | 16 1/2 | 32 1/2 | 18 1/2 | 37 | 21 |
| 9 | 22 1/2 | 22 1/2 | 25 1/2 | 25 1/2 | 29 | 29 |
| 10 | 34 1/2 | 16 1/2 | 39 1/2 | 18 1/2 | 45 | 21 |
| 11 | 16 1/2 | 34 1/2 | 18 1/2 | 39 1/2 | 21 | 45 |
| 12 | 22 1/2 | 26 1/2 | 25 1/2 | 32 1/2 | 29 | 37 |
| 13 | 28 1/2 | 22 1/2 | 32 1/2 | 25 1/2 | 37 | 29 |
| 14 | 40 1/2 | 16 1/2 | 46 1/2 | 18 1/2 | 53 1/2 | 21 |
| 15 | 16 1/2 | 40 1/2 | 18 1/2 | 46 1/2 | 21 | 53 1/2 |
| 16 | 16 1/2 | 46 1/2 | 18 1/2 | 53 1/2 | 21 | 61 |



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MASS. LAW

REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233

| |
|--------------------------|
| C# 188-16 |
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| Surveyed by: MR/JF |
| Research by: SC |
| Plotted by: LM |
| Proposed Structures: LM |
| Approved: A DEBENEDICTIS |
| P# |

NSTAR EVERSOURCE
ELECTRIC
d/b/a
1185 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

Plan of WASHINGTON ST.
NEWTON

Showing PROPOSED CONDUIT & NEW MANHOLE LOCATION

Scale 1"=20' Date OCTOBER 27, 2016

SHEET 2 of 2

H. Wash

**CITY OF NEWTON
MASSACHUSETTS**

RECEIVED
Newton City Clerk

2017 JAN 26 PM 12:31

DAVID A. CITRON, Clerk
Newton, MA 02459

PETITION for GRANT OF LOCATION

To the Petitioner:

City of Newton Ordinance Section 23-52 requires that each petition for grant of location be submitted to the City Council before it is sent to the Public Works Department for a preliminary review. The comments of the Public Works Commissioner will be part of the record submitted to the City Council. Upon filing with the City Council, the petition will be scheduled for a public hearing before the Public Facilities Committee of the City Council. **The petitioner is responsible for insuring that the petition is complete and all required materials are in order for review.** Attached please find the City Engineer's Standard Requirements for Plans and the Department of Public Works Permit Processing brochure.

Grant of Location Process:

1. Applicant submits completed Petition Form and required materials to the City Council
2. Public Works Department conducts preliminary review and gives written comments to the applicant
3. Engineering Division files Petition Form with comments with the Clerk of the City Council
4. City Council schedules petition for a public hearing before the Public Facilities Committee of the City Council
5. Public Facilities Committee recommendations are forwarded to the City Council for a final decision

Questions my be directed to:

Lou Taverna, City Engineer, 617-796-1020
City Council Office, 617-796-1210

I. IDENTIFICATION (Please Type or Print Clearly)

Company Name Eversource Energy

Address 200 Calvary Street

Waltham, MA 02453

Phone Number 781-314-5053 Fax Number 781-314-5165

Contact Person Maureen Carroll Title Right of Way Agent

Signature *Maureen Carroll* Date 1-18-2017
Person filing application

If a telecommunications company, indicate how certified by the Department of Telecommunications and Energy:

II. DESCRIPTION OF PROJECT: to be completed by petitioner

A. Write here or attach a description of the project including, location, proposed time frame for completion, type of materials to be used, benefit provided to the City, project mitigation plan as applicable, street reconstruction plan including timetable for completion.

Eversource to install one (1) hip guy from pole 447/94

B. Include or attach a sketch to provide a visual description of the project. If plans are attached, provide:

Title of Plan Washington Street, Newton Date of plan Nov. 4, 2016 revised Dec. 20, 2016

III. PUBLIC WORKS DEPARTMENT REVIEW

Date received by Public Works Department _____

Check One:

Minor Project Major Project Lateral

(Refer to City Engineer Standard Requirements for Plans for definition of minor and major project)

Plans Submitted:

Certified Plot Plan Stamped Plans

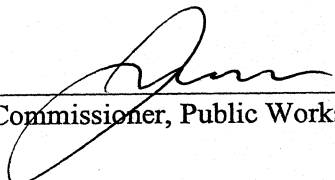
DATE AND COMMENTS:

RECOMMENDATIONS:

| | |
|--|---|
| will need Newton Police Details. NPD may restrict hours of operation (possible night work) | Road Restoration per Street Opening Permit CDF Excavatable backfill |
| Jan 27, 2017 | Concrete roadway w/ Asphalt overlay |
| L. Terema 3/6/17 | John D'Amico Associate City Eng. |

V. RECOMMENDATION TO PUBLIC FACILITIES COMMITTEE:

INSTALL NEW HIP GUY AT POLE 447/94. WASHINGTON St.



Commissioner, Public Works

3/6/17

Date

January 18, 2017

City Council
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

RE: Washington Street
Newton, MA
WO #2162759

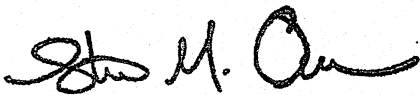
Dear Members of the Council:

The enclosed petition and plan is being presented by the NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY Company for the purpose of obtaining a Grant of Location to install one (1) hip guy in Washington Street

This work is being done to support the existing overhead pole line.

Your immediate attention to this matter is appreciated. If you have any questions, please call Maureen Carroll at (781) 314-5053.

Sincerely,



Steven M. Owens
Rights & Permits Supervisor

SMO/kj
Attachments

PETITION OF NSTAR ELECTRIC DBA EVERSOURCE ENERGY AND OTHER COMPANIES FOR JOINT OR IDENTICAL LOCATIONS FOR EXISTING POLES

To the City Council of the City of Newton, Massachusetts

RESPECTFULLY represent NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY and VERIZON NEW ENGLAND, INC. companies subject to Chapter 166 of the General Laws (Ter. Ed.), that they heretofore received a grant of joint or identical location for, and have erected or constructed, a line, consisting of wires, poles and such other fixtures as may be necessary to sustain or protect the wires of the line, upon along and across the public way or ways hereinafter specified, and that it is desirable that the location of certain said poles be altered.

WHEREFORE, your petitioners pray that after due notice and hearing as provided by law the COUNCIL may by Order grant your petitioners alteration in the location of said existing poles so that hereafter said poles, together with such other fixtures as may be necessary to sustain or protect the wires of the line, shall be located, substantially as shown on the plan by A. DeBenedictis dated November 4, 2016 revised December 20, 2016 and filed herewith, upon, along and across the following public way or ways of said City:

Washington Street - Southerly side approximately 180 feet east of Lowell Avenue

Install one (1) hip guy at pole #447/94

W/O # 2162759

Your petitioners agree to reserve space for one crossarm at a suitable point upon each of said poles for the telephone, fire and police signal wires owned by the City and used for municipal purposes.

NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY

By 

Steven M. Owens, Supervisor
Rights and Permits

VERIZON NEW ENGLAND, INC.

By 

Dated this 18th day of JANUARY 2017

City of Newton, Massachusetts.

Received and filed _____, 2017

City Clerk

To the City Council of the City of Newton, Massachusetts

WHEREAS, **NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY** and **VERIZON NEW ENGLAND INC.** have heretofore been granted a joint or identical location for, and have erected or constructed, a line consisting of wires, poles and such other fixtures as may be necessary to sustain or protect the wires of the line upon, along and across the public way or ways thereafter specified, and have petitioned for an alteration in the location of certain said poles.

It is ORDERED that **NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY** and **VERIZON NEW ENGLAND, INC.** be and hereby are granted joint location for said poles be altered so that hereafter said poles shall be located, substantially as shown on the plan on file with said petition for alteration in the location, upon, along and across the following public way or ways of said city:

Washington Street – Southerly side approximately 180 feet east of Lowell Avenue.

Install one (1) hip guy at pole #447/94

W/O #2162759

All construction work under this Order shall be in accordance with the following conditions:

Poles shall be of sound timber and located as shown on a plan made by **A. DeBenedictis** dated **November 4, 2016 revised December 20, 2016** on file with said petition. There may be attached to said poles by said **NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY** and by said **VERIZON NEW ENGLAND INC.** wires and cables necessary for the conduct of their business. All such wires and cables shall be placed at a height of not less than twenty feet from the ground.

A true record.

Attest: _____
City Clerk

Approved: _____ 2017

Mayor

CERTIFICATE

We hereby certify that the foregoing Order was adopted after due notice and a public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter.Ed.), and any additions thereto or amendments thereof, to wit: -after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the City Clerk to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held at **City Council** in said City on _____ day of _____, 2017 at P.M.

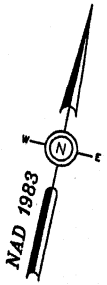
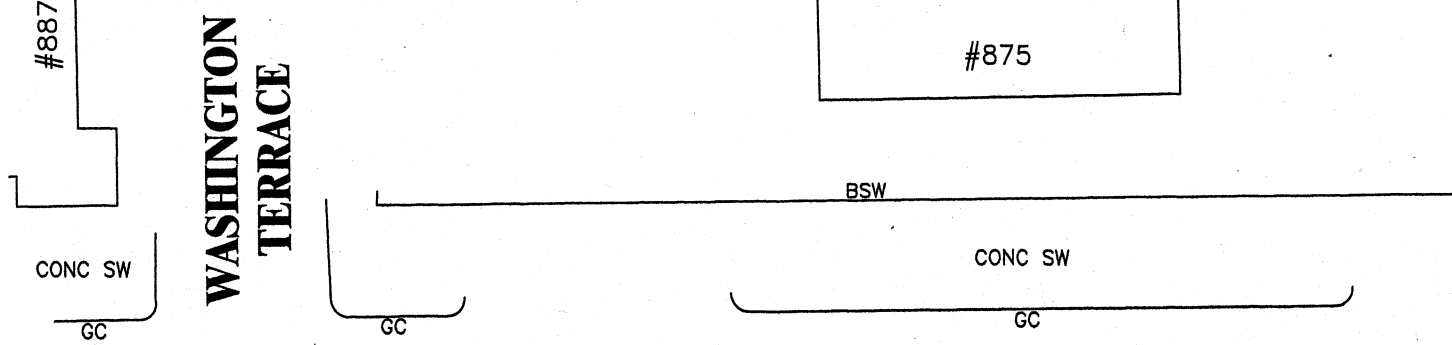
City Clerk

CERTIFICATE

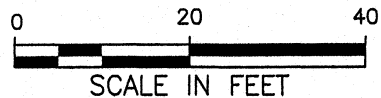
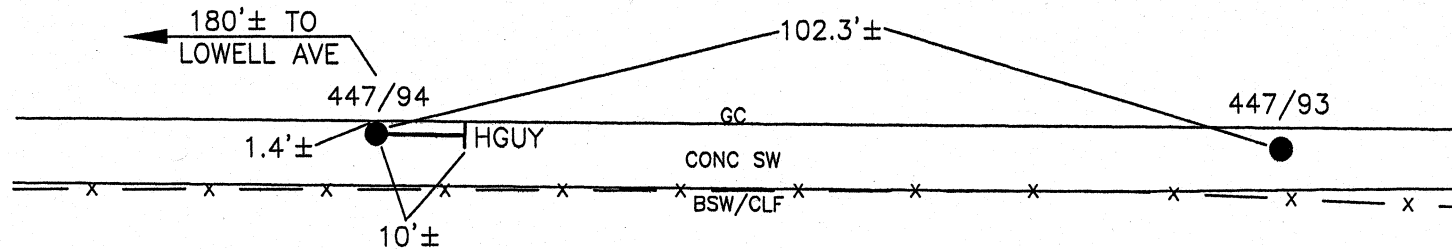
I hereby certify that the foregoing are true copies of the Order of the City Council of the City of **Newton,** Massachusetts, duly adopted on the _____ day of _____ 2017, and recorded with the records of location Orders of said City, Book _____ Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____

Clerk of the City of **Newton,** Massachusetts



WASHINGTON ST



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| | |
|--|----------------|
| Proposed pole locations shown thus | ⊕ |
| Pole locations to be abandoned, shown thus | ○ |
| Proposed Anchor Guy shown thus | T |
| Proposed Hip Guy shown thus | T _H |
| Proposed Underground location shown thus | — |
| Proposed Push Brace shown thus | ⊕ |
| Existing Pole location shown thus | ● |

| | |
|----------------------|----------------|
| C# | |
| Ward # | |
| Work Order # | 2162759 |
| Surveyed by: | MR/JF |
| Research by: | SC |
| Plotted by: | LM |
| Proposed Structures: | LM |
| Approved: | A DEBENEDICTIS |
| P# | |

| | |
|--|------------------|
| NSTAR EVERSOURCE <small>ELECTRIC d/b/a</small> | |
| <small>1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125</small> | |
| Plan of WASHINGTON ST. NEWTON | |
| Showing EVERSOURCE PROPOSED HIP GUY LOCATION | |
| REV- | 12/20/16 |
| Scale | 1"=20' |
| Date | NOVEMBER 4, 2016 |
| SHEET | 1 of 1 |

48-17

CITY OF NEWTON
MASSACHUSETTS

PETITION for GRANT OF LOCATION

2017 FEB -6 AM 11:07

DAVID A. GIBSON, Clerk
Newton, MA 02439

#11021

To the Petitioner:

City of Newton Ordinance Section 23-52 requires that each petition for grant of location be submitted to the City Council before it is sent to the Public Works Department for a preliminary review. The comments of the Public Works Commissioner will be part of the record submitted to the City Council. Upon filing with the City Council, the petition will be scheduled for a public hearing before the Public Facilities Committee of the City Council. **The petitioner is responsible for insuring that the petition is complete and all required materials are in order for review.** Attached please find the City Engineer's Standard Requirements for Plans and the Department of Public Works Permit Processing brochure.

Grant of Location Process:

1. Applicant submits completed Petition Form and required materials to the City Council
2. Public Works Department conducts preliminary review and gives written comments to the applicant
3. Engineering Division files Petition Form with comments with the Clerk of the City Council
4. City Council schedules petition for a public hearing before the Public Facilities Committee of the City Council
5. Public Facilities Committee recommendations are forwarded to the City Council for a final decision

Questions may be directed to:

Lou Taverna, City Engineer, 617-796-1020
City Council Office, 617-796-1210

I. IDENTIFICATION (Please Type or Print Clearly)

Company Name Eversource Energy

Address 200 Calvary Street

Waltham, MA 02453

Phone Number 781-314-5053 Fax Number 781-314-5165

Contact Person Maureen Carroll Title Right of Way Agent

Signature *Maureen Carroll* Date 1-23-2017
Person filing application

If a telecommunications company, indicate how certified by the Department of Telecommunications and Energy:

II. DESCRIPTION OF PROJECT: to be completed by petitioner

A. Write here or attach a description of the project including, location, proposed time frame for completion, type of materials to be used, benefit provided to the City, project mitigation plan as applicable, street reconstruction plan including timetable for completion.

Eversource to install 540 feet of conduit and two manholes in Caldon Path and Hanson Road

B. Include or attach a sketch to provide a visual description of the project. If plans are attached, provide:
 Title of Plan Caldon Path, Newton Date of plan December 30, 2016

III. PUBLIC WORKS DEPARTMENT REVIEW

Date received by Public Works Department _____

Check One:

Minor Project Major Project Lateral

(Refer to City Engineer Standard Requirements for Plans for definition of minor and major project)

Plans Submitted:

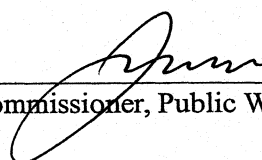
Certified Plot Plan Stamped Plans

DATE AND COMMENTS:

RECOMMENDATIONS:

| | |
|---------------------------------|--|
| Trench backfill w/in Hanson Rd. | |
| shall be backfilled w/ CDF type | |
| I-E excavatable. HP ramps + | |
| sidewalks shall be restored | |
| to City Standards. | |
| Tom Deghlian, ACE 2/15/17 | |
| L. Turema 3/6/17 | |

V. RECOMMENDATION TO PUBLIC FACILITIES COMMITTEE:


 Commissioner, Public Works

3/6/17
 Date

January 23, 2017

City Council
City of Newton
1000 Commonwealth Avenue
Newton MA, 02459

RE: Caldon Path
Newton, MA 02459
W.O. #2166228

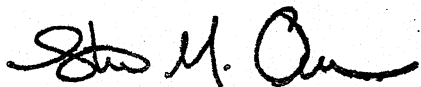
Dear Members of the Council:

The enclosed petition and plan is being presented by the NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install 540 ± feet of conduit in Hanson Road and Caldon Path and install two manholes.

This work is being done to upgrade the existing underground service.

Your immediate attention to this matter is appreciated. If you have any questions, please call Maureen Carroll at (781) 314-5053.

Sincerely,



Steven M. Owens
Rights & Permits Supervisor

SMO/kj
Attachments

**PETITION OF NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY
FOR LOCATION FOR CONDUITS AND MANHOLES**

To the City Council of the City of Newton Massachusetts

Respectfully represents **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct a line for such transmission under the public way or ways hereinafter specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Council may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located substantially as shown on the plan made by **A. DeBenedictis** dated **December 30, 2016** and filed herewith, under the following public way or ways of said City.

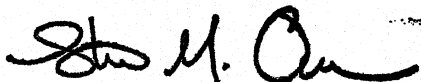
Hanson Road - Southerly from pole 359/12 a distance of 39 ± feet of conduit

Caldon Path - At and southerly from Hanson Road a distance of 501 ± feet of conduit

Install two (2) manholes #30326 and 303277

W/O #2166228

NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY



By: _____
Steven M. Owens, Supervisor
Rights and Permits

Dated this 23rd day of January, 2017

City of Newton, Massachusetts

Received and filed _____, 2017

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES

City of Newton Massachusetts, _____, 2017 **49-17**

In City Council

WHEREAS, **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** has petitioned for permission to construct a line for the transmission of electricity for lighting, heating, or power under the public way or ways of the City hereinafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is ORDERED that **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** be and hereby is granted permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein under the following public way or ways of said City:

Hanson Road - Southerly from pole 359/12 a distance of 39± feet of conduit

Caldon Path - At and southerly from Hanson Road a distance of 501± feet of conduit

Install two (2) manholes #30326 and 30327

W/O #2166228

All construction work under this Order shall be in accordance with the following conditions:

1. Conduits and manholes shall be located as shown on plan made by **A. DeBenedictis** dated **December 30, 2016**
2. Said Company shall comply with the requirements of existing ordinances and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. All work shall be done to satisfaction of the City Council or such officer or officers as it may appoint to supervise the work.

A True Record. Attest: _____

City Clerk

Approved _____ 2017

Mayor

CERTIFICATE

I hereby certify that the foregoing Order was adopted after due notice and public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.) and any additions thereto or amendments thereof, to wit:--after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the City Clerk to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation and a public hearing held on the ___ day of _____ 2017, at **City Council** in the said City

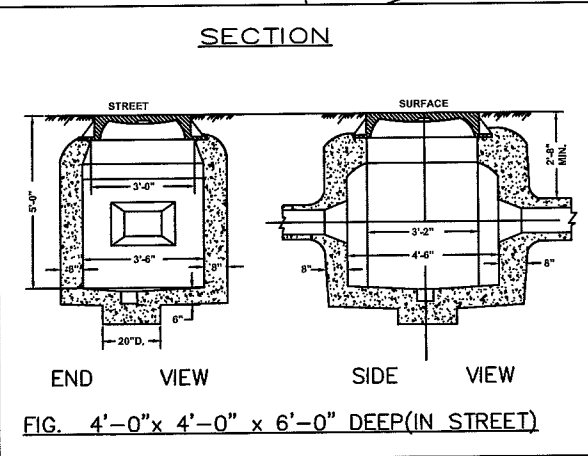
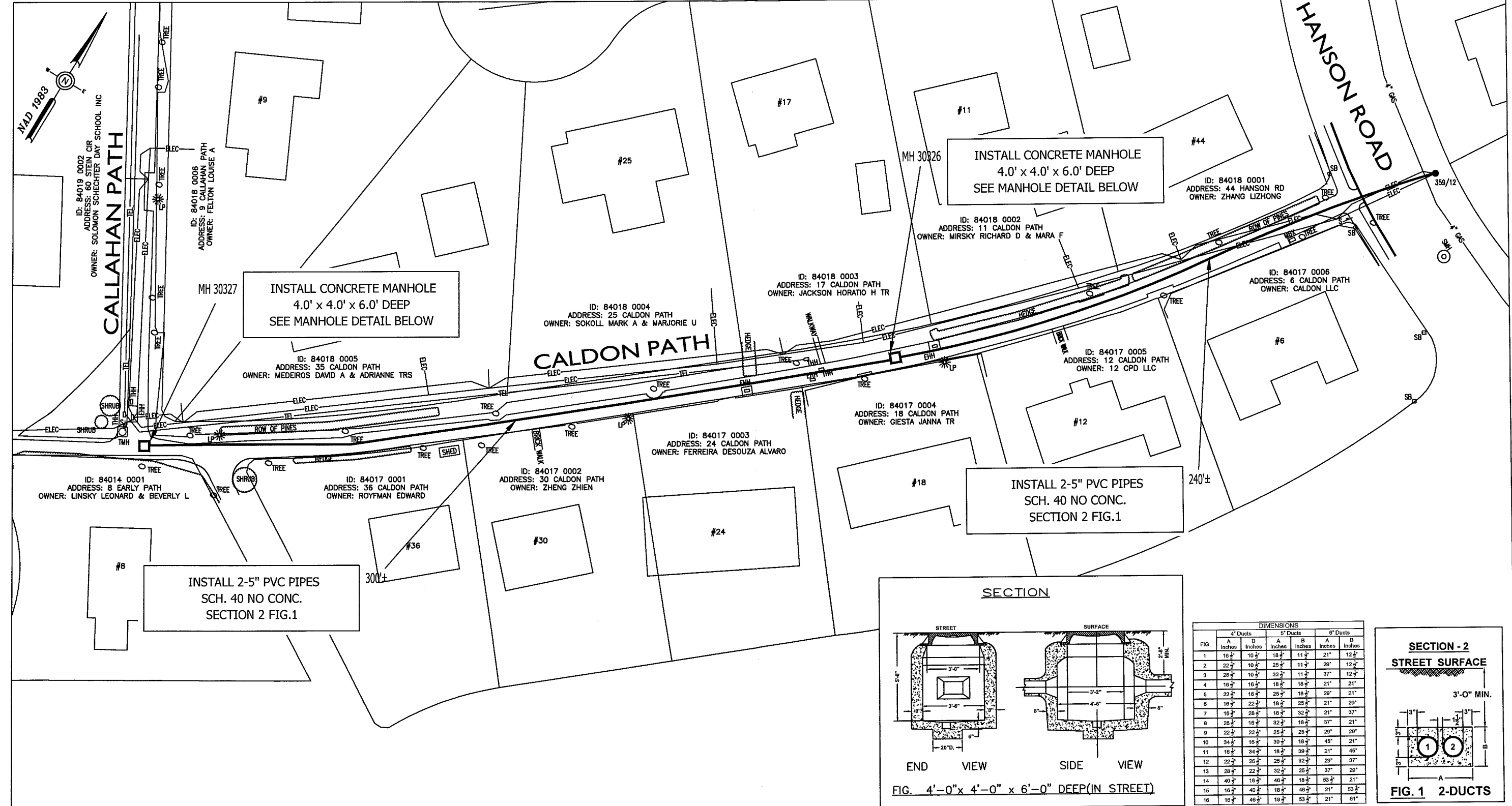
City Clerk

CERTIFICATE

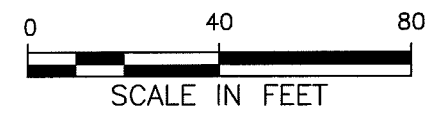
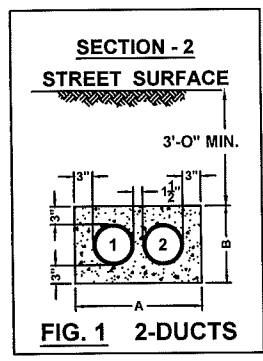
I hereby certify that the foregoing are true copies of the Order of the City Council of the City of **NEWTON** Massachusetts duly adopted on the _____ day of _____, 2017 and recorded with the records of location Orders of said City. Book _____ Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, as the same appear of record.

Attest:

Clerk of City of **NEWTON**, Massachusetts



| FIG | 4" Ducts | | 5" Ducts | | 6" Ducts | |
|-----|----------|----------|----------|----------|----------|----------|
| | A Inches | B Inches | A Inches | B Inches | A Inches | B Inches |
| 1 | 16 1/2 | 10 1/2 | 18 1/2 | 11 1/2 | 21" | 12 1/2 |
| 2 | 22 1/2 | 10 1/2 | 25 1/2 | 11 1/2 | 29" | 12 1/2 |
| 3 | 28 1/2 | 10 1/2 | 32 1/2 | 11 1/2 | 37" | 12 1/2 |
| 4 | 16 1/2 | 16 1/2 | 18 1/2 | 18 1/2 | 21" | 21" |
| 5 | 22 1/2 | 16 1/2 | 25 1/2 | 18 1/2 | 29" | 21" |
| 6 | 16 1/2 | 22 1/2 | 18 1/2 | 25 1/2 | 21" | 29" |
| 7 | 16 1/2 | 28 1/2 | 18 1/2 | 32 1/2 | 21" | 37" |
| 8 | 28 1/2 | 16 1/2 | 32 1/2 | 18 1/2 | 37" | 21" |
| 9 | 22 1/2 | 22 1/2 | 25 1/2 | 25 1/2 | 29" | 29" |
| 10 | 34 1/2 | 16 1/2 | 39 1/2 | 18 1/2 | 45" | 21" |
| 11 | 16 1/2 | 34 1/2 | 18 1/2 | 39 1/2 | 21" | 45" |
| 12 | 22 1/2 | 20 1/2 | 25 1/2 | 32 1/2 | 29" | 37" |
| 13 | 28 1/2 | 22 1/2 | 32 1/2 | 25 1/2 | 37" | 29" |
| 14 | 40 1/2 | 16 1/2 | 46 1/2 | 18 1/2 | 53" | 21" |
| 15 | 16 1/2 | 40 1/2 | 18 1/2 | 46 1/2 | 21" | 53" |
| 16 | 16 1/2 | 46 1/2 | 18 1/2 | 53 1/2 | 21" | 61" |



BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. NEITHER NSTAR ELECTRIC COMPANY, NSTAR GAS COMPANY NOR ITS PARENTS, AFFILIATES, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES OR AGENTS (COLLECTIVELY THE "NSTAR ENTITIES") SHALL BE LIABLE FOR ANY LOSS OR INJURY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION OR IN RELIANCE UPON IT. TO THE MAXIMUM EXTENT ALLOWED BY LAW, YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD THE NSTAR ENTITIES HARMLESS FROM ANY SUCH LOSS OR INJURY.

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MASS. LAW
REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233

C# 172-16
Ward #
Work Order # 2166228
Surveyed by: NITSCH
Research by: NITSCH
Plotted by: NITSCH
Proposed Structures: NITSCH
Approved:
P#

NSTAR EVERSOURCE
ELECTRIC
d/b/a
1185 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

Plan of CALDON PATH
NEWTON
Showing PROPOSED MANHOLE AND CONDUIT INSTALLATION

Scale 1"=40' Date DECEMBER 30, 2016
SHEET 1 of 1

#11019

CITY OF NEWTON
MASSACHUSETTS

RECEIVED
Newton City Clerk

2017 FEB -6 AM 11:02

David A. Cioffi, Clerk
Newton, MA 02459

PETITION for GRANT OF LOCATION

To the Petitioner:

City of Newton Ordinance Section 23-52 requires that each petition for grant of location be submitted to the City Council before it is sent to the Public Works Department for a preliminary review. The comments of the Public Works Commissioner will be part of the record submitted to the City Council. Upon filing with the City Council, the petition will be scheduled for a public hearing before the Public Facilities Committee of the City Council. **The petitioner is responsible for insuring that the petition is complete and all required materials are in order for review.** Attached please find the City Engineer's Standard Requirements for Plans and the Department of Public Works Permit Processing brochure.

Grant of Location Process:

1. Applicant submits completed Petition Form and required materials to the City Council
2. Public Works Department conducts preliminary review and gives written comments to the applicant
3. Engineering Division files Petition Form with comments with the Clerk of the City Council
4. City Council schedules petition for a public hearing before the Public Facilities Committee of the City Council
5. Public Facilities Committee recommendations are forwarded to the City Council for a final decision

Questions my be directed to:

Lou Taverna, City Engineer, 617-796-1020
City Council Office, 617-796-1210

I. IDENTIFICATION (Please Type or Print Clearly)

Company Name Eversource Energy

Address 200 Calvary Street

Waltham, MA 02453

Phone Number 781-314-5053 Fax Number 781-314-5165

Contact Person Maureen Carroll Title Right of Way Agent

Signature Maureen Carroll Date 1-23-2017
Person filing application

If a telecommunications company, indicate how certified by the Department of Telecommunications and Energy:

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES

City of Newton Massachusetts, _____, 2017 **50-17**

In City Council

WHEREAS, **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** has petitioned for permission to construct a line for the transmission of electricity for lighting, heating, or power under the public way or ways of the City hereinafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is ORDERED that **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** be and hereby is granted permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein under the following public way or ways of said City:

- Hanson Road** - **Westerly from pole 359/9 opposite O'Rourke Path a distance of 42 ± feet of conduit**
- O'Rourke Path** - **At and southwesterly from Hanson Road a distance of 466 ± feet of conduit
Install one (1) manhole #30324**
- Callahan Path** - **At and southwesterly from O'Rourke Path a distance of 12 ± feet of conduit
Install one (1) manhole #30325**

WO# 2166248

All construction work under this Order shall be in accordance with the following conditions:

1. Conduits and manholes shall be located as shown on plan made by **A. DeBenedictis** dated **December 30, 2016**
2. Said Company shall comply with the requirements of existing ordinances and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. All work shall be done to satisfaction of the City Council or such officer or officers as it may appoint to supervise the work.

A True Record. Attest: _____
City Clerk

Approved _____ 2017

Mayor

CERTIFICATE

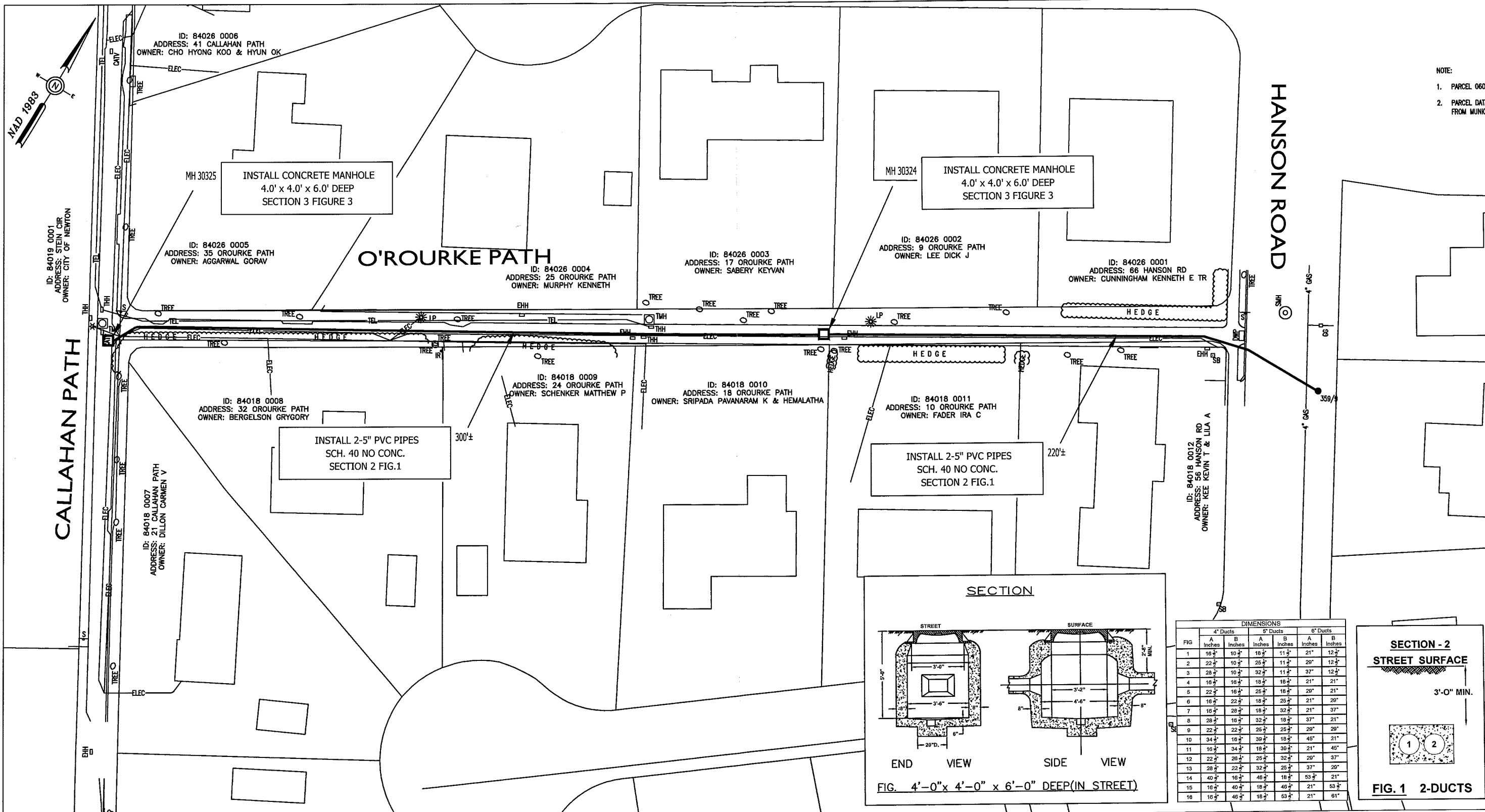
I hereby certify that the foregoing Order was adopted after due notice and public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.) and any additions thereto or amendments thereof, to wit:--after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the City Clerk to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation and a public hearing held on the ___ day of _____ 2017, at City Council in the said City

City Clerk

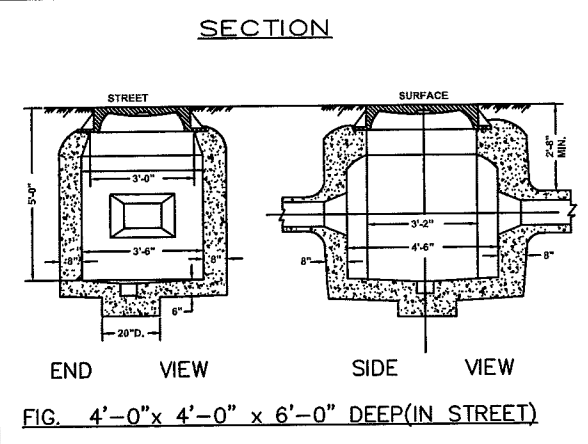
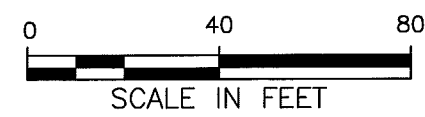
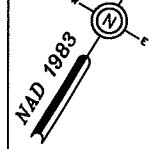
CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the City Council of the City of NEWTON Massachusetts duly adopted on the _____ day of _____, 2017 and recorded with the records of location Orders of said City. Book _____ Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____
Clerk of City of NEWTON, Massachusetts

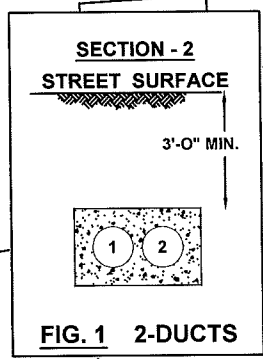


NOTE:
 1. PARCEL 0600
 2. PARCEL DATA FROM MUNIC



DIMENSIONS

| FIG | 4" Duets | | 5" Duets | | 6" Duets | |
|-----|----------|----------|----------|----------|----------|----------|
| | A Inches | B Inches | A Inches | B Inches | A Inches | B Inches |
| 1 | 18 1/2" | 10 1/2" | 18 1/2" | 11 1/2" | 21" | 12 1/2" |
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MASS. LAW
 REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233

C# 168-16
 Ward #
 Work Order # 2166248
 Surveyed by: NITSCH
 Research by: NITSCH
 Plotted by: NITSCH
 Proposed Structures: NITSCH
 Approved:
 P#

NSTAR EVERSOURCE
 ELECTRIC
 d/b/a
 1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

Plan of O'Rourke Path
 NEWTON
 Showing PROPOSED MANHOLE AND CONDUIT INSTALLATION

Scale 1"=40' Date DECEMBER 30, 2016
 SHEET 1 of 1

H Stone

CITY OF NEWTON
MASSACHUSETTS

RECEIVED
Newton, MA

2017 FEB -6 AM 11:04

Brian A. Olson, CME
Newton, MA 02453

PETITION for GRANT OF LOCATION

To the Petitioner:

City of Newton Ordinance Section 23-52 requires that each petition for grant of location be submitted to the City Council before it is sent to the Public Works Department for a preliminary review. The comments of the Public Works Commissioner will be part of the record submitted to the City Council. Upon filing with the City Council, the petition will be scheduled for a public hearing before the Public Facilities Committee of the City Council. **The petitioner is responsible for insuring that the petition is complete and all required materials are in order for review.** Attached please find the City Engineer's Standard Requirements for Plans and the Department of Public Works Permit Processing brochure.

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City Council Office, 617-796-1210

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Company Name Eversource Energy

Address 200 Calvary Street

Waltham, MA 02453

Phone Number 781-314-5053 Fax Number 781-314-5165

Contact Person Maureen Carroll Title Right of Way Agent

Signature *Maureen Carroll* Date *1-23-2017*
Person filing application

If a telecommunications company, indicate how certified by the Department of Telecommunications and Energy:

II. DESCRIPTION OF PROJECT: to be completed by petitioner

A. Write here or attach a description of the project including, location, proposed time frame for completion, type of materials to be used, benefit provided to the City, project mitigation plan as applicable, street reconstruction plan including timetable for completion.

Eversource to install 430 feet of conduit and two manholes in Timson Path and Saw Mill Brook Road

B. Include or attach a sketch to provide a visual description of the project. If plans are attached, provide:

Title of Plan Timson Path, Newton Date of plan December 30, 2016

III. PUBLIC WORKS DEPARTMENT REVIEW

Date received by Public Works Department _____

Check One:

Minor Project

Major Project

Lateral

(Refer to City Engineer Standard Requirements for Plans for definition of minor and major project)

Plans Submitted:

Certified Plot Plan

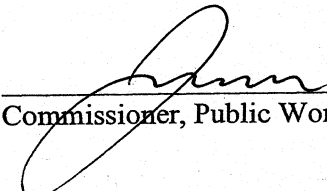
Stamped Plans

DATE AND COMMENTS:

RECOMMENDATIONS:

| | |
|--|----------------|
| Trenches w/in Saw Mill Brook Rwy. | |
| shall be back filled w/ CDF | |
| TYPE I-E Excavatable | |
| HP Ramps + sidewalk shall | |
| be reconstructed to City | |
| Standard per Street opening Permit | Larocca 3/6/17 |
| John Daghlian, Associate City Engineer | 2/15/17 |

V. RECOMMENDATION TO PUBLIC FACILITIES COMMITTEE:


Commissioner, Public Works

3/6/17
Date

January 23, 2017

City Council
City of Newton
1000 Commonwealth Avenue
Newton MA, 02459

RE: Timson Path
Newton, MA 02459
W.O. #2167678

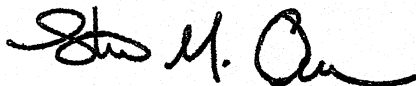
Dear Members of the Council:

The enclosed petition and plan is being presented by the NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install 430 ± feet of conduit in Timson Path and Saw Mill Brook Road and install two manholes.

This work is being done to upgrade the existing underground service.

Your immediate attention to this matter is appreciated. If you have any questions, please call Maureen Carroll at (781) 314-5053.

Sincerely,



Steven M. Owens
Rights & Permits Supervisor

SMO/kj
Attachments

PETITION OF NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY FOR LOCATION FOR
CONDUITS AND MANHOLES

To the City Council of the City of Newton Massachusetts

Respectfully represents **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct a line for such transmission under the public way or ways hereinafter specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Council may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located substantially as shown on the plan made by **A. DeBenedictis** dated **December 30, 2016** and filed herewith, under the following public way or ways of said City.

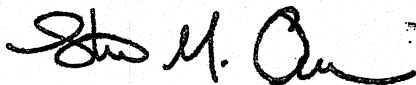
Saw Mill Brook Parkway - Westerly from pole #366/8 a distance of 15 ± feet of conduit

Timson Path - At and northerly from Saw Mill Brook Parkway a distance of 415 ± feet of conduit

Install (2) two manholes #30333 and #30334

W/O # 2167678

NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY

By: 
 Steven M. Owens, Supervisor
 Rights and Permits

Dated this 23rd of January, 2017

City of Newton, Massachusetts

Received and filed _____, 2017

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES

City of Newton Massachusetts, _____, 2017 **51-17**

In City Council

WHEREAS, **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** has petitioned for permission to construct a line for the transmission of electricity for lighting, heating, or power under the public way or ways of the City hereinafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is ORDERED that **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** be and hereby is granted permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein under the following public way or ways of said City:

Saw Mill Brook Parkway - Westerly from pole #366/8 a distance of 15 ± feet of conduit

Timson Path - At and northerly from Saw Mill Brook Parkway a distance of 415 ± feet of conduit

Install (2) two manholes #30333 and #30334

W/O # 2167678

All construction work under this Order shall be in accordance with the following conditions:

1. Conduits and manholes shall be located as shown on plan made by A. DeBenedictis dated **December 30, 2016**
2. Said Company shall comply with the requirements of existing ordinances and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. All work shall be done to satisfaction of the City Council or such officer or officers as it may appoint to supervise the work.

A True Record. Attest: _____
City Clerk

Approved _____ 2017

Mayor

CERTIFICATE

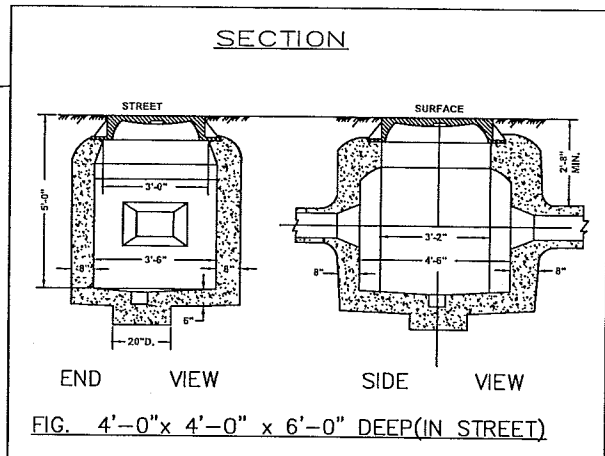
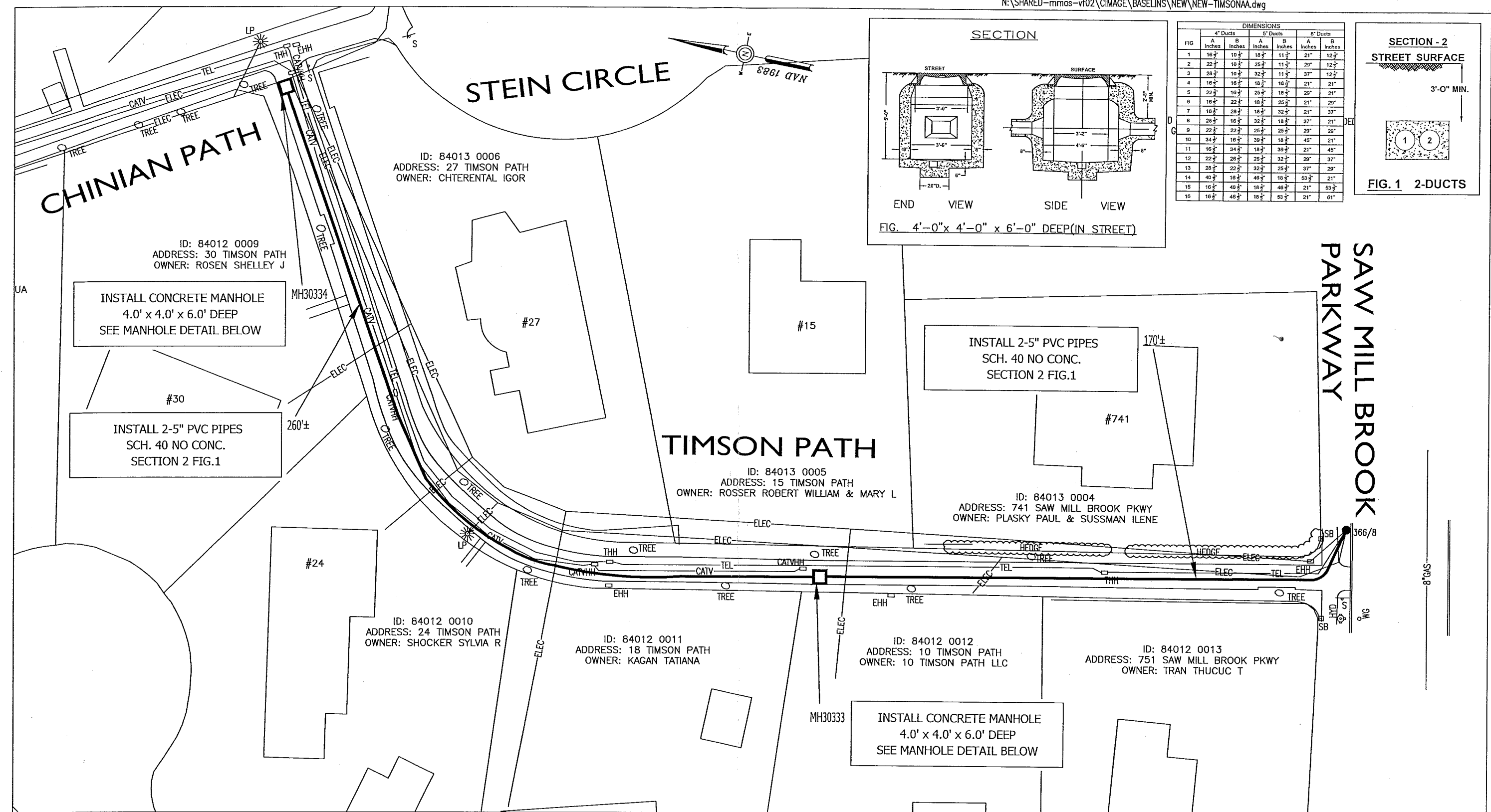
I hereby certify that the foregoing Order was adopted after due notice and public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.) and any additions thereto or amendments thereof, to wit:--after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the City Clerk to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation and a public hearing held on the ___ day of _____ 2017, at City Council in the said City

City Clerk

CERTIFICATE

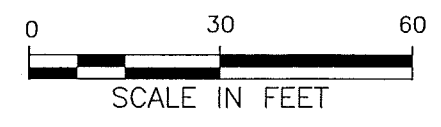
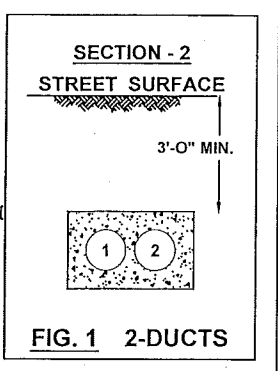
I hereby certify that the foregoing are true copies of the Order of the City Council of the City of NEWTON Massachusetts duly adopted on the _____ day of _____, 2017 and recorded with the records of location Orders of said City. Book _____ Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____
Clerk of City of NEWTON, Massachusetts



DIMENSIONS

| FIG | 4" Ducts | | 5" Ducts | | 6" Ducts | |
|-----|----------|----------|----------|----------|----------|----------|
| | A Inches | B Inches | A Inches | B Inches | A Inches | B Inches |
| 1 | 16 1/2 | 10 1/2 | 18 1/2 | 11 1/2 | 21 | 12 1/2 |
| 2 | 22 1/2 | 10 1/2 | 25 1/2 | 11 1/2 | 29 | 12 1/2 |
| 3 | 28 1/2 | 10 1/2 | 32 1/2 | 11 1/2 | 37 | 12 1/2 |
| 4 | 16 1/2 | 16 1/2 | 18 1/2 | 18 1/2 | 21 | 21 |
| 5 | 22 1/2 | 16 1/2 | 25 1/2 | 18 1/2 | 29 | 21 |
| 6 | 16 1/2 | 22 1/2 | 18 1/2 | 25 1/2 | 21 | 29 |
| 7 | 16 1/2 | 28 1/2 | 18 1/2 | 32 1/2 | 21 | 37 |
| 8 | 28 1/2 | 16 1/2 | 32 1/2 | 18 1/2 | 37 | 21 |
| 9 | 22 1/2 | 22 1/2 | 25 1/2 | 25 1/2 | 29 | 29 |
| 10 | 34 1/2 | 16 1/2 | 39 1/2 | 18 1/2 | 45 | 21 |
| 11 | 16 1/2 | 34 1/2 | 18 1/2 | 39 1/2 | 21 | 45 |
| 12 | 22 1/2 | 26 1/2 | 25 1/2 | 32 1/2 | 29 | 37 |
| 13 | 28 1/2 | 22 1/2 | 32 1/2 | 25 1/2 | 37 | 29 |
| 14 | 40 1/2 | 16 1/2 | 45 1/2 | 18 1/2 | 53 1/2 | 21 |
| 15 | 16 1/2 | 40 1/2 | 18 1/2 | 45 1/2 | 21 | 53 1/2 |
| 16 | 16 1/2 | 46 1/2 | 18 1/2 | 53 1/2 | 21 | 61 |



BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. NEITHER NSTAR ELECTRIC COMPANY, NSTAR GAS COMPANY NOR ITS PARENTS, AFFILIATES, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES OR AGENTS (COLLECTIVELY THE "NSTAR ENTITIES") SHALL BE LIABLE FOR ANY LOSS OR INJURY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION OR IN RELIANCE UPON IT, TO THE MAXIMUM EXTENT ALLOWED BY LAW, YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD THE NSTAR ENTITIES HARMLESS FROM ANY SUCH LOSS OR INJURY.

THE INFORMATION MAY NOT REPRESENT A SURVEY, MAY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION, EITHER EXPRESSED OR IMPLIED, UNAUTHORIZED ATTEMPTS TO MODIFY THE INFORMATION OR USE THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE PROHIBITED.

MASS. LAW
REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233

| | |
|-----------------------------|---|
| C# 183-16 | NSTAR EVERSOURCE ELECTRIC d/b/a 1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125 |
| Ward # | |
| Work Order # 2167678 | Plan of TIMSON PATH |
| Surveyed by: NITSCH | NEWTON |
| Research by: NITSCH | Showing PROPOSED MANHOLE AND CONDUIT INSTALLATION |
| Plotted by: NITSCH | |
| Proposed Structures: NITSCH | |
| Approved: | Scale 1"=30' Date DECEMBER 30, 2016 |
| P# | SHEET 1 of 1 |

RECEIVED
Newton City Clerk

CITY OF NEWTON
MASSACHUSETTS

Handwritten signature/initials

52-17

2017 FEB -8 PM 2: 55 PETITION for GRANT OF LOCATION

David A. Olson, GIS
Newton, MA 02459

To the Petitioner:

City of Newton Ordinance Section 23-52 requires that each petition for grant of location be submitted to the City Council before it is sent to the Public Works Department for a preliminary review. The comments of the Public Works Commissioner will be part of the record submitted to the City Council. Upon filing with the City Council, the petition will be scheduled for a public hearing before the Public Facilities Committee of the City Council. **The petitioner is responsible for insuring that the petition is complete and all required materials are in order for review.** Attached please find the City Engineer's Standard Requirements for Plans and the Department of Public Works Permit Processing brochure.

Grant of Location Process:

1. Applicant submits completed Petition Form and required materials to the City Council
2. Public Works Department conducts preliminary review and gives written comments to the applicant
3. Engineering Division files Petition Form with comments with the Clerk of the City Council
4. City Council schedules petition for a public hearing before the Public Facilities Committee of the City Council
5. Public Facilities Committee recommendations are forwarded to the City Council for a final decision

Questions my be directed to:

Lou Taverna, City Engineer, 617-796-1020
City Council Office, 617-796-1210

I. IDENTIFICATION (Please Type or Print Clearly)

Company Name Eversource Energy

Address 200 Calvary Street
Waltham, MA 02453

Phone Number 781-314-5053 Fax Number 781-314-5165

Contact Person Maureen Carroll Title Right of Way Agent

Signature *Maureen Carroll* Date 2-1-2017
Person filing application

If a telecommunications company, indicate how certified by the Department of Telecommunications and Energy:

II. DESCRIPTION OF PROJECT: to be completed by petitioner

A. Write here or attach a description of the project including, location, proposed time frame for completion, type of materials to be used, benefit provided to the City, project mitigation plan as applicable, street reconstruction plan including timetable for completion.

Eversource to install 141 feet of conduit and one manhole in Spiers Road and Shute Path

B. Include or attach a sketch to provide a visual description of the project. If plans are attached, provide:

Title of Plan Shute Path, Newton

Date of plan January 25, 2017

III. PUBLIC WORKS DEPARTMENT REVIEW

Date received by Public Works Department _____

Check One:

Minor Project

Major Project

Lateral

(Refer to City Engineer Standard Requirements for Plans for definition of minor and major project)

Plans Submitted:

Certified Plot Plan

Stamped Plans

DATE AND COMMENTS:

RECOMMENDATIONS:

| | |
|---|--|
| Trench back fill w/in Spiers Rd shall be w/ CDF Type I-E Excavatable. Sidewalk + HP Ramps to be reconstructed to City Standards | |
| John Daghlian, Associate City Engineer 2/15/17 | |
| L Torero 3/6/17 | |

V. RECOMMENDATION TO PUBLIC FACILITIES COMMITTEE:

Commissioner, Public Works

Date

3/6/17

January 31, 2017

City Council
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

RE: Shute Path
Newton, MA
W.O. #2166204

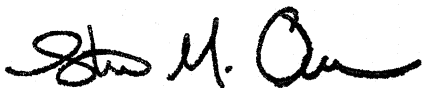
Dear Members of the Council:

The enclosed petition and plan is being presented by the NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install 141 ± feet of conduit in Spiers Road and Shute Path and to install one manhole.

This work is being done to upgrade the existing underground service.

Your immediate attention to this matter is appreciated. If you have any questions, please call Maureen Carroll at (781) 314-5053.

Sincerely,



Steven M. Owens
Rights & Permits Supervisor

SMO/kj
Attachments

**PETITION OF NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY
FOR LOCATION FOR CONDUITS AND MANHOLES**

To the City Council of the City of Newton Massachusetts

Respectfully represents **NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY** a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct a line for such transmission under the public way or ways hereinafter specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Council may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located substantially as shown on the plan made by **A. DeBenedictis** dated **January 25, 2017** and filed herewith, under the following public way or ways of said City.

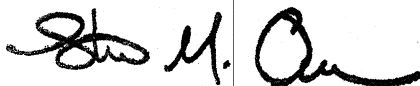
Spiers Road - Northwesterly from pole 371/16 opposite Shute Path a distance of 37 ± feet of conduit

Shute Path - At and northwesterly from Spiers Road a distance of 104 ± feet of conduit

Install one (1) manhole #30371

WO# 2166204

NSTAR ELECTRIC COMPANY
DBA EVERSOURCE ENERGY



By: _____
Steven M. Owens, Supervisor
Rights and Permits

Dated this 31st day of January, 2017

City of Newton, Massachusetts

Received and filed _____, 2017

In City Council

WHEREAS, **NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY** has petitioned for permission to construct a line for the transmission of electricity for lighting, heating, or power under the public way or ways of the City hereinafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is ORDERED that **NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY** be and hereby is granted permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein under the following public way or ways of said City:

Spiers Road - Northwesterly from pole 371/16 opposite Shute Path a distance of 37 ± feet of conduit

Shute Path - At and northwesterly from Spiers Road a distance of 104 ± feet of conduit

Install one (1) manhole #30371

WO# 2166204

All construction work under this Order shall be in accordance with the following conditions:

1. Conduits and manholes shall be located as shown on plan made by A. DeBenedictis dated **January 25, 2017**
2. Said Company shall comply with the requirements of existing ordinances and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. All work shall be done to satisfaction of the City Council or such officer or officers as it may appoint to supervise the work.

A True Record. Attest: _____
City Clerk

Approved _____ 2017

Mayor

CERTIFICATE

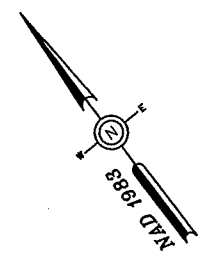
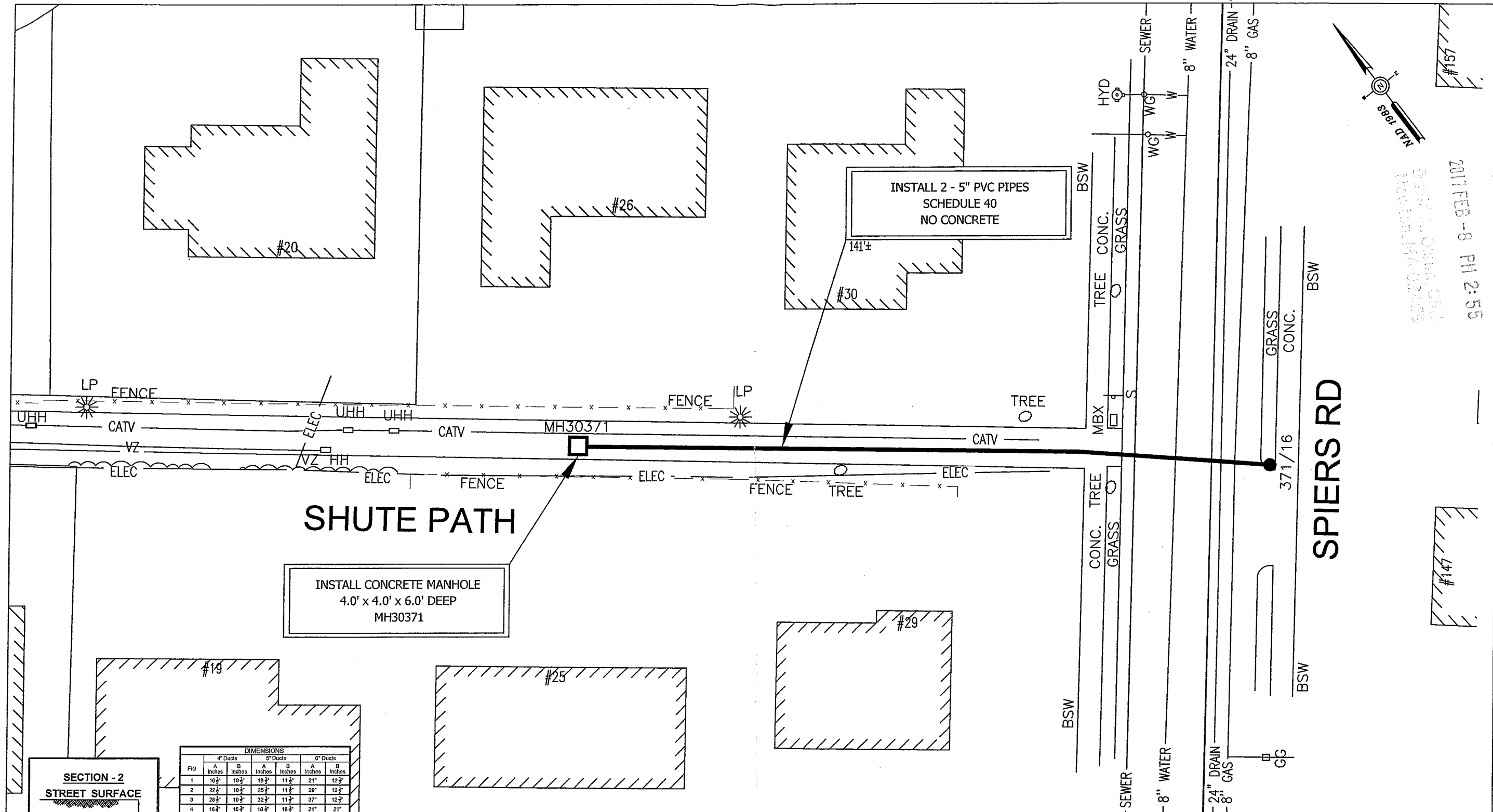
I hereby certify that the foregoing Order was adopted after due notice and public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.) and any additions thereto or amendments thereof, to wit:--after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the City Clerk to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation and a public hearing held on the ___ day of _____ 2017, at **City Council** in the said City

City Clerk

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the _____ **City Council** of the City of **NEWTON** Massachusetts duly adopted on the _____ day of _____, 2017 and recorded with the records of location Orders of said City. Book _____ Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____
Clerk of City of **NEWTON**, Massachusetts



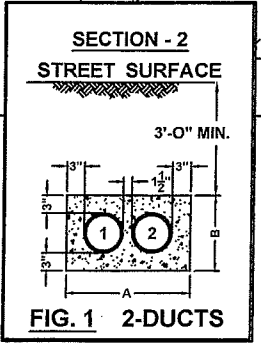
2017 FEB -8 PM 2:55
 David A. Orend, GCS
 Newton, MA 02459

SHUTE PATH

SPIERS RD

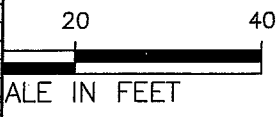
INSTALL CONCRETE MANHOLE
 4.0' x 4.0' x 6.0' DEEP
 MH30371

INSTALL 2 - 5" PVC PIPES
 SCHEDULE 40
 NO CONCRETE



DIMENSIONS

| FIG | 4" Ducts | | 6" Ducts | | 6" Ducts | |
|-----|----------|----------|----------|----------|----------|----------|
| | A Inches | B Inches | A Inches | B Inches | A Inches | B Inches |
| 1 | 16 1/2" | 10 1/2" | 18 1/2" | 11 1/2" | 21" | 12 1/2" |
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| 10 | 34 1/2" | 16 1/2" | 39 1/2" | 18 1/2" | 45" | 21" |
| 11 | 16 1/2" | 34 1/2" | 18 1/2" | 39 1/2" | 21" | 45" |
| 12 | 22 1/2" | 20 1/2" | 25 1/2" | 32 1/2" | 29" | 37" |
| 13 | 28 1/2" | 22 1/2" | 32 1/2" | 25 1/2" | 37" | 29" |
| 14 | 40 1/2" | 16 1/2" | 49 1/2" | 18 1/2" | 59 1/2" | 21" |
| 15 | 16 1/2" | 40 1/2" | 18 1/2" | 46 1/2" | 21" | 53 1/2" |
| 16 | 16 1/2" | 46 1/2" | 18 1/2" | 53 1/2" | 21" | 61" |



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MASS. LAW
 REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233

| | |
|--------------------------|---|
| C# 4-17 | NSTAR EVERSOURCE ELECTRIC d/b/a 1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125 |
| Ward # | |
| Work Order # 2166204 | Plan of SHUTE PATH, NEWTON MA |
| Surveyed by: MR/SC/PG | Showing PROPOSED CONDUIT AND MANHOLE LOCATION |
| Research by: | |
| Plotted by: GC | |
| Proposed Structures: MR | |
| Approved: A DEBENEDICTIS | Scale 1"=20' Date 01/25/17 |
| P# 3 | SHEET 1 of 1 |

February 21, 2017

City Council
City of Newton
1000 Commonwealth Avenue
Newton MA, 02459

RE: Osborne Path
Newton, MA 02459
W.O. #2167160

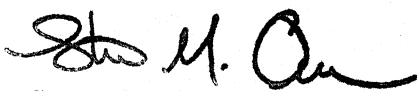
Dear Members of the Council:

The enclosed petition and plan is being presented by the NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install 190 ± feet of conduit in Van Roosen Road and Osborne Path and one manhole.

This work is being done to upgrade the existing underground service.

Your immediate attention to this matter is appreciated. If you have any questions, please call Maureen Carroll at (781) 314-5053.

Sincerely,



Steven M. Owens
Rights & Permits Supervisor

SMO/kj
Attachments

RECEIVED
Newton City Clerk
2017 FEB 27 PM 2:49
David A. Olson, OMC
Newton, MA 02459

Handwritten signature/initials

CITY OF NEWTON
MASSACHUSETTS

RECEIVED
Newton City Clerk

2017 FEB 27 PM 2:54

PETITION for GRANT OF LOCATION

David A. Olson, CMC
Newton, MA 02459

To the Petitioner:

City of Newton Ordinance Section 23-52 requires that each petition for grant of location be submitted to the City Council before it is sent to the Public Works Department for a preliminary review. The comments of the Public Works Commissioner will be part of the record submitted to the City Council. Upon filing with the City Council, the petition will be scheduled for a public hearing before the Public Facilities Committee of the City Council. The petitioner is responsible for insuring that the petition is complete and all required materials are in order for review. Attached please find the City Engineer's Standard Requirements for Plans and the Department of Public Works Permit Processing brochure.

Grant of Location Process:

1. Applicant submits completed Petition Form and required materials to the City Council
2. Public Works Department conducts preliminary review and gives written comments to the applicant
3. Engineering Division files Petition Form with comments with the Clerk of the City Council
4. City Council schedules petition for a public hearing before the Public Facilities Committee of the City Council
5. Public Facilities Committee recommendations are forwarded to the City Council for a final decision

Questions may be directed to:

Lou Taverna, City Engineer, 617-796-1020
City Council Office, 617-796-1210

I. IDENTIFICATION (Please Type or Print Clearly)

Company Name Eversource Energy

Address 200 CALVARY STREET
WALTHAM, MA 02453

Phone Number 781-314-5053 Fax Number 781-314-5165

Contact Person Maureen Carroll Title Right of Way Agent

Signature *Maureen Carroll* Date 2-1-17
Person filing application

If a telecommunications company, indicate how certified by the Department of Telecommunications and Energy:

February 21, 2017

City Council
City of Newton
1000 Commonwealth Avenue
Newton MA, 02459

RE: Osborne Path
Newton, MA 02459
W.O. #2167160

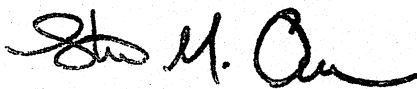
Dear Members of the Council:

The enclosed petition and plan is being presented by the NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install 190 ± feet of conduit in Van Roosen Road and Osborne Path and one manhole.

This work is being done to upgrade the existing underground service.

Your immediate attention to this matter is appreciated. If you have any questions, please call Maureen Carroll at (781) 314-5053.

Sincerely,



Steven M. Owens
Rights & Permits Supervisor

SMO/kj
Attachments

RECEIVED
Newton City Clerk
2017 FEB 27 PM 2:49
David A. Olson, Clerk
Newton, MA 02459

**PETITION OF NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY
FOR LOCATION FOR CONDUITS AND MANHOLES**

To the City Council of the City of Newton Massachusetts

Respectfully represents **NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY** a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct a line for such transmission under the public way or ways hereinafter specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Council may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located substantially as shown on the plan made by A. DeBenedictis dated January 25, 2017 and filed herewith, under the following public way or ways of said City.

Van Roosen Road - Northerly from pole 352/4 opposite Osborne Path a distance of 45 ± feet of conduit

Osborne Path - At and northeasterly from Van Roosen Road a distance of 145 ± feet of conduit

Install one (1) manhole #30335

WO# 2167160

NSTAR ELECTRIC COMPANY
DBA EVERSOURCE ENERGY



By: _____
Steven M. Owens, Supervisor
Rights and Permits

Dated this 21st day of February, 2017

City of Newton, Massachusetts

Received and filed _____, 2017

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES

City of Newton Massachusetts, _____, 2017

In City Council

WHEREAS, **NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY** has petitioned for permission to construct a line for the transmission of electricity for lighting, heating, or power under the public way or ways of the City hereinafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is ORDERED that **NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY** be and hereby is granted permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein under the following public way or ways of said City:

Van Roosen Road - Northerly from pole 352/4 opposite Osborne Path a distance of 45 ± feet of conduit

Osborne Path - At and northeasterly from Van Roosen Road a distance of 145 ± feet of conduit

Install one (1) manhole #30335

WO# 2167160

All construction work under this Order shall be in accordance with the following conditions:

1. Conduits and manholes shall be located as shown on plan made by **A. DeBenedictis** dated **January 25, 2017**
2. Said Company shall comply with the requirements of existing ordinances and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. All work shall be done to satisfaction of the City Council or such officer or officers as it may appoint to supervise the work.

A True Record. Attest: _____

City Clerk

Approved _____ 2017

Mayor

CERTIFICATE

I hereby certify that the foregoing Order was adopted after due notice and public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.) and any additions thereto or amendments thereof, to wit:--after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the City Clerk to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation and a public hearing held on the ____ day of _____ 2017, at **City Council** in the said City

City Clerk

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the City Council of the City of NEWTON Massachusetts duly adopted on the _____ day of _____, 2017 and recorded with the records of location Orders of said City. Book _____ Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, as the same appear of record.

Attest:

Clerk of City of NEWTON, Massachusetts

**PETITION OF NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY
FOR LOCATION FOR CONDUITS AND MANHOLES**

To the City Council of the City of Newton Massachusetts

Respectfully represents **NSTAR ELECTRIC COMPANY DBA EVERSOURCE ENERGY** a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct a line for such transmission under the public way or ways hereinafter specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Council may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located substantially as shown on the plan made by **A. DeBenedictis** dated **January 25, 2017** and filed herewith, under the following public way or ways of said City.

Van Roosen Road - Northerly from pole 352/4 opposite Osborne Path a distance of 45 ± feet of conduit

Osborne Path - At and northeasterly from Van Roosen Road a distance of 145 ± feet of conduit

Install one (1) manhole #30335

WO# 2167160

NSTAR ELECTRIC COMPANY
DBA EVERSOURCE ENERGY

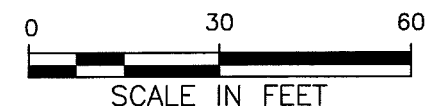
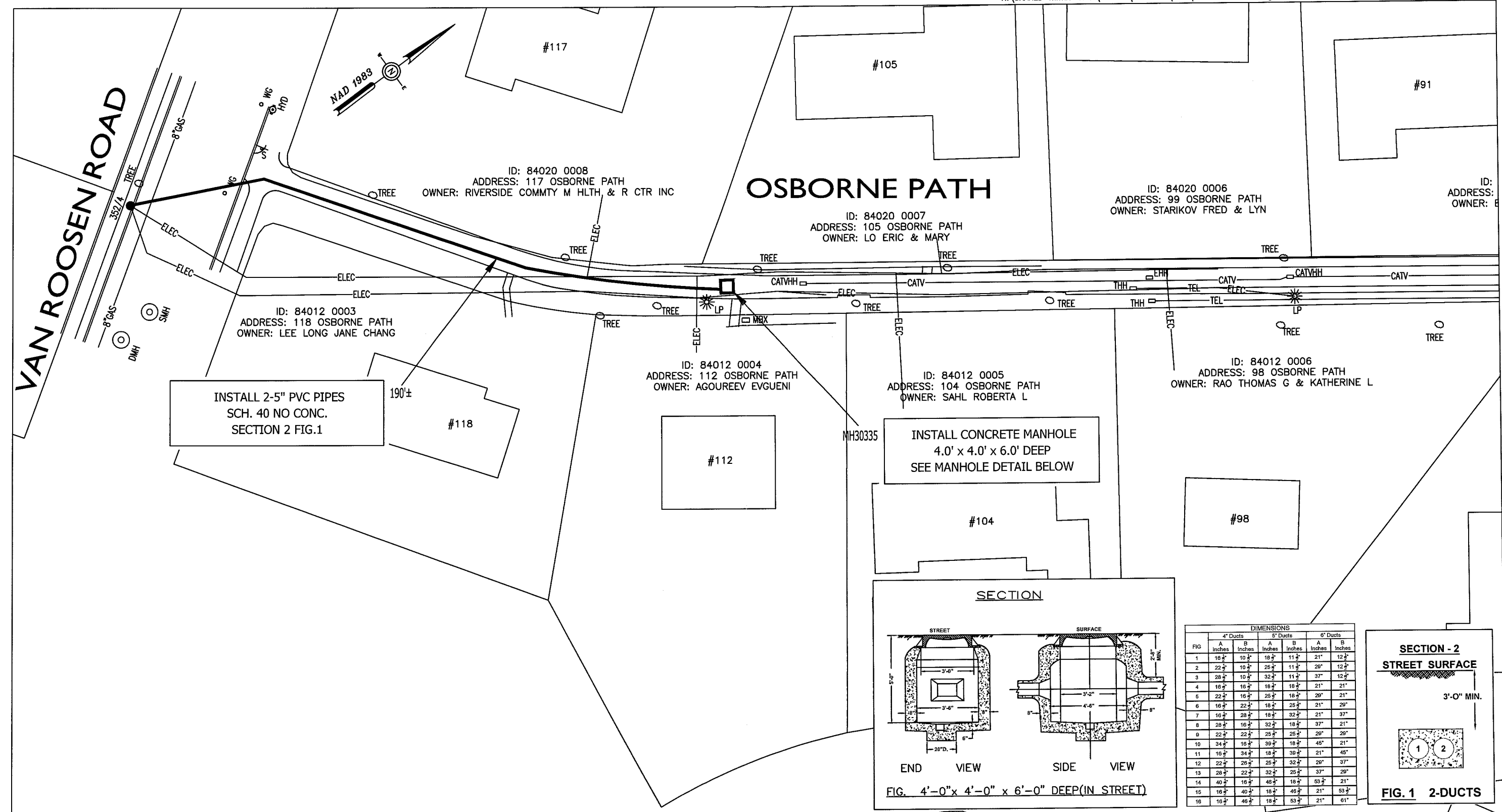


By: _____
Steven M. Owens, Supervisor
Rights and Permits

Dated this 21st day of February, 2017

City of Newton, Massachusetts

Received and filed _____, 2017



BY YOUR USE OF THE INFORMATION CONTAINED IN THIS MAP, YOU AGREE THAT NO WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, IS GIVEN WITH RESPECT TO THE INFORMATION. NEITHER NSTAR ELECTRIC COMPANY, NSTAR GAS COMPANY NOR ITS PARENTS, AFFILIATES, OFFICERS, DIRECTORS, SHAREHOLDERS, EMPLOYEES OR AGENTS (COLLECTIVELY THE "NSTAR ENTITIES") SHALL BE LIABLE FOR ANY LOSS OR INJURY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION OR IN RELIANCE UPON IT. TO THE MAXIMUM EXTENT ALLOWED BY LAW, YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE, INDEMNIFY AND HOLD THE NSTAR ENTITIES HARMLESS FROM ANY SUCH LOSS OR INJURY.

THE INFORMATION MAY NOT REPRESENT A SURVEY, MAY NOT BE THE MOST COMPLETE AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION, EITHER EXPRESSED OR IMPLIED. UNAUTHORIZED ATTEMPTS TO MODIFY THE INFORMATION OR USE THE INFORMATION FOR OTHER THAN ITS INTENDED PURPOSES ARE PROHIBITED.

MASS. LAW
REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233

| | | |
|-----------------------------|---|-----------------------|
| C# 184-16 | NSTAR EVERSOURCE ELECTRIC d/b/a | |
| Ward # | 1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125 | |
| Work Order # 2167160 | Plan of OSBORNE PATH | |
| Surveyed by: NITSCH | NEWTON | |
| Research by: NITSCH | Showing PROPOSED MANHOLE AND CONDUIT INSTALLATION | |
| Plotted by: NITSCH | | |
| Proposed Structures: NITSCH | | |
| Approved: | Scale 1"=30' | Date JANUARY 25, 2017 |
| P# | SHEET 1 of 1 | |

#1020

CITY OF NEWTON
MASSACHUSETTS

WFS mark

RECEIVED
NEWTON CITY CLERK
2017 FEB -6 AM 11:03
David A. Cipon, Clerk
Newton, MA 02459

PETITION for GRANT OF LOCATION

To the Petitioner:

City of Newton Ordinance Section 23-52 requires that each petition for grant of location be submitted to the City Council before it is sent to the Public Works Department for a preliminary review. The comments of the Public Works Commissioner will be part of the record submitted to the City Council. Upon filing with the City Council, the petition will be scheduled for a public hearing before the Public Facilities Committee of the City Council. **The petitioner is responsible for insuring that the petition is complete and all required materials are in order for review.** Attached please find the City Engineer's Standard Requirements for Plans and the Department of Public Works Permit Processing brochure.

Grant of Location Process:

1. Applicant submits completed Petition Form and required materials to the City Council
2. Public Works Department conducts preliminary review and gives written comments to the applicant
3. Engineering Division files Petition Form with comments with the Clerk of the City Council
4. City Council schedules petition for a public hearing before the Public Facilities Committee of the City Council
5. Public Facilities Committee recommendations are forwarded to the City Council for a final decision

Questions my be directed to:

Lou Taverna, City Engineer, 617-796-1020
City Council Office, 617-796-1210

I. IDENTIFICATION (Please Type or Print Clearly)

Company Name Eversource Energy

Address 200 Calvary Street
Waltham, MA 02453

Phone Number 781-314-5053 Fax Number 781-314-5165

Contact Person Maureen Carroll Title Right of Way Agent

Signature Maureen Carroll Date 1-23-2017
Person filing application

If a telecommunications company, indicate how certified by the Department of Telecommunications and Energy:

II. DESCRIPTION OF PROJECT: to be completed by petitioner

A. Write here or attach a description of the project including, location, proposed time frame for completion, type of materials to be used, benefit provided to the City, project mitigation plan as applicable, street reconstruction plan including timetable for completion.

Eversource to install 445 feet of conduit in Wiswall Road, Chinian Path and Osbourne Path and install two manholes

B. Include or attach a sketch to provide a visual description of the project. If plans are attached, provide:

Title of Plan Chinian Path, Newton Date of plan December 30, 2016

III. PUBLIC WORKS DEPARTMENT REVIEW

Date received by Public Works Department _____

Check One:

Minor Project Major Project Lateral

(Refer to City Engineer Standard Requirements for Plans for definition of minor and major project)

Plans Submitted:

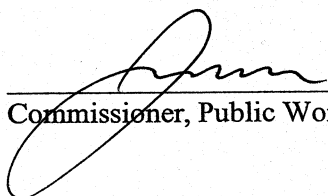
Certified Plot Plan Stamped Plans

DATE AND COMMENTS:

RECOMMENDATIONS:

| | |
|---|-----------------|
| Trench back fill w/in Wiswall Rd shall be w/ CDF TYPE I-E | |
| Excavatable, Sidewalk + HP | |
| Ramps w/in pathway shall be restored to City Standards | |
| John Daughlian, Associate City Engineer 2/15/17 | Lavarone 3/6/17 |

V. RECOMMENDATION TO PUBLIC FACILITIES COMMITTEE:


Commissioner, Public Works

3/6/17
Date

January 23, 2017

City Council
City of Newton
1000 Commonwealth Avenue
Newton MA, 02459

RE: Chinian Path
Newton, MA 02459
W.O. #2167076

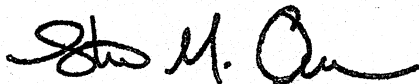
Dear Members of the Council:

The enclosed petition and plan is being presented by the NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY for the purpose of obtaining a Grant of Location to install 445 ± feet of conduit in Wiswall Road, Chinian Path and Osborne Path and install two manholes.

This work is being done to upgrade the existing underground service.

Your immediate attention to this matter is appreciated. If you have any questions, please call Maureen Carroll at (781) 314-5053.

Sincerely,



Steven M. Owens
Rights & Permits Supervisor

SMO/kj
Attachments

**PETITION OF NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY
FOR LOCATION FOR CONDUITS AND MANHOLES**

To the **City Council** of the City of **Newton** Massachusetts

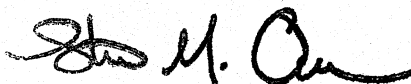
Respectfully represents **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** a company incorporated for the transmission of electricity for lighting, heating or power, that it desires to construct a line for such transmission under the public way or ways hereinafter specified.

WHEREFORE, your petitioner prays that, after due notice and hearing as provided by law, the Council may by Order grant to your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located substantially as shown on the plan made by **A. DeBenedictis** dated **December 30, 2016** and filed herewith, under the following public way or ways of said City.

- Wiswall Road** - **Easterly from pole #232/22 opposite Chinian Path a distance of 45 ± feet of conduit**
- Chinian Path** - **At and easterly from Wiswall Road a distance of 397 ± feet of conduit
Install one (1) manhole #30330**
- Osborne Path** - **At and easterly from Chinian Path a distance of 3 ± feet of conduit
Install one (1) manhole #30331**

WO# 2167076

NSTAR ELECTRIC COMPANY
dba EVERSOURCE ENERGY



By: _____
Steven M. Owens, Supervisor
Rights and Permits

Dated this 23rd day of January, 2017

City of Newton, Massachusetts

Received and filed _____, 2017

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES

City of Newton Massachusetts, _____, 2017

In City Council

WHEREAS, **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** has petitioned for permission to construct a line for the transmission of electricity for lighting, heating, or power under the public way or ways of the City hereinafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is ORDERED that **NSTAR ELECTRIC COMPANY dba EVERSOURCE ENERGY** be and hereby is granted permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein under the following public way or ways of said City:

- Wiswall Road** - **Easterly from pole #232/22 opposite Chinian Path a distance of 45 ± feet of conduit**
- Chinian Path** - **At and easterly from Wiswall Road a distance of 397 ± feet of conduit**
Install one (1) manhole #30330
- Osborne Path** - **At and easterly from Chinian Path a distance of 3 ± feet of conduit**
Install one (1) manhole #30331

WO# 2167076

All construction work under this Order shall be in accordance with the following conditions:

1. Conduits and manholes shall be located as shown on plan made by **A. DeBenedictis** dated **December 30, 2016**
2. Said Company shall comply with the requirements of existing ordinances and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. All work shall be done to satisfaction of the City Council or such officer or officers as it may appoint to supervise the work.

A True Record. Attest: _____
City Clerk

Approved _____ 2017

Mayor

CERTIFICATE

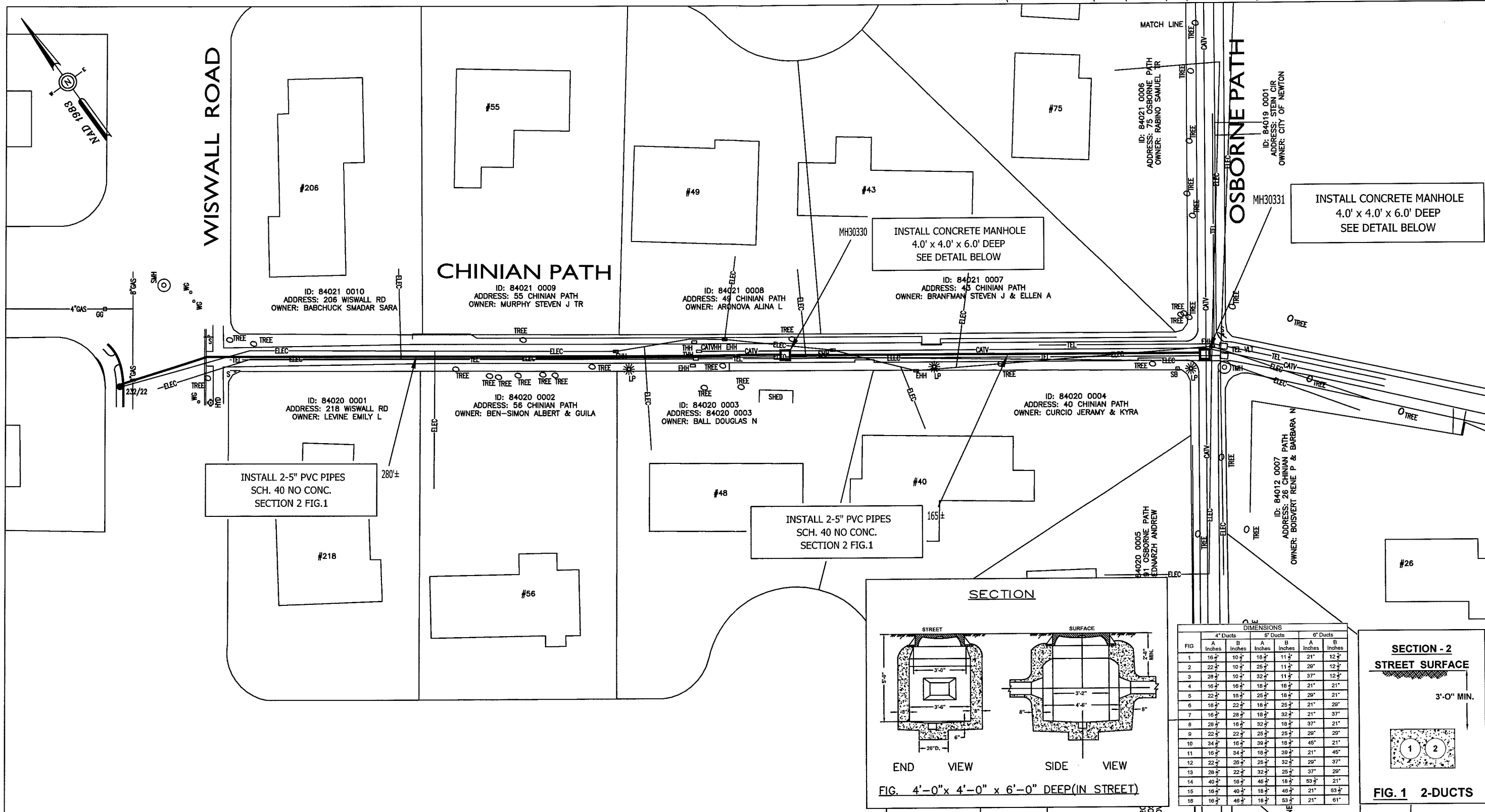
I hereby certify that the foregoing Order was adopted after due notice and public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.) and any additions thereto or amendments thereof, to wit:--after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the City Clerk to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation and a public hearing held on the ___ day of _____ 2017, at **City Council** in the said City

City Clerk

CERTIFICATE

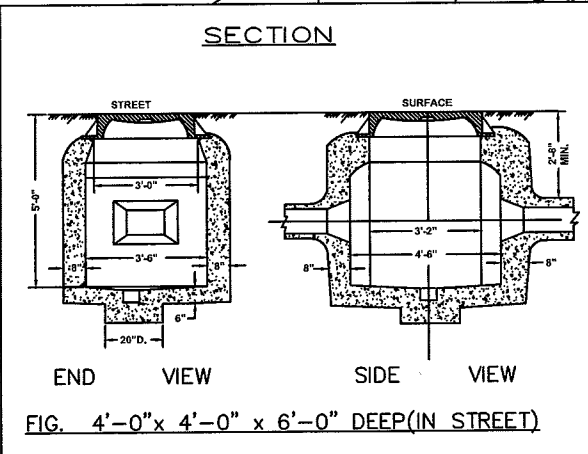
I hereby certify that the foregoing are true copies of the Order of the City Council of the City of NEWTON Massachusetts duly adopted on the _____ day of _____, 2017 and recorded with the records of location Orders of said City. Book _____ Page _____ and of the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, as the same appear of record.

Attest: _____
Clerk of City of NEWTON, Massachusetts

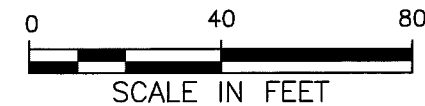
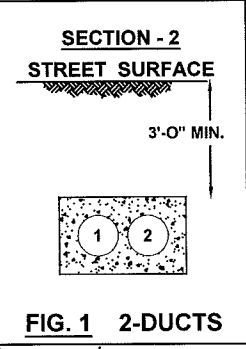


INSTALL 2-5" PVC PIPES
SCH. 40 NO CONC.
SECTION 2 FIG.1

INSTALL 2-5" PVC PIPES
SCH. 40 NO CONC.
SECTION 2 FIG.1



| FIG | 4" Ducts | | 5" Ducts | | 6" Ducts | |
|-----|----------|----------|----------|----------|----------|----------|
| | A Inches | B Inches | A Inches | B Inches | A Inches | B Inches |
| 1 | 16 1/2" | 10 1/2" | 18 1/2" | 11 1/2" | 21" | 12 1/2" |
| 2 | 22 1/2" | 10 1/2" | 25 1/2" | 11 1/2" | 28" | 12 1/2" |
| 3 | 28 1/2" | 10 1/2" | 32 1/2" | 11 1/2" | 37" | 12 1/2" |
| 4 | 16 1/2" | 16 1/2" | 18 1/2" | 16 1/2" | 21" | 21" |
| 5 | 22 1/2" | 16 1/2" | 25 1/2" | 16 1/2" | 29" | 21" |
| 6 | 16 1/2" | 22 1/2" | 18 1/2" | 25 1/2" | 21" | 28" |
| 7 | 16 1/2" | 28 1/2" | 18 1/2" | 32 1/2" | 21" | 37" |
| 8 | 28 1/2" | 16 1/2" | 32 1/2" | 16 1/2" | 37" | 21" |
| 9 | 22 1/2" | 22 1/2" | 25 1/2" | 25 1/2" | 29" | 29" |
| 10 | 34 1/2" | 16 1/2" | 38 1/2" | 16 1/2" | 45" | 21" |
| 11 | 16 1/2" | 34 1/2" | 18 1/2" | 39 1/2" | 21" | 45" |
| 12 | 22 1/2" | 26 1/2" | 25 1/2" | 32 1/2" | 29" | 37" |
| 13 | 28 1/2" | 22 1/2" | 32 1/2" | 25 1/2" | 37" | 29" |
| 14 | 40 1/2" | 16 1/2" | 46 1/2" | 16 1/2" | 53 1/2" | 21" |
| 15 | 16 1/2" | 40 1/2" | 18 1/2" | 46 1/2" | 21" | 53 1/2" |
| 16 | 16 1/2" | 46 1/2" | 18 1/2" | 53 1/2" | 21" | 61" |



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MASS. LAW
REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE. CALL DIG-SAFE 1-888-344-7233

C# 179-16
Ward #
Work Order # 2167076
Surveyed by: NITSCH
Research by: NITSCH
Plotted by: NITSCH
Proposed Structures: NITSCH
Approved:
P#

NSTAR EVERSOURCE
ELECTRIC
d/b/a
1165 MASSACHUSETTS AVE. DORCHESTER, MASS. 02125

Plan of CHINIAN PATH
NEWTON
Showing PROPOSED MANHOLE AND CONDUIT INSTALLATION

Scale 1"=40' Date DECEMBER 30, 2016
SHEET 1 of 1

**CITY OF NEWTON
MASSACHUSETTS**

PETITION for GRANT OF LOCATION

RECEIVED
Newton City Clerk

2017 MAR -3 AM 9:29

David A. Olson, OMC
Newton, MA 02459

To the Petitioner:

City of Newton Ordinance Section 23-5 requires that each petition for grant of location be submitted to the City Council before it is sent to the Public Works Department for a preliminary review. The comments of the Public Works Commissioner will be part of the record submitted to the City Council. Upon filing with the City Council, the petition will be scheduled for a public hearing before the Public Facilities Committee of the City Council. **The petitioner is responsible for insuring that the petition is complete and all required materials are in order for review.** Attached please find the City Engineer's Standard Requirements for Plans and the Department of Public Works Permit Processing brochure.

Grant of Location Process:


1. Applicant submits completed Petition Form and required materials to the City Council
2. Public Works Department conducts preliminary review and gives written comments to the applicant
3. Engineering Division files Petition Form with comments with the Clerk of the City Council
4. City Council schedules petition for a public hearing before the Public Facilities Committee of the City Council
5. Public Facilities Committee recommendations are forwarded to the City Council for a final decision

Questions may be directed to:

Lou Taverna, City Engineer, 617-796-1020

Nadia Khan, Clerk of the Public Facilities Committee, 617-796-1213

I. IDENTIFICATION (Please Type or Print Clearly)

Company Name Cellco Partnership d/b/a Verizon Wireless ("VZW")
 Address c/o Elizabeth F. Mason, Esq., McLane Middleton PA, 300
TradeCenter, Suite 7000, Woburn, MA 01801
 Phone Number 781-904-2668 Fax Number 781-904-2701
 Contact Person Elizabeth F. Mason, Esq. Title Attorney for VZW
 Signature  Date 3/2/17
 Person filing application

If a telecommunications company, indicate how certified by the Department of Telecommunications and Energy:

II. DESCRIPTION OF PROJECT: to be completed by petitioner

A. Write here or attach a description of the project including, location, proposed time frame for completion, type of materials to be used, benefit provided to the City, project mitigation plan as applicable, street reconstruction plan including timetable for completion.

See attached

B. Include or attach a sketch to provide a visual description of the project. If plans are attached, provide:
 Title of Plan Newton MA SC27 Date of plan November 29, 2016

III. PUBLIC WORKS DEPARTMENT REVIEW

Date received by Public Works Department _____

Check One:

Minor Project

Major Project

Lateral

(Refer to City Engineer Standard Requirements for Plans for definition of minor and major project)

Plans Submitted:

Certified Plot Plan

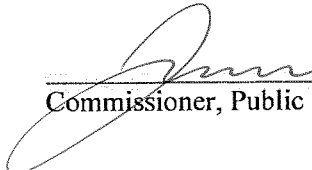
Stamped Plans

DATE AND COMMENTS:

RECOMMENDATIONS:

| | |
|--|-----------------|
| <p>No issues. Contractor to</p> | |
| <p>obtain permits from 15D</p> | |
| <p>prior to installation</p> | |
| <p>J. DAGHGLIAN, Associate City Engineer</p> | <p>3/3/2017</p> |
| | |

V. RECOMMENDATION TO PUBLIC FACILITIES COMMITTEE:


 Commissioner, Public Works

Date

3/6/17

**CITY OF NEWTON
MASSACHUSETTS**

RECEIVED
Newton City Clerk

PETITION for GRANT OF LOCATION 2017 MAR -3 AM 9:29

David A. Olson, CMC
Newton, MA 02459

To the Petitioner:

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Grant of Location Process:

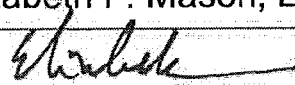
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5. Public Facilities Committee recommendations are forwarded to the City Council for a final decision

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Nadia Khan, Clerk of the Public Facilities Committee, 617-796-1213

I. IDENTIFICATION (Please Type or Print Clearly)

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 Address c/o Elizabeth F. Mason, Esq., McLane Middleton PA, 300
TradeCenter, Suite 7000, Woburn, MA 01801
 Phone Number 781-904-2668 Fax Number 781-904-2701
 Contact Person Elizabeth F. Mason, Esq. Title Attorney for VZW
 Signature  Date 3/2/17
 Person filing application

If a telecommunications company, indicate how certified by the Department of Telecommunications and Energy:

II. DESCRIPTION OF PROJECT: to be completed by petitioner

A. Write here or attach a description of the project including, location, proposed time frame for completion, type of materials to be used, benefit provided to the City, project mitigation plan as applicable, street reconstruction plan including timetable for completion.

See attached

B. Include or attach a sketch to provide a visual description of the project. If plans are attached, provide:
 Title of Plan Newton MA SC31 Date of plan August 5, 2016

III. PUBLIC WORKS DEPARTMENT REVIEW

Date received by Public Works Department _____

Check One:

Minor Project Major Project Lateral

(Refer to City Engineer Standard Requirements for Plans for definition of minor and major project)

Plans Submitted:

Certified Plot Plan Stamped Plans

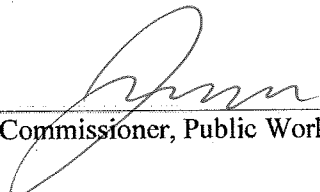
DATE AND COMMENTS:

RECOMMENDATIONS:

| | |
|----------------------------------|--|
| | |
| <i>This pole is owned by</i> | |
| <i>City of Newton Street</i> | |
| <i>light pole. Contractor to</i> | |
| <i>obtain permits from</i> | |
| <i>ISD prior to installation</i> | |

J. Daghlian, Associate City Eng 3/3/2017

V. RECOMMENDATION TO PUBLIC FACILITIES COMMITTEE:


 Commissioner, Public Works

3/6/17
 Date

#11027
**MCLANE
MIDDLETON**

RECEIVED
NEWTON
2017 FEB -8 PM 3:00
David A. Olson, CMP
Newton, MA 02459

72-17

ELIZABETH F. MASON
Direct Dial: 781.904.2668
Email: elizabeth.mason@mcclane.com
Admitted in MA
300 TradeCenter, Suite 7000
Woburn, MA 01801-7419
T 781.904.2700
F 781.904.2701

February 6, 2017

VIA OVERNIGHT MAIL AND EMAIL (dolson@newtonma.gov)

Office of the City Council
Newton City Hall, Room 105
1000 Commonwealth Avenue
Newton, MA 02459

Re: Petitions for Grant of Location to Attach Small Cell Antennas and Supporting Equipment to Existing Non-Municipal Utility Poles

Applicant: Celco Partnership d/b/a Verizon Wireless ("Verizon Wireless")

Addresses: Utility Pole Eversource #11 located in public right of way on Boylston Street, Newton (at the intersection of Boylston Street and Woodcliff Road)

Utility Pole Eversource #102/200 located in public right of way on Commonwealth Avenue, Newton (on the island at the intersection of Boylston Street and Chestnut Street)

Utility Pole Eversource #2X located in public right of way on Albemarle Road (adjacent to 250 Albemarle Road)

Dear Office of the City Council:

In accordance with M.G.L. c. 166, § 22 and City of Newton requirements, Verizon Wireless is submitting herewith the enclosed Petitions for Grant of Location so that it may install, operate and maintain three (3) "Small Cell" wireless communication antennas and supporting equipment to be mounted to the above-described Verizon Telephone/Eversource-owned utility poles. As described below, the proposed installations will provide capacity relief and improve network service throughout Newton, particularly in the identified areas of dense demand for Verizon Wireless's Long Term Evolution ("LTE" or "4G") voice and data services. Small Cell technology is a large component of Verizon Wireless's greater initiative to deploy *non-intrusive* and *inconspicuous* wireless technology solutions throughout New England.

McLane Middleton, Professional Association
Manchester, Concord, Portsmouth, NH | Woburn, Boston, MA

McLane.com

Verizon Wireless requests that these petitions be considered by the City Council Public Facilities Committee at its February 22, 2017 meeting along with the other Verizon Wireless grant of location petitions already pending before the Committee.

PETITIONER INFORMATION

Verizon Wireless is one of the nation's leading FCC-licensed providers of wireless telecommunications services, extending coverage to almost all of the top 100 markets in the United States. It has developed one of the largest and most reliable national networks to provide wireless voice and data services to an ever-growing customer base, last counted at over 135 million. Verizon Wireless continuously works to enhance and improve its wireless network through the deployment of its voice, data, LTE and Advanced Wireless Services ("AWS") communications services. One of the key design objectives of Verizon Wireless's system is to provide seamless and reliable coverage without significant gaps or dead spots or the inability to handle and off-load voice and data traffic, particularly in areas of high data demand.

"SMALL CELL" TECHNOLOGY

The strategic integration of Small Cell antenna technology is a surgical approach to the continued deployment of Verizon Wireless's LTE and AWS networks in Newton and throughout Massachusetts, particularly in those areas of high data traffic. When Small Cell antennas are strategically placed throughout a targeted geographic area, the end result is an overall increase in performance and efficiency, both within the target area and the network as a whole. Practically speaking, cellular signals from Small Cells are transmitted from antennas throughout high traffic areas at elevations lower than those from traditional wireless communications facilities ("WCFs") such as towers and monopoles. Here, the Small Cell antennas will be placed on existing utility poles. Verizon Wireless will be relying on Small Cell technology as it continues to deploy its network in Newton in the months to come.

ORDER FOR GRANT OF LOCATION

Federal and state law provide a legal framework allowing—and in fact mandating—the installation of this stealth antenna technology on utility poles. At the federal level, the Pole Attachment Act (47 U.S.C. § 224) mandates that utility pole owners grant nondiscriminatory access to their poles for attachments by cable television systems and telecommunication carriers. At the state level, the Massachusetts Pole Attachment Act (M.G.L. c. 166, § 25A) specifically addresses wireless communications-related pole attachments, providing that "utilities shall provide wireless providers with nondiscriminatory access to any pole or right of way ... for the purpose of installing a wireless attachment."

VERIZON WIRELESS'S PROPOSAL

With the aim of rapidly deploying Small Cell technology throughout Massachusetts, Verizon Wireless has entered into pole attachment licensing agreements with utility providers, including



RECEIVED
NEWTON CITY OFFICE

2017 FEB -8 PM 3: 01

David A. Olson, PE
Newton, MA 02459

AFFIDAVIT OF RADIO FREQUENCY ENGINEER

The undersigned, in support of the application to install a wireless communications facility consisting of one antenna and associated radio equipment on the existing utility pole (#102/200) located at 1400 Commonwealth Avenue in the City of Newton, Massachusetts, states the following:

1. My name is Keith Vellante. I have a Bachelor of Science degree in Electrical Engineering from the University of New Hampshire and I am employed as a Radio Frequency (RF) Engineer for C Squared Systems, LLC. C Squared Systems has entered into a contract with Verizon Wireless to provide RF consulting services on behalf of Verizon Wireless. I have reviewed the proposed site with the Radio Frequency Engineer responsible for the Verizon Wireless network design in the area of Massachusetts that includes the City of Newton, MA.
2. Verizon Wireless is a federally licensed provider of wireless communications services with a national footprint.
3. The proposed facility is located within an area where Verizon Wireless has identified a need to install a wireless telecommunications facility in order to provide reliable wireless service. The search area for the proposed facility was determined by the fact that wireless service needs significant improvement around the Commonwealth Avenue/Chestnut Street intersection and the surrounding neighborhoods in Newton. Furthermore, it was determined that the areas served by this facility would interact well with those of existing and planned facilities in the surrounding area.

The following table provides details of the proposed facility:

| Site Name: | Site Address: | Utility Pole Number: | Latitude: | Longitude: | Elevation (AMSL): | Antenna Centerline Height (AGL): |
|-------------|--------------------------|----------------------|-----------|------------|-------------------|----------------------------------|
| Newton SC27 | 1400 Commonwealth Avenue | 102/200 | 42.3369 | -71.2238 | 143.6' | 26.6' |

4. A conventional Verizon Wireless LTE macro-site consists (in part) of RRH's (Remote Radio Heads) located near the antennas on a tower, rooftop, or other support structure, which are connected via fiber optic cables to a BBU (Baseband Unit) located on site in an equipment shelter or other weatherproof enclosure. The BBU performs network signal processing between the RRH's at the site, and Verizon's LTE core network.
5. C-RAN (Cloud Radio Access Network) nodes and Small Cells also utilize RRH's at each site, however a centralized BBU capable of supporting RRH's at multiple sites is implemented to gain certain efficiencies, both from a network and environmental standpoint. The proposed location is one of multiple C-RAN nodes and Small Cells planned to address capacity and coverage deficiencies in Newton and the surrounding area.
6. C-RAN and Small Cell deployments are intended to complement, not replace, the conventional LTE macro-network sites, and are typically used as a capacity solution targeting isolated areas of heavy network usage, a.k.a "hot spots." In doing so, the C-RAN and Small Cells serve to offload the demand on the existing sites serving these "hot spots." This not only improves service to the specifically targeted area, but also improves overall system performance elsewhere in the network.

7. The purpose of the proposed facility is to provide adequate service capacity and coverage improvement within Newton around the Commonwealth Avenue, Chestnut Street, and to the surrounding neighborhoods in the immediate vicinity. Verizon Wireless does not currently provide acceptable LTE service in this area.
8. To find a site that provides acceptable capacity and coverage improvement, the Verizon Wireless RF Design Group utilizes computer modeling to define a search area. The search area is designed such that a site located within the area and at a given height would have a high probability of completing the capacity and coverage objectives in the target areas. The RF Design Group develops the network by working off existing sites from which to build out the network design.
9. Verizon Wireless' search of the area and subsequent analysis determined that installing the proposed facility on the subject utility pole would be the most appropriate solution to meet its network capacity and coverage objectives.
10. I have reviewed the proposed installation to be placed on the subject utility pole as well as the other existing and planned antenna site locations used in Verizon Wireless' system in and around the surrounding areas. I have analyzed the potential benefits this site would represent to Verizon Wireless' network and its users. I employ computer simulations, which incorporate the results of field tests of existing facilities, to determine existing radio frequency (RF) coverage for Verizon Wireless' system. These simulations model characteristics such as antenna types, antenna height, output power, terrain, ground elevations and RF propagation effects of the frequency utilized.
11. The following table details site specific information of the surrounding Verizon Wireless telecommunications facilities used to generate the RF plots attached hereto.

| Cell Name: | Latitude: | Longitude: | Street Address: | City, State: | Structure Type: | Antenna Centerline Height (AGL): | Status: |
|--------------------|-----------|------------|--------------------------------|-------------------|-----------------|----------------------------------|---------|
| Chestnut Hill | 42.3226 | -71.1665 | 1244 Boylston Street | Brookline, MA | Rooftop | 43 | On-Air |
| Brookline 3 | 42.3048 | -71.1395 | 282 Newton Street | Brookline, MA | Rooftop | 55.3 | On-Air |
| Boston College | 42.3377 | -71.1748 | 219 Commonwealth Avenue | Chestnut Hill, MA | Rooftop | 50 | On-Air |
| W Roxbury North | 42.3026 | -71.1635 | 50/56 Broadlawn Park | Chestnut Hill, MA | Rooftop | 55.3 | On-Air |
| Needham 2 | 42.28 | -71.2332 | 858 Great Plain Avenue | Needham, MA | Steeple | 68 | On-Air |
| Needham Heights | 42.2911 | -71.2363 | 460 Hillside Avenue | Needham, MA | Rooftop | 49 | On-Air |
| Needham | 42.3036 | -71.218 | 141 Cabot Street | Needham, MA | Lattice | 152 | On-Air |
| Auburndale | 42.3463 | -71.2583 | 2345 Commonwealth Avenue | Newton, MA | Rooftop | 76 | On-Air |
| Brookline | 42.3195 | -71.1826 | 345 Boylston Street | Newton, MA | Rooftop | 48 | On-Air |
| Needham Cutler | 42.2949 | -71.2032 | 1 Well Avenue | Newton, MA | Rooftop | 73.3 | On-Air |
| Newton | 42.3478 | -71.235 | 186 Webster Street | Newton, MA | Lattice | 120 | On-Air |
| Newton 17 | 42.3488 | -71.2236 | 1210-1220 Washington Street | Newton, MA | Rooftop | 40 | Planned |
| Newton 2 | 42.3510 | -71.2065 | 288 Walnut Street | Newton, MA | Steeple | 58 | On-Air |
| Newton 3 | 42.3284 | -71.2553 | 2227 Washington Street Bldg.#3 | Newton, MA | Rooftop | 44 | On-Air |
| Newton 4 | 42.3183 | -71.2109 | 56 Ramsdell Street | Newton, MA | Rooftop | 28 | On-Air |
| Newton 5 | 42.3374 | -71.209 | 1000 Commonwealth Avenue | Newton, MA | Coupla | 95.8 | On-Air |
| Newton 11 | 42.3387 | -71.2533 | 275 Grove Street | Newton, MA | Rooftop | 63.8 | Planned |
| Newton Ctr Rep | 42.3285 | -71.1955 | 1320 Centre Street | Newton, MA | Rooftop | 48 | On-Air |
| Newton N | 42.3555 | -71.1858 | 430 Centre Street | Newton, MA | Rooftop | 71/79 | On-Air |
| Newton Silver Lake | 42.3658 | -71.1999 | 285 California Street | Newton, MA | Flag Pole | 68 | On-Air |
| Newton Waban | 42.3265 | -71.2311 | 2 Windsor Road | Newton, MA | Rooftop | 55 | On-Air |

| Cell Name: | Latitude: | Longitude: | Street Address: | City, State: | Structure Type: | Antenna Centerline Height (AGL): | Status: |
|----------------------|-----------|------------|------------------------|---------------------|-----------------|----------------------------------|---------------------|
| W Roxbury MSC | 42.2751 | -71.1392 | 4600 Washington Street | Roslindale, MA | Lattice | 150 | On-Air |
| Waltham East | 42.3704 | -71.2197 | 190 Willow Street | Waltham, MA | Rooftop | 43.5/47 | On-Air |
| Waltham Se | 42.3643 | -71.239 | 699 Moody Street | Waltham, MA | Rooftop | 34.2 | On-Air |
| Watertown 6 | 42.3627 | -71.1909 | 124 Watertown Street | Watertown, MA | Rooftop | 49.5 | On-Air ¹ |
| Wellesley 2 | 42.3175 | -71.2307 | 20 William Street | Wellesley Hills, MA | Rooftop | 58 | On-Air |
| W Roxbury Georgetown | 42.2655 | -71.152 | 5050 Washington Street | West Roxbury, MA | Rooftop | 46 | On-Air |
| W Roxbury 2 | 42.2791 | -71.1821 | 225 Rivermoor Street | West Roxbury, MA | Monopole | 75 | On-Air |
| Weston 3 | 42.3406 | -71.2726 | 134 South Avenue | Weston, MA | Rooftop | 52 | On-Air |

12. The signal propagation plot provided as an attachment was produced using deciBel Planner™, a Windows-based RF propagation computer modeling program and network planning tool. The software takes into account the geographical features of an area, land cover, antenna models, antenna heights, RF transmitting power and receiver thresholds to predict coverage and other related RF parameters used in site design and network expansion.
13. The RF map titled “Newton SC23, SC27 – Existing/Planned 700 MHz LTE Sector Footprints” attached hereto depicts the areas primarily served by the sectors (a.k.a. signal “footprints”) of the existing “On-Air” and “Planned” Verizon Wireless macro sites in the area, which are shown by a unique color for each particular sector of interest. For clarity, all other sectors of less interest with respect to the proposed site are shown in grey. “On-Air” sites are existing Verizon Wireless facilities and “Planned” sites are those which have begun the permitting process. As demand for wireless voice and data services continues to grow, Verizon Wireless manages the footprint of each sector so that it can support the demand within the area it is primarily serving. In addition to improving coverage to the immediate area, the proposed site is also needed to serve existing and anticipated demand in the vicinity and thereby offload some of the burden experienced by the surrounding sites. In that way, those sites will be able to more adequately serve the demand for service in the areas nearer to those surrounding sites. Please note that the outer parts of each sector footprint include areas that presently have signal strength below the targeted value required for reliable service to Verizon Wireless’ customers. The fact that low-level signal is capable of reaching these areas does not mean that these areas experience adequate coverage. These unreliable areas of low signal level impose a significant capacity burden on the sites primarily serving the area.
14. As shown in the aforementioned plot, the proposed facility is centrally located within the targeted area of deficient service, making it suitable to provide the intended capacity relief to the area. In addition to providing a dominant server and improved capacity and coverage to this “hot spot” of network usage along Commonwealth Avenue, Chestnut Street, and in the residential areas, the proposed facility will offload some of the burden experienced by the surrounding sites, particularly to the “Newton Waban” alpha (red) and “Newton 5” gamma (blue) sectors, improving the overall system performance within their respective service areas.
15. I have concluded that the proposed facility will satisfy the present capacity and coverage needs that motivated Verizon Wireless to establish a search ring in this vicinity. Any reduction in the proposed antenna configuration and/or equipment would limit optimal performance of the site, which would substantially limit the site’s effectiveness.

¹ Watertown 6 anticipated to be on-air in the end of January 2017.

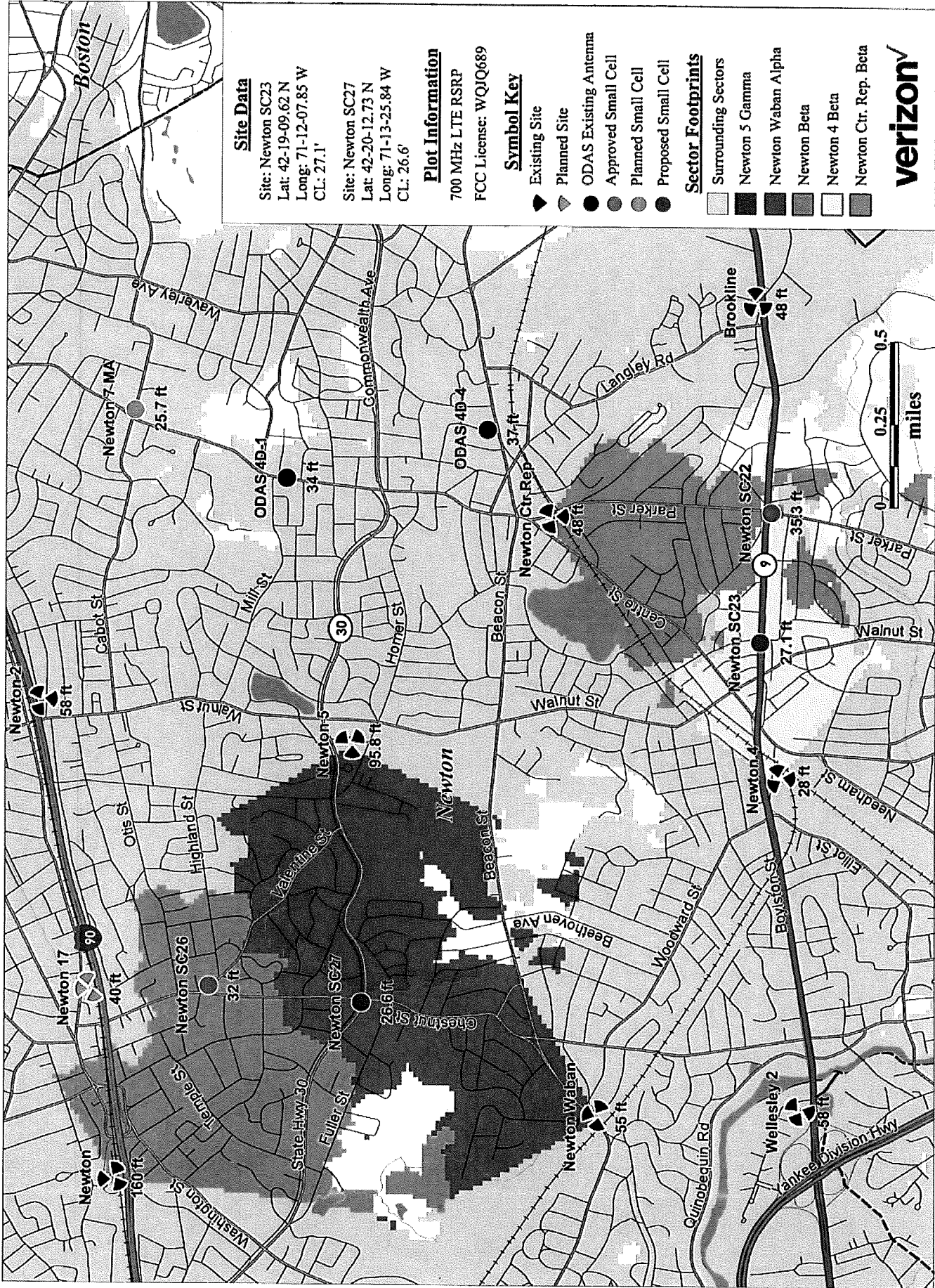
16. Verizon Wireless certifies that the proposed facility will not cause interference to any lawfully operating emergency communication system, television, telephone or radio, in the surrounding area. The FCC has licensed Verizon Wireless to transmit and receive in the Upper C Block of the 700 MHz band, B Block of the Cellular (850 MHz) band, the F, C3, and C4 Blocks of the PCS (1900 MHz) band, and the A and B Blocks of the AWS (2100 MHz) band of the RF spectrum. As a condition of the FCC licenses, Verizon Wireless is prohibited from interfering with other licensed devices that are being operated in a lawful manner. Furthermore, no emergency communication system, television, telephone, or radio is licensed to operate on these frequencies, and therefore interference is highly unlikely.
17. Pursuant to its Federal Communications Commission (FCC) licenses, Verizon Wireless is required to ensure that all radio equipment operating at the proposed communications facility and the resulting radio frequency exposure levels are compliant with FCC requirements as well as federal and state health and safety standards.
18. Providing wireless communication services is a benefit to the residents of Newton, as well as to mobile customers traveling throughout the area. The proposed facility is well suited to meet Verizon Wireless' network requirements for the intended areas. The absence of a wireless telecommunications facility at or near this immediate location will result in the continued existence of inadequate network capacity and coverage gaps in this area. Without the proposed facility, Verizon Wireless will be unable to provide reliable wireless communication services in this area of Newton; therefore, Verizon Wireless respectfully requests that the City of Newton act favorably upon the proposed facility.

Signed and sworn under the pains and penalties of perjury January 9th, 2017.

Keith Vellante

Keith Vellante
Radio Frequency (RF) Engineer
C Squared Systems, LLC
65 Dartmouth Drive
Auburn, NH 03032

Newton SC23, SC27 - Existing/Planned 700 MHz LTE Sector Footprints



DONALD L. HAES, JR., PH.D., CHP*Radiation Safety Specialist*

MA Radiation Control Program Health Physics Services Provider Registration #65-0017

PO Box 198, Hampstead, NH 03841

603-303-9959

Email: donald_haes_chp@comcast.net

2017 FEB -8 PM 3:01

David A. Olson, Director
Newton, MA 02459

December 19, 2016

RE: Proposed installation of radio base station antenna and associated equipment for the Verizon Wireless Small Cell Personal Wireless Services facility to be located on a utility pole located near 1400 Commonwealth Ave., Newton, MA.

PURPOSE

I have reviewed the information pertinent to the Verizon Wireless proposed installation of a small cell (SC) personal wireless services (PWS) facility within Newton, MA. To determine regulatory compliance, theoretical calculations of maximal radio-frequency (RF) fields have been prepared. The physical conditions are that Verizon Wireless proposes to install a PWS omnidirectional canister type antenna on an existing utility pole near 1400 Commonwealth Ave., Newton, MA. The antenna arrangement will include a single canister antenna on an existing utility pole and remote radio head (RRH). The mounting centerline height of the antenna is proposed to be 26'7" above ground level (AGL). This report provides written proof that the proposed facility would comply with the FCC RF exposure guidelines, including residential areas and in the surrounding neighborhood.

This report considers the contributions of the Verizon Wireless PWS transmitters operating at their proposed capacity. The calculated values of RF fields are presented as a percent of current Maximum Permissible Exposures (%MPE) as adopted by the Federal Communications Commission (FCC),^{i,ii} and those established by the Massachusetts Department of Public Health (MDPH).ⁱⁱⁱ

SUMMARY

Theoretical RF field calculations data indicate the summation of the proposed Verizon Wireless RF contributions would be well within the established RF exposure guidelines at the proposed site; see Figure 3. These results indicate there could be many more similar installations at this location, and still be within Federal and State guidelines for RF exposure. This report provides written proof that the proposed facility would comply with the FCC RF exposure guidelines, including residential areas and in the surrounding neighborhoods.

Based on the theoretical RF fields I have calculated, it is my expert opinion that this facility would comply with all regulatory guidelines for RF exposure to members of the public. The antenna installations proposed by Verizon Wireless would not produce significant changes to the ambient RF environment.

EXPOSURE LIMITS AND GUIDELINES

The RF exposure guidelines adopted by the FCC are a combination of the standards published by the American National Standards Institute (ANSI) ^{iv} and the National Council on Radiation Protection and Measurement (NCRP). ^v Also applicable are those published by the MDPH. The RF exposure guidelines are divided into two categories: "Controlled/Occupational areas" (those areas restricted to access by RF workers only) and "Uncontrolled/Public Areas" (those areas unrestricted for public access). Listed in Table 1 below and shown in Figure 1 above are the applicable RF exposure guidelines for uncontrolled areas as they pertain to the operating frequency band of the PWS facility.

| Table 1: Maximum Permissible Exposure Values for Uncontrolled/Public Areas | |
|--|--|
| <u>Frequency Band:</u> 300 - 1500 MHz 1500 - 100,000 MHz | <u>Maximum Permissible Exposure:</u> $f / 1.5$ in $\mu\text{W}/\text{cm}^2$ $1000 \mu\text{W}/\text{cm}^2$ * |
| Note: $1 \mu\text{W} = 0.000001$ Watt | |
| * For equivalent plane-wave power density, where f is the frequency in MHz (10^6 Hz). | |

NOTE: FCC 5% Rule – At multiple transmitter sites, actions necessary to bring the area into compliance with the RF exposure guidelines are the shared responsibility of all licensees whose transmitters produce RF field levels in excess of 5% of the applicable FCC MPEs.

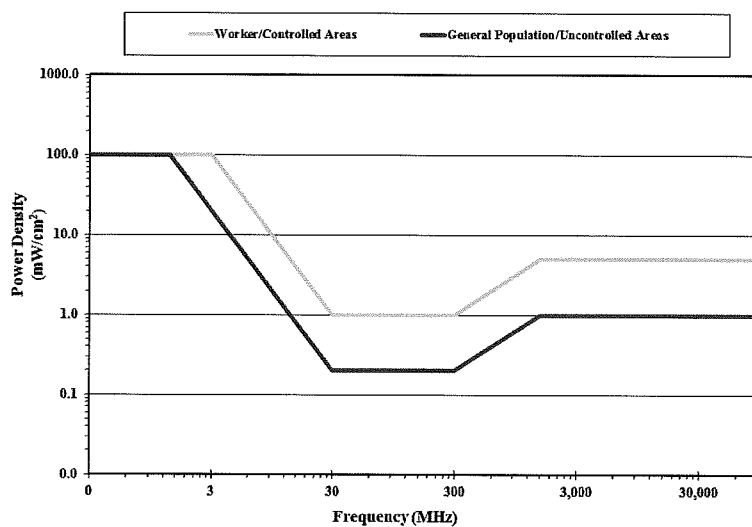


Figure 1: FCC Limits for Maximum Permissible Exposure (MPE)

THEORETICAL RF FIELD CALCULATIONS - GROUND LEVELS

METHODOLOGY

These calculations are based on what are called "worst-case" estimates. That is, the estimates assume 100% use of all transmitters simultaneously. Additionally, the calculations make the assumption that the surrounding area is a flat plane. The resultant values are thus conservative in that they over predict actual resultant power densities. The calculations are based on the following information for VERIZON WIRELESS:

1. Effective Radiated Power (ERP): See Table 2 inventory.
2. Antenna height (centerline, above ground level (AGL) See Table 2 inventory.
3. Antenna vertical radiation patterns; the source of the negative gain (G) values. "Omni directional" antennas are designed to focus the RF signal, resulting in "patterns" of signal loss and gain. These patterns (see **APPENDIX A**) display the loss of signal strength relative to the direction of propagation due to elevation angle changes.

Note: G is a unitless factor usually expressed in decibels (dB); where $G = 10^{(dB/10)}$.

For example: for an antenna *gain* of 3 dB, the net factor (G) = $10^{(3/10)} = 2$.

For an antenna *loss* of -3 dB, the net factor (G) = $10^{(-3/10)} = 0.5$.

To determine the magnitude of the RF field, the power density (S) from an isotropic RF source is calculated, making use of the power density formula as outlined in FCC's OET Bulletin 65, Edition 97-01: ^{vi}

$$S = \frac{P \cdot G}{4 \cdot \pi \cdot R^2}$$

Where:

P → Power to antenna (watts)

G → Gain of antenna

R → Distance (range) from antenna source to point of intersection with the ground (feet)

$R^2 = (\text{Height})^2 + (\text{Horizontal distance})^2$

Since: $P \cdot G = \text{EIRP}$ (Effective Isotropic Radiated Power) for broadcast antennas, the equation can be presented in the following form:

$$S = \frac{\text{EIRP}}{4 \cdot \pi \cdot R^2}$$

In the situation of off-axis power density calculations, apply the negative elevation gain (G^E) value from the vertical radiation patterns with the following formula:

$$S = \frac{\text{EIRP} \cdot G^E}{4 \cdot \pi \cdot R^2}$$

Ground reflections may add in-phase with the direct wave, and essentially double the electric field intensity. Because power density is proportional to the *square* of the electric field, the power density may quadruple, that is, increase by a factor of four (4). Since ERP is routinely used, it is necessary to convert ERP into EIRP; this is readily done by multiplying the ERP by the factor of 1.64, which is the gain of a half-wave dipole relative to an isotropic radiator. Therefore, downrange power density estimates can be calculated by using the formula:

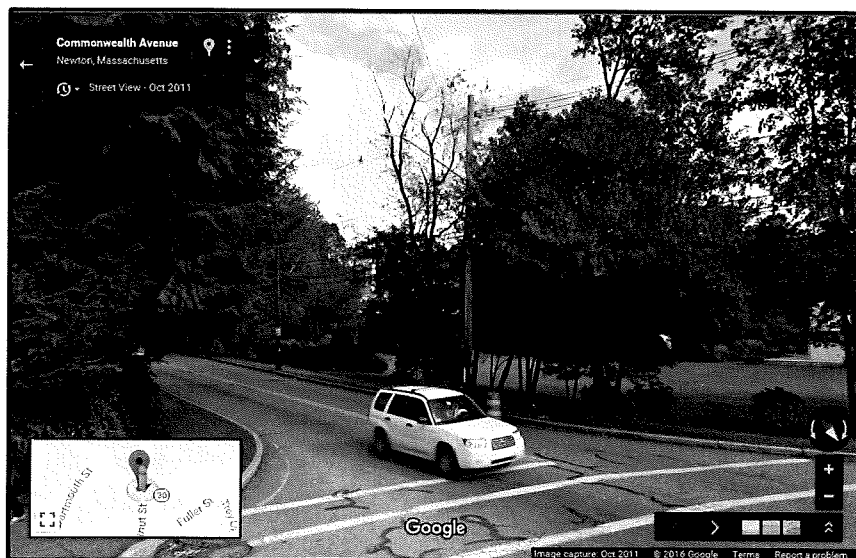
$$S = \frac{4 \cdot (\text{ERP} \cdot 1.64) \cdot G^E}{4 \cdot \pi \cdot R^2} = \frac{\text{ERP} \cdot 1.64 \cdot G^E}{\pi \cdot R^2} = \frac{0.522 \cdot \text{ERP} \cdot G^E}{R^2}$$

To calculate the % MPE, use the formula:

$$\% \text{ MPE} = \frac{S}{\text{MPE}} \cdot 100$$

ANTENNA INSTALLATION LOCATION

The proposed utility pole which would host a Verizon Wireless SC antenna is shown below in Figure 2. The latitude and longitude are listed in Table 2.



**Figure 2: Utility Pole (center) near 1400 Commonwealth Ave., Newton, MA
Which Would Host A Verizon Wireless SC Antenna**

The results of the percent Maximum Permissible Exposure (%MPE) calculations for the summation of the proposed Verizon Wireless contributions are depicted in Figure 3 as plotted against linear distance from the base of the utility pole. The values have been calculated for a height of six feet above ground level in accordance with regulatory rationale. In addition to the six-foot height, and depicted on the graph for reference only, values have been plotted for a height of 16 feet above ground level for comparison with a typical two-story structure. A logarithmic scale was used to plot the calculated theoretical %MPE values in order to compare with the MPE of 100%, which is so much larger that it would be off the page in a linear plot. The curves in the figure resemble a straight-line on the log-linear plots at distances beyond about one thousand feet. Within that distance, the curves are variable due to the application of the vertical radiation patterns.

OBSERVATIONS IN CONSIDERATION WITH FCC RULES §1.1307(B) & §1.1310

Is it physically possible to stand next to or touch any omni-directional antenna? No, access to the utility pole is restricted, and the utility companies will adhere to RF safety guidelines regarding potential access to the proposed PWS antennas mounted on the pole.

ANTENNA INVENTORY

| <p align="center">Table 2: Proposed Verizon Wireless Antenna Inventory Utility Pole near 1400 Commonwealth Ave., Newton, MA</p> <p align="center">Parameters: 715 watts ERP* of AWS @ 2150 MHz</p> | | | |
|---|---------------------------------------|-----------------------------|---------------|
| Site Name | Latitude Longitude | Antenna Centerline (AGL) | Antenna Model |
| Newton MA SC27 | 42° 20' 12.73" N -71° 13' 25.84" W | 26'7" | NH360QM-DG |
| Information relevant to the antenna proposed by Verizon Wireless Appendix A. | | | |
| <p>Table Notes: AWS: Advanced Wireless Services</p> <p>* ERP = Power out per channel (CH) X # channels per remote radio head (RRH) X #RRHs X gain the antenna provides within that frequency band.</p> | | | |

The results of the RF field calculations for the summation of the proposed Verizon Wireless AWS technologies are depicted in Figure 3.

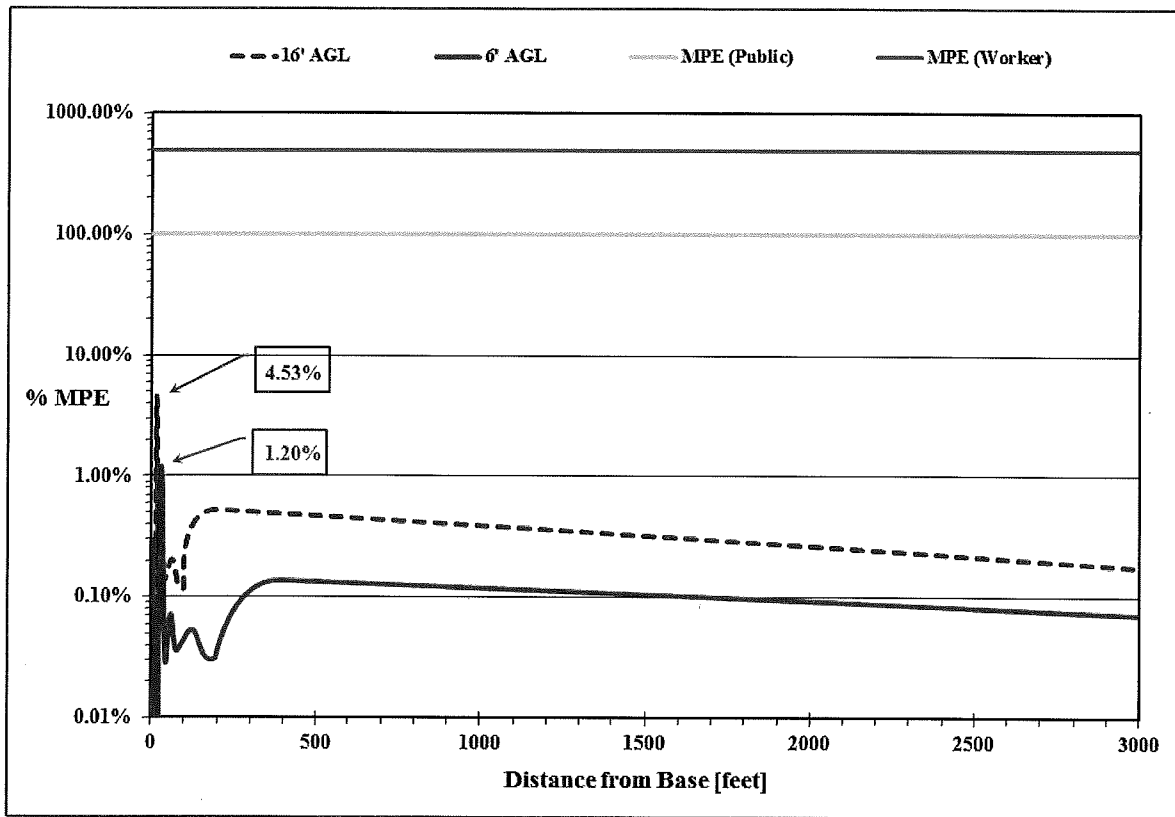


Figure 3: Theoretical RF field calculations for the summation of the proposed Verizon Wireless Small Cell Antenna Site "Newton MA SC27"; Near 1400 Commonwealth Ave., Newton, MA

CONCLUSION


Theoretical RF field calculations data indicate the summation of the proposed Verizon Wireless RF contributions would be well within the established RF exposure guidelines at the proposed site; see Figure 3. These results indicate there could be many more similar installations at this location, and still be within Federal and State guidelines for RF exposure. This report provides written proof that the proposed facility would comply with the FCC RF exposure guidelines, including residential areas and in the surrounding neighborhoods.

The number and duration of calls passing through PWS facilities cannot be accurately predicted. Thus, in order to estimate the highest RF fields possible from operation of these installations, the maximal amount of usage was considered. Even in this so-called "worst-case", the resultant increase in RF field levels are far below established levels considered safe.

Based on the theoretical RF fields I have calculated, it is my expert opinion that this facility would comply with all regulatory guidelines for RF exposure to members of the public. The antenna installations proposed by Verizon Wireless would not produce significant changes to the ambient RF environment.

Feel free to contact me if you have any questions.

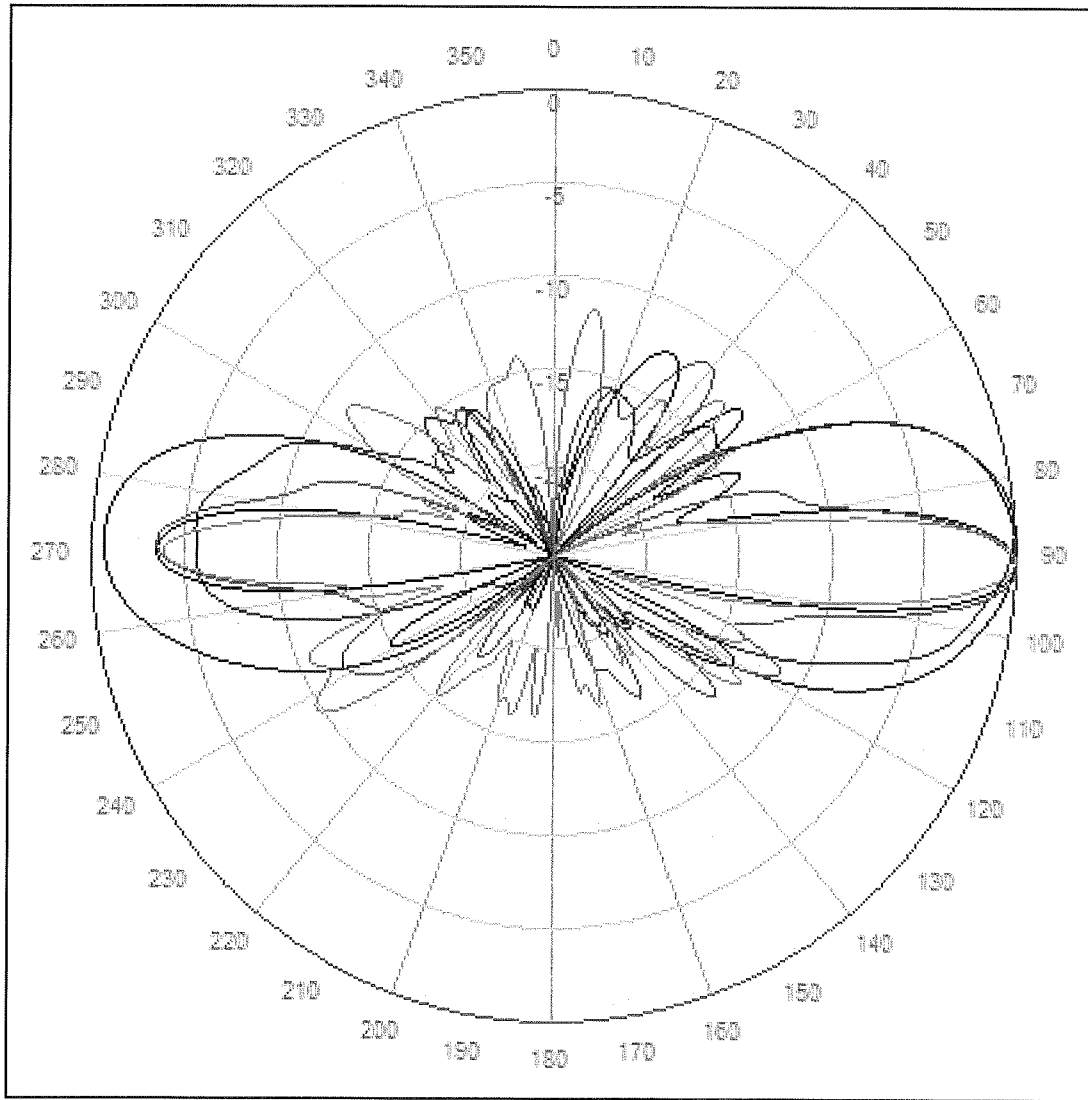
Sincerely,



Donald L. Haes, Jr., Ph.D
Certified Health Physicist

Note: The analyses, conclusions and professional opinions are based upon the precise parameters and conditions of these particular sites; **Utility pole near 1400 Commonwealth Ave., Newton, MA.** Utilization of these analyses, conclusions and professional opinions for any personal wireless services installation, existing or proposed, other than the aforementioned has not been sanctioned by the author, and therefore should not be accepted as evidence of regulatory compliance.

APPENDIX A



**Composite Vertical Radiation Patterns for Proposed Small Cell Omni Antenna
For Specific Verizon Wireless Proposed AWS Frequencies**

DONALD L. HAES, JR., PH.D., CHP*Radiation Safety Specialist*

MA Radiation Control Program Health Physics Services Provider Registration #65-0017
PO Box 198, Hampstead, NH 03841 603-303-9959 Email: donald_haes_chp@comcast.net

STATEMENT OF CERTIFICATION

1. I certify to the best of my knowledge and belief, the statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are personal, unbiased professional analyses, opinions and conclusions.
3. I have no present or prospective interest in the property that is the subject of this report and I have no personal interest or bias with respect to the parties involved.
4. My compensation is not contingent upon the reporting of a predetermined energy level or direction in energy level that favors the cause of the client, the amount of energy level estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
5. This assignment was not based on a requested minimum environmental energy level or specific power density.
6. My compensation is not contingent on an action or event resulting from the analyses, opinions, or conclusions in, or the use of, this report.
7. The consultant has accepted this assessment assignment having the knowledge and experience necessary to complete the assignment competently.
8. My analyses, opinions, and conclusions were developed and this report has been prepared, in conformity with the *American Board of Health Physics* (ABHP) statements of standards of professional responsibility for Certified Health Physicists.

Date: December 19, 2016



Donald L. Haes, Jr., Ph.D
Certified Health Physicist

ENDNOTES

- i. Federal Register, Federal Communications Commission Rules; *Radiofrequency radiation; environmental effects evaluation guidelines* Volume 1, No. 153, 41006-41199, August 7, 1996. (47 CFR Part 1; Federal Communications Commission).
- ii. Telecommunications Act of 1996, 47 USC; Second Session of the 104th Congress of the United States of America, January 3, 1996.
- iii. 105 CMR 122.000: Massachusetts Department of Public Health, *Non-Ionizing Radiation Limits for: The General Public from Non-Occupational Exposure to Electromagnetic Fields, Employees from Occupational Exposure to Electromagnetic Fields, and Exposure from Microwave Ovens*.
- iv. ANSI/IEEE C95.1-1999: American National Standard, *Safety levels with respect to human exposure to radio frequency electromagnetic fields, from 3 KHz to 300 GHz (Updated in 2010)*.
- v. National Council on Radiation Protection and Measurements (NCRP); *Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields*, NCRP Report 86, 1986.
- vi. OET Bulletin 65: Federal Communications Commission Office of Engineering and Technology, *Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields*; Edition 97-01, August 1999.

TAB C

PETITION FOR GRANT OF LOCATION
UNDER MGL c. 166, §§ 22 and 25A

To the City Council
Of Newton, Massachusetts

Cellco Partnership d/b/a Verizon Wireless requests permission to locate on an existing utility pole a small cell wireless antenna, including the necessary sustaining and protecting fixtures, along and across the following public way:

Albemarle Road, one pole, number Eversource #2X.

Location approximately as shown on plans attached.

Wherefore, Cellco Partnership d/b/a Verizon Wireless prays that after due notice and hearing, because the pole in question is previously approved and already existing – as provided by law – it be granted a location for and permission to erect and maintain an antenna, radio unit, meter, AC/DC converter, 60A disc., RGS conduit, ground rod, power and fiber together with such sustaining and protecting fixtures as it may find necessary, said equipment to be installed substantially in accordance with the plans filed herewith, plan name:

Newton MA SC31, dated August 5, 2016.

February 6, 2017

Cellco Partnership d/b/a Verizon Wireless

By: 

Elizabeth F. Mason, Agent for Cellco
Partnership d/b/a Verizon Wireless, duly
authorized

ORDER FOR GRANT OF LOCATION
UNDER MGL c. 166, §§ 22 and 25A

In the City of Newton, Massachusetts
Notice having been given and public hearing held, as provided by law

IT IS HEREBY ORDERED:

that Cellco Partnership d/b/a Verizon Wireless be and it is hereby granted a location for and permission to install on an existing pole and maintain pole and wires to be placed thereon, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Company dated the 6th day of February, 2017.

All construction under this order shall be in accordance with the following conditions:

Plan name: **Newton MA SC31, dated August 5, 2016**, filed with this order.

There may be attached to said pole antenna, radio unit, meter, AC/DC converter, 60A disc., RGS conduit, ground rod, power and fiber and fixtures as needed in their business and all of said wires and cables.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Ablemarle Road, one pole, number Eversource #2X.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Newton, Massachusetts held on the _____ day of _____, 2017.

City Clerk
Newton, Massachusetts

Received and entered in the records of location orders of the City of Newton at Book _____, Page _____.

Attest: _____
Newton City Clerk



RECEIVED
 Municipality of Newton

2017 FEB -8 PM 3:00

David A. Clark, C.E.
 Newton, MA 02459

AFFIDAVIT OF RADIO FREQUENCY ENGINEER

The undersigned, in support of the application to install a wireless communications facility consisting of one antenna and associated radio equipment on the existing utility pole (#11) located near the intersection of Route 9 (Boylston Street) and Woodcliff Road in the City of Newton, Massachusetts, states the following:

1. My name is Keith Vellante. I have a Bachelor of Science degree in Electrical Engineering from the University of New Hampshire and I am employed as a Radio Frequency (RF) Engineer for C Squared Systems, LLC. C Squared Systems has entered into a contract with Verizon Wireless to provide RF consulting services on behalf of Verizon Wireless. I have reviewed the proposed site with the Radio Frequency Engineer responsible for the Verizon Wireless network design in the area of Massachusetts that includes the City of Newton, MA.
2. Verizon Wireless is a federally licensed provider of wireless communications services with a national footprint.
3. The proposed facility is located within an area where Verizon Wireless has identified a need to install a wireless telecommunications facility in order to provide reliable wireless service. The search area for the proposed facility was determined by the fact that wireless service needs significant improvement along Route 9 and the surrounding neighborhoods in the vicinity of the subject location. Furthermore, it was determined that the areas served by this facility would interact well with those of existing and planned facilities in the surrounding area.

The following table provides details of the proposed facility:

| Site Name: | Site Address: | Utility Pole Number: | Latitude: | Longitude: | Elevation (AMSL): | Antenna Centerline Height (AGL): |
|-------------|-----------------|----------------------|-----------|------------|-------------------|----------------------------------|
| Newton SC23 | Boylston Street | 11 | 42.3193 | -71.2022 | 122.8' | 27.1' |

4. A conventional Verizon Wireless LTE macro-site consists (in part) of RRH's (Remote Radio Heads) located near the antennas on a tower, rooftop, or other support structure, which are connected via fiber optic cables to a BBU (Baseband Unit) located on site in an equipment shelter or other weatherproof enclosure. The BBU performs network signal processing between the RRH's at the site, and Verizon's LTE core network.
5. C-RAN (Cloud Radio Access Network) nodes and Small Cells also utilize RRH's at each site, however a centralized BBU capable of supporting RRH's at multiple sites is implemented to gain certain efficiencies, both from a network and environmental standpoint. The proposed location is one of multiple C-RAN nodes and Small Cells planned to address capacity and coverage deficiencies in Newton and the surrounding area.
6. C-RAN and Small Cell deployments are intended to complement, not replace, the conventional LTE macro-network sites, and are typically used as a capacity solution targeting isolated areas of heavy network usage, a.k.a "hot spots." In doing so, the C-RAN and Small Cells serve to offload the demand on the existing sites serving these "hot spots." This not only improves service to the specifically targeted area, but also improves overall system performance elsewhere in the network.

7. The purpose of the proposed facility is to provide adequate service capacity and coverage improvement along Route 9 (Boylston Street) and to the surrounding neighborhoods in the immediate vicinity. Verizon Wireless does not currently provide acceptable LTE service in this area.
8. To find a site that provides acceptable capacity and coverage improvement, the Verizon Wireless RF Design Group utilizes computer modeling to define a search area. The search area is designed such that a site located within the area and at a given height would have a high probability of completing the capacity and coverage objectives in the target areas. The RF Design Group develops the network by working off existing sites from which to build out the network design.
9. Verizon Wireless' search of the area and subsequent analysis determined that installing the proposed facility on the subject utility pole would be the most appropriate solution to meet its network capacity and coverage objectives.
10. I have reviewed the proposed installation to be placed on the subject utility pole as well as the other existing and planned antenna site locations used in Verizon Wireless' system in and around the surrounding areas. I have analyzed the potential benefits this site would represent to Verizon Wireless' network and its users. I employ computer simulations, which incorporate the results of field tests of existing facilities, to determine existing radio frequency (RF) coverage for Verizon Wireless' system. These simulations model characteristics such as antenna types, antenna height, output power, terrain, ground elevations and RF propagation effects of the frequency utilized.
11. The following table details site specific information of the surrounding Verizon Wireless telecommunications facilities used to generate the RF plots attached hereto.

| Cell Name: | Latitude: | Longitude: | Street Address: | City, State: | Structure Type: | Antenna Centerline Height (AGL): | Status: |
|--------------------|-----------|------------|--------------------------------|-------------------|-----------------|----------------------------------|---------|
| Chestnut Hill | 42.3226 | -71.1665 | 1244 Boylston Street | Brookline, MA | Rooftop | 43 | On-Air |
| Brookline 3 | 42.3048 | -71.1395 | 282 Newton Street | Brookline, MA | Rooftop | 55.3 | On-Air |
| Boston College | 42.3377 | -71.1748 | 219 Commonwealth Avenue | Chestnut Hill, MA | Rooftop | 50 | On-Air |
| W Roxbury North | 42.3026 | -71.1635 | 50/56 Broadlawn Park | Chestnut Hill, MA | Rooftop | 55.3 | On-Air |
| Needham 2 | 42.28 | -71.2332 | 858 Great Plain Avenue | Needham, MA | Steeple | 68 | On-Air |
| Needham Heights | 42.2911 | -71.2363 | 460 Hillside Avenue | Needham, MA | Rooftop | 49 | On-Air |
| Needham | 42.3036 | -71.218 | 141 Cabot Street | Needham, MA | Lattice | 152 | On-Air |
| Auburndale | 42.3463 | -71.2583 | 2345 Commonwealth Avenue | Newton, MA | Rooftop | 76 | On-Air |
| Brookline | 42.3195 | -71.1826 | 345 Boylston Street | Newton, MA | Rooftop | 48 | On-Air |
| Needham Cutler | 42.2949 | -71.2032 | 1 Well Avenue | Newton, MA | Rooftop | 73.3 | On-Air |
| Newton | 42.3478 | -71.235 | 186 Webster Street | Newton, MA | Lattice | 120 | On-Air |
| Newton 17 | 42.3488 | -71.2236 | 1210-1220 Washington Street | Newton, MA | Rooftop | 40 | Planned |
| Newton 2 | 42.3510 | -71.2065 | 288 Walnut Street | Newton, MA | Steeple | 58 | On-Air |
| Newton 3 | 42.3284 | -71.2553 | 2227 Washington Street Bldg.#3 | Newton, MA | Rooftop | 44 | On-Air |
| Newton 4 | 42.3183 | -71.2109 | 56 Ramsdell Street | Newton, MA | Rooftop | 28 | On-Air |
| Newton 5 | 42.3374 | -71.209 | 1000 Commonwealth Avenue | Newton, MA | Coupla | 95.8 | On-Air |
| Newton 11 | 42.3387 | -71.2533 | 275 Grove Street | Newton, MA | Rooftop | 63.8 | Planned |
| Newton Ctr Rep | 42.3285 | -71.1955 | 1320 Centre Street | Newton, MA | Rooftop | 48 | On-Air |
| Newton N | 42.3555 | -71.1858 | 430 Centre Street | Newton, MA | Rooftop | 71/79 | On-Air |
| Newton Silver Lake | 42.3658 | -71.1999 | 285 California Street | Newton, MA | Flag Pole | 68 | On-Air |
| Newton Waban | 42.3265 | -71.2311 | 2 Windsor Road | Newton, MA | Rooftop | 55 | On-Air |
| W Roxbury MSC | 42.2751 | -71.1392 | 4600 Washington Street | Roslindale, MA | Lattice | 150 | On-Air |

| Cell Name: | Latitude: | Longitude: | Street Address: | City, State: | Structure Type: | Antenna Centerline Height (AGL): | Status: |
|----------------------|-----------|------------|------------------------|---------------------|-----------------|----------------------------------|---------------------|
| Waltham East | 42.3704 | -71.2197 | 190 Willow Street | Waltham, MA | Rooftop | 43.5/47 | On-Air |
| Waltham Se | 42.3643 | -71.239 | 699 Moody Street | Waltham, MA | Rooftop | 34.2 | On-Air |
| Watertown 6 | 42.3627 | -71.1909 | 124 Watertown Street | Watertown, MA | Rooftop | 49.5 | On-Air ¹ |
| Wellesley 2 | 42.3175 | -71.2307 | 20 William Street | Wellesley Hills, MA | Rooftop | 58 | On-Air |
| W Roxbury Georgetown | 42.2655 | -71.152 | 5050 Washington Street | West Roxbury, MA | Rooftop | 46 | On-Air |
| W Roxbury 2 | 42.2791 | -71.1821 | 225 Rivermoor Street | West Roxbury, MA | Monopole | 75 | On-Air |
| Weston 3 | 42.3406 | -71.2726 | 134 South Avenue | Weston, MA | Rooftop | 52 | On-Air |

12. The signal propagation plot provided as an attachment was produced using deciBel Planner™, a Windows-based RF propagation computer modeling program and network planning tool. The software takes into account the geographical features of an area, land cover, antenna models, antenna heights, RF transmitting power and receiver thresholds to predict coverage and other related RF parameters used in site design and network expansion.
13. The RF map titled “Newton SC23, SC27 – Existing/Planned 700 MHz LTE Sector Footprints” attached hereto depicts the areas primarily served by the sectors (a.k.a. signal “footprints”) of the existing “On-Air” and “Planned” Verizon Wireless macro sites in the area, which are shown by a unique color for each particular sector of interest. For clarity, all other sectors of less interest with respect to the proposed site are shown in grey. “On-Air” sites are existing Verizon Wireless facilities and “Planned” sites are those which have begun the permitting process. As demand for wireless voice and data services continues to grow, Verizon Wireless manages the footprint of each sector so that it can support the demand within the area it is primarily serving. In addition to improving coverage to the immediate area, the proposed site is also needed to serve existing and anticipated demand in the vicinity and thereby offload some of the burden experienced by the surrounding sites. In that way, those sites will be able to more adequately serve the demand for service in the areas nearer to those surrounding sites. Please note that the outer parts of each sector footprint include areas that presently have signal strength below the targeted value required for reliable service to Verizon Wireless’ customers. The fact that low-level signal is capable of reaching these areas does not mean that these areas experience adequate coverage. These unreliable areas of low signal level impose a significant capacity burden on the sites primarily serving the area.
14. As shown in the aforementioned plot, the proposed facility is centrally located within the targeted area of deficient service, making it suitable to provide the intended capacity relief to the area. In addition to providing a dominant server and improved capacity and coverage to this “hot spot” of network usage along Route 9 and in the residential areas, the proposed facility will offload some of the burden experienced by the surrounding sites, particularly to the “Newton 4” beta (yellow) sector, improving the overall system performance within its respective service area.
15. I have concluded that the proposed facility will satisfy the present capacity and coverage needs that motivated Verizon Wireless to establish a search ring in this vicinity. Any reduction in the proposed antenna configuration and/or equipment would limit optimal performance of the site, which would substantially limit the site’s effectiveness.

¹ Watertown 6 anticipated to be on-air in mid-January 2017.

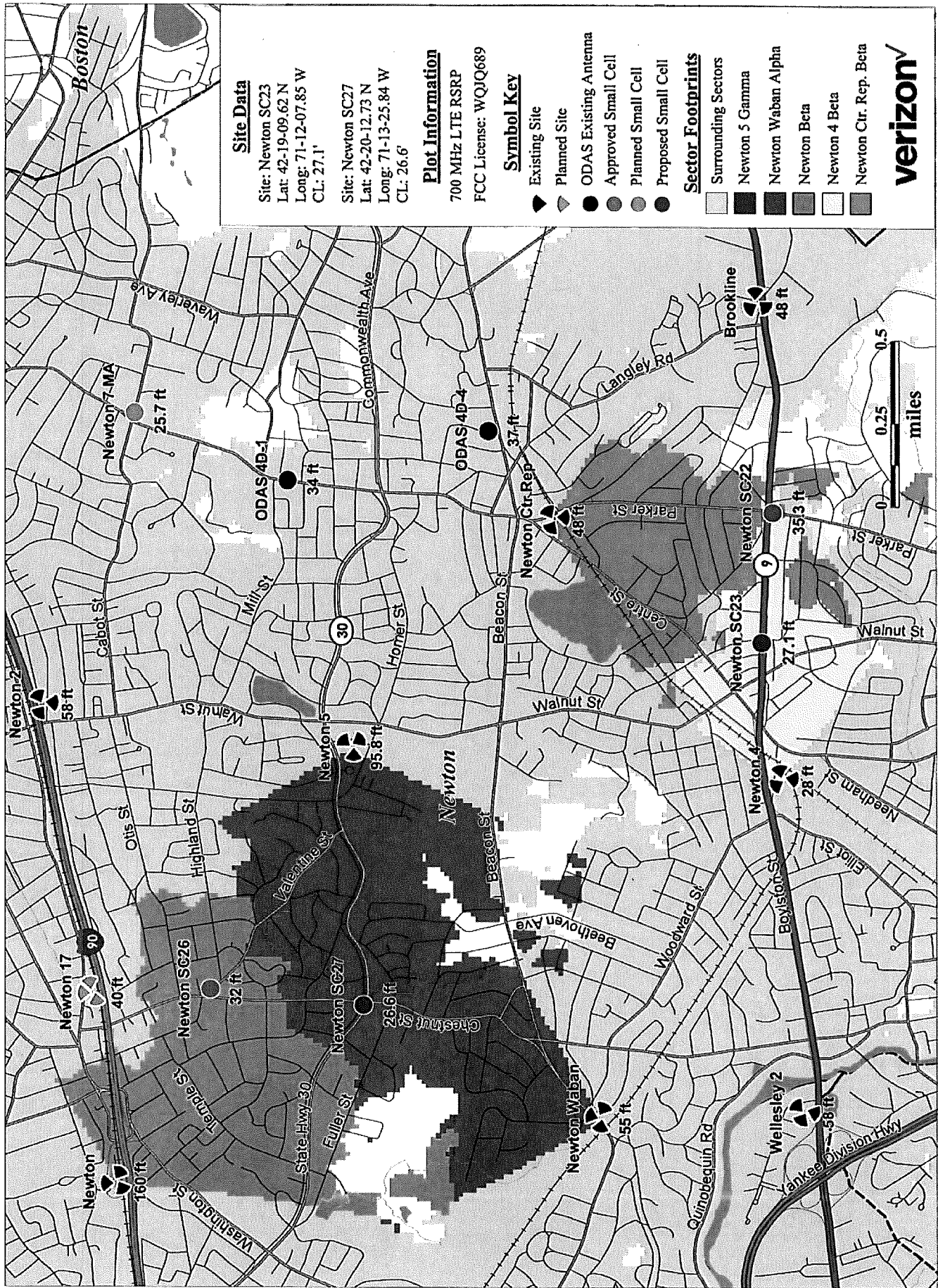
16. Verizon Wireless certifies that the proposed facility will not cause interference to any lawfully operating emergency communication system, television, telephone or radio, in the surrounding area. The FCC has licensed Verizon Wireless to transmit and receive in the Upper C Block of the 700 MHz band, B Block of the Cellular (850 MHz) band, the F, C3, and C4 Blocks of the PCS (1900 MHz) band, and the A and B Blocks of the AWS (2100 MHz) band of the RF spectrum. As a condition of the FCC licenses, Verizon Wireless is prohibited from interfering with other licensed devices that are being operated in a lawful manner. Furthermore, no emergency communication system, television, telephone, or radio is licensed to operate on these frequencies, and therefore interference is highly unlikely.
17. Pursuant to its Federal Communications Commission (FCC) licenses, Verizon Wireless is required to ensure that all radio equipment operating at the proposed communications facility and the resulting radio frequency exposure levels are compliant with FCC requirements as well as federal and state health and safety standards.
18. Providing wireless communication services is a benefit to the residents of Newton, as well as to mobile customers traveling throughout the area. The proposed facility is well suited to meet Verizon Wireless' network requirements for the intended areas. The absence of a wireless telecommunications facility at or near this immediate location will result in the continued existence of inadequate network capacity and coverage gaps in this area. Without the proposed facility, Verizon Wireless will be unable to provide reliable wireless communication services in this area of Newton; therefore, Verizon Wireless respectfully requests that the City of Newton act favorably upon the proposed facility.

Signed and sworn under the pains and penalties of perjury January 9th, 2017.

Keith Vellante

Keith Vellante
Radio Frequency (RF) Engineer
C Squared Systems, LLC
65 Dartmouth Drive
Auburn, NH 03032

Newton SC23, SC27 - Existing/Planned 700 MHz LTE Sector Footprints



DONALD L. HAES, JR., PH.D., CHP*Radiation Safety Specialist*MA Radiation Control Program Health Physics Services Provider Registration #65-0017
PO Box 198, Hampstead, NH 03841 603-303-9959 Email: donald_haes_chp@comcast.net

2017 FEB -8 PM 3:00

David A. Olson, PhD
Newton, MA 02459
December 20, 2016

RE: Proposed installation of radio base station antenna and associated equipment for the Verizon Wireless Small Cell Personal Wireless Services facility to be located on a utility pole located near Boylston Street, Newton, MA.

PURPOSE

I have reviewed the information pertinent to the Verizon Wireless proposed installation of a small cell (SC) personal wireless services (PWS) facility within Newton, MA. To determine regulatory compliance, theoretical calculations of maximal radio-frequency (RF) fields have been prepared. The physical conditions are that Verizon Wireless proposes to install a PWS omnidirectional canister type antenna on an existing utility pole near Boylston Street, Newton, MA. The antenna arrangement will include a single canister antenna on an existing utility pole and remote radio heads (RRHs). The mounting centerline height of the antenna is proposed to be 27' 1" above ground level (AGL). This report provides written proof that the proposed facility would comply with the FCC RF exposure guidelines, including residential areas and in the surrounding neighborhood.

This report considers the contributions of the Verizon Wireless PWS transmitters operating at their proposed capacity. The calculated values of RF fields are presented as a percent of current Maximum Permissible Exposures (%MPE) as adopted by the Federal Communications Commission (FCC),^{i,iii} and those established by the Massachusetts Department of Public Health (MDPH).ⁱⁱⁱ

SUMMARY

Theoretical RF field calculations data indicate the summation of the proposed Verizon Wireless RF contributions would be well within the established RF exposure guidelines at the proposed site; see Figure 3. These results indicate there could be many more similar installations at this location, and still be within Federal and State guidelines for RF exposure. This report provides written proof that the proposed facility would comply with the FCC RF exposure guidelines, including residential areas and in the surrounding neighborhoods.

Based on the theoretical RF fields I have calculated, it is my expert opinion that this facility would comply with all regulatory guidelines for RF exposure to members of the public. The antenna installations proposed by Verizon Wireless would not produce significant changes to the ambient RF environment.

EXPOSURE LIMITS AND GUIDELINES

The RF exposure guidelines adopted by the FCC are a combination of the standards published by the American National Standards Institute (ANSI) ^{iv} and the National Council on Radiation Protection and Measurement (NCRP). ^v Also applicable are those published by the MDPH. The RF exposure guidelines are divided into two categories: "Controlled/Occupational areas" (those areas restricted to access by RF workers only) and "Uncontrolled/Public Areas" (those areas unrestricted for public access). Listed in Table 1 below and shown in Figure 1 above are the applicable RF exposure guidelines for uncontrolled areas as they pertain to the operating frequency band of the PWS facility.

| Table 1: Maximum Permissible Exposure Values for Uncontrolled/Public Areas | |
|--|--|
| <u>Frequency Band:</u> 300 - 1500 MHz 1500 - 100,000 MHz | <u>Maximum Permissible Exposure:</u> $f/1.5$ in $\mu\text{W}/\text{cm}^2$ $1000 \mu\text{W}/\text{cm}^2$ * |
| Note: $1 \mu\text{W} = 0.000001$ Watt | |
| * For equivalent plane-wave power density, where f is the frequency in MHz (10^6 Hz). | |

NOTE: FCC 5% Rule – At multiple transmitter sites, actions necessary to bring the area into compliance with the RF exposure guidelines are the shared responsibility of all licensees whose transmitters produce RF field levels in excess of 5% of the applicable FCC MPEs.

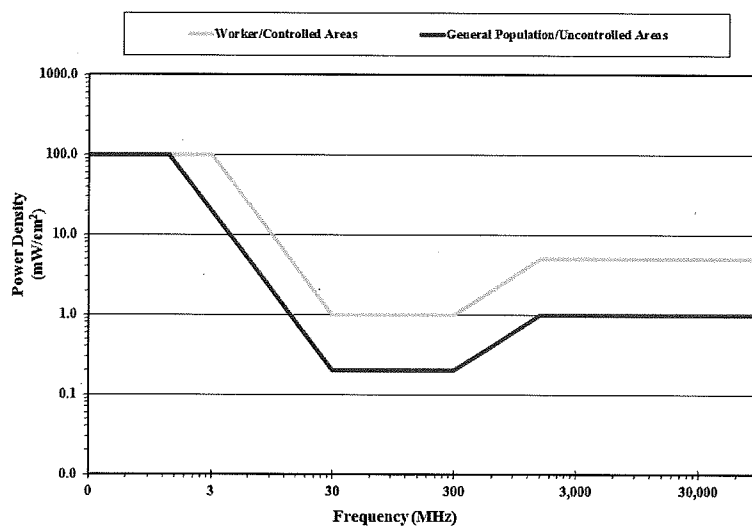


Figure 1: FCC Limits for Maximum Permissible Exposure (MPE)

THEORETICAL RF FIELD CALCULATIONS - GROUND LEVELS

METHODOLOGY

These calculations are based on what are called "worst-case" estimates. That is, the estimates assume 100% use of all transmitters simultaneously. Additionally, the calculations make the assumption that the surrounding area is a flat plane. The resultant values are thus conservative in that they over predict actual resultant power densities. The calculations are based on the following information for VERIZON WIRELESS:

1. Effective Radiated Power (ERP): See Table 2 inventory.
2. Antenna height (centerline, above ground level (AGL) See Table 2 inventory.
3. Antenna vertical radiation patterns; the source of the negative gain (G) values. "Omni directional" antennas are designed to focus the RF signal, resulting in "patterns" of signal loss and gain. These patterns (see **APPENDIX A**) display the loss of signal strength relative to the direction of propagation due to elevation angle changes.

Note: G is a unitless factor usually expressed in decibels (dB); where $G = 10^{(dB/10)}$.

For example: for an antenna *gain* of 3 dB, the net factor (G) = $10^{(3/10)} = 2$.

For an antenna *loss* of -3 dB, the net factor (G) = $10^{(-3/10)} = 0.5$.

To determine the magnitude of the RF field, the power density (S) from an isotropic RF source is calculated, making use of the power density formula as outlined in FCC's OET Bulletin 65, Edition 97-01: ^{vi}

$$S = \frac{P \cdot G}{4 \cdot \pi \cdot R^2}$$

Where:

P → Power to antenna (watts)

G → Gain of antenna

R → Distance (range) from antenna source to point of intersection with the ground (feet)

$R^2 = (\text{Height})^2 + (\text{Horizontal distance})^2$

Since: $P \cdot G = \text{EIRP}$ (Effective Isotropic Radiated Power) for broadcast antennas, the equation can be presented in the following form:

$$S = \frac{\text{EIRP}}{4 \cdot \pi \cdot R^2}$$

In the situation of off-axis power density calculations, apply the negative elevation gain (G^E) value from the vertical radiation patterns with the following formula:

$$S = \frac{\text{EIRP} \cdot G^E}{4 \cdot \pi \cdot R^2}$$

Ground reflections may add in-phase with the direct wave, and essentially double the electric field intensity. Because power density is proportional to the *square* of the electric field, the power density may quadruple, that is, increase by a factor of four (4). Since ERP is routinely used, it is necessary to convert ERP into EIRP; this is readily done by multiplying the ERP by the factor of 1.64, which is the gain of a half-wave dipole relative to an isotropic radiator. Therefore, downrange power density estimates can be calculated by using the formula:

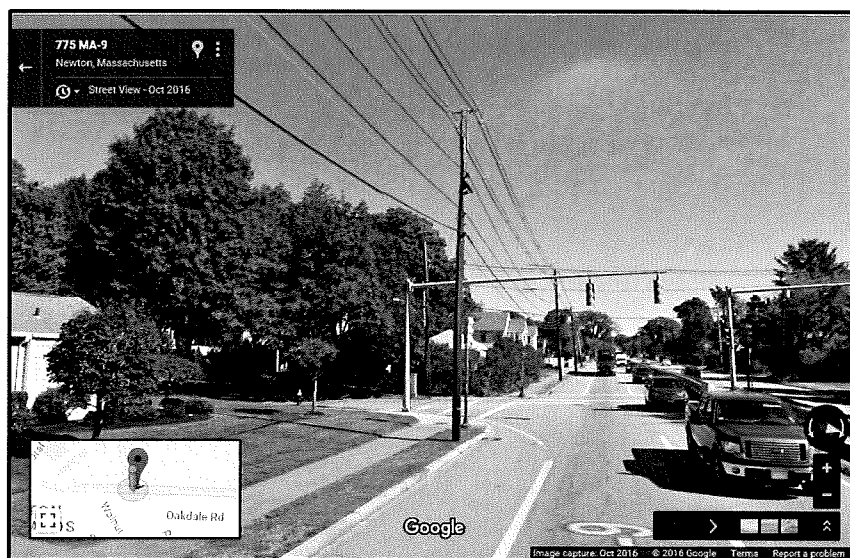
$$S = \frac{4 \cdot (\text{ERP} \cdot 1.64) \cdot G^E}{4 \cdot \pi \cdot R^2} = \frac{\text{ERP} \cdot 1.64 \cdot G^E}{\pi \cdot R^2} = \frac{0.522 \cdot \text{ERP} \cdot G^E}{R^2}$$

To calculate the % MPE, use the formula:

$$\% \text{ MPE} = \frac{S}{\text{MPE}} \cdot 100$$

ANTENNA INSTALLATION LOCATION

The proposed utility pole which would host a Verizon Wireless SC antenna is shown below in Figure 2. The latitude and longitude are listed in Table 2.



**Figure 2: Utility Pole (center) near Boylston Street, Newton, MA
Which Would Host A Verizon Wireless SC Antenna**

The results of the percent Maximum Permissible Exposure (%MPE) calculations for the summation of the proposed Verizon Wireless contributions are depicted in Figure 3 as plotted against linear distance from the base of the utility pole. The values have been calculated for a height of six feet above ground level in accordance with regulatory rationale. In addition to the six-foot height, and depicted on the graph for reference only, values have been plotted for a height of 16 feet above ground level for comparison with a typical two-story structure. A logarithmic scale was used to plot the calculated theoretical %MPE values in order to compare with the MPE of 100%, which is so much larger that it would be off the page in a linear plot. The curves in the figure resemble a straight-line on the log-linear plots at distances beyond about one thousand feet. Within that distance, the curves are variable due to the application of the vertical radiation patterns.

OBSERVATIONS IN CONSIDERATION WITH FCC RULES §1.1307(B) & §1.1310

Is it physically possible to stand next to or touch any omni-directional antenna? No, access to the utility pole is restricted, and the utility companies will adhere to RF safety guidelines regarding potential access to the proposed PWS antennas mounted on the pole.

ANTENNA INVENTORY

| <p align="center">Table 2: Proposed Verizon Wireless Antenna Inventory Utility Pole near Boylston Street, Newton, MA</p> <p align="center">Parameters: 715 watts ERP* of AWS @ 2150 MHz 542 watts ERP* of PCS @ 1965 MHz</p> | | | |
|--|---------------------------------------|-----------------------------|---------------|
| Site Name | Latitude Longitude | Antenna Centerline (AGL) | Antenna Model |
| Newton MA SC23 | 42° 19' 09.62" N -71° 12' 07.85" W | 27'1" | NH360QM-DG |
| Information relevant to the antenna proposed by Verizon Wireless Appendix A. | | | |
| <p>Table Notes:</p> <p>AWS: Advanced Wireless Services</p> <p>PCS: Personal Communication Services</p> <p>* ERP = Power out per channel (CH) X # channels per remote radio head (RRH) X #RRHs X gain the antenna provides within that frequency band.</p> | | | |

The results of the RF field calculations for the summation of the proposed Verizon Wireless AWS and PCS technologies are depicted in Figure 3.

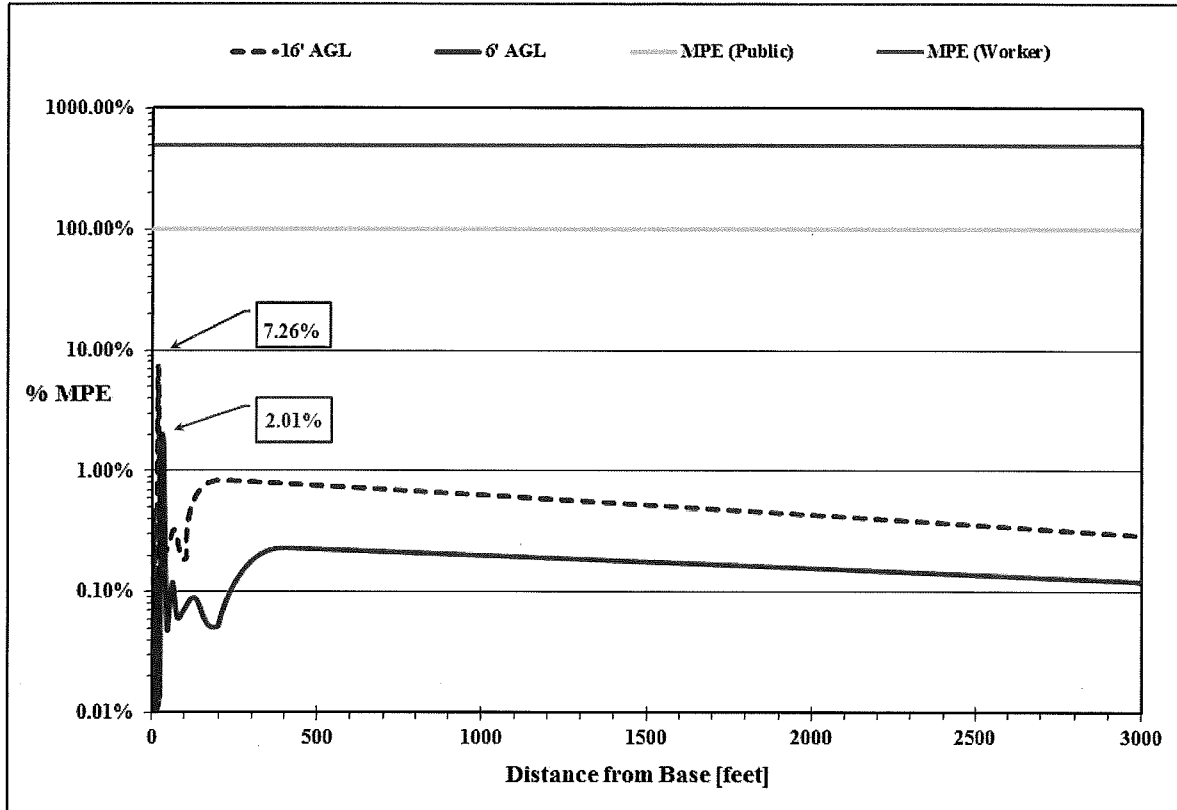


Figure 3: Theoretical RF field calculations for the summation of the proposed Verizon Wireless Small Cell Antenna Site "Newton MA SC23"; Near Boylston Street, Newton, MA

CONCLUSION

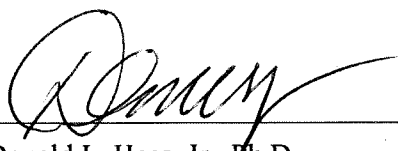
Theoretical RF field calculations data indicate the summation of the proposed Verizon Wireless RF contributions would be well within the established RF exposure guidelines at the proposed site; see Figure 3. These results indicate there could be many more similar installations at this location, and still be within Federal and State guidelines for RF exposure. This report provides written proof that the proposed facility would comply with the FCC RF exposure guidelines, including residential areas and in the surrounding neighborhoods.

The number and duration of calls passing through PWS facilities cannot be accurately predicted. Thus, in order to estimate the highest RF fields possible from operation of these installations, the maximal amount of usage was considered. Even in this so-called "worst-case", the resultant increase in RF field levels are far below established levels considered safe.

Based on the theoretical RF fields I have calculated, it is my expert opinion that this facility would comply with all regulatory guidelines for RF exposure to members of the public. The antenna installations proposed by Verizon Wireless would not produce significant changes to the ambient RF environment.

Feel free to contact me if you have any questions.

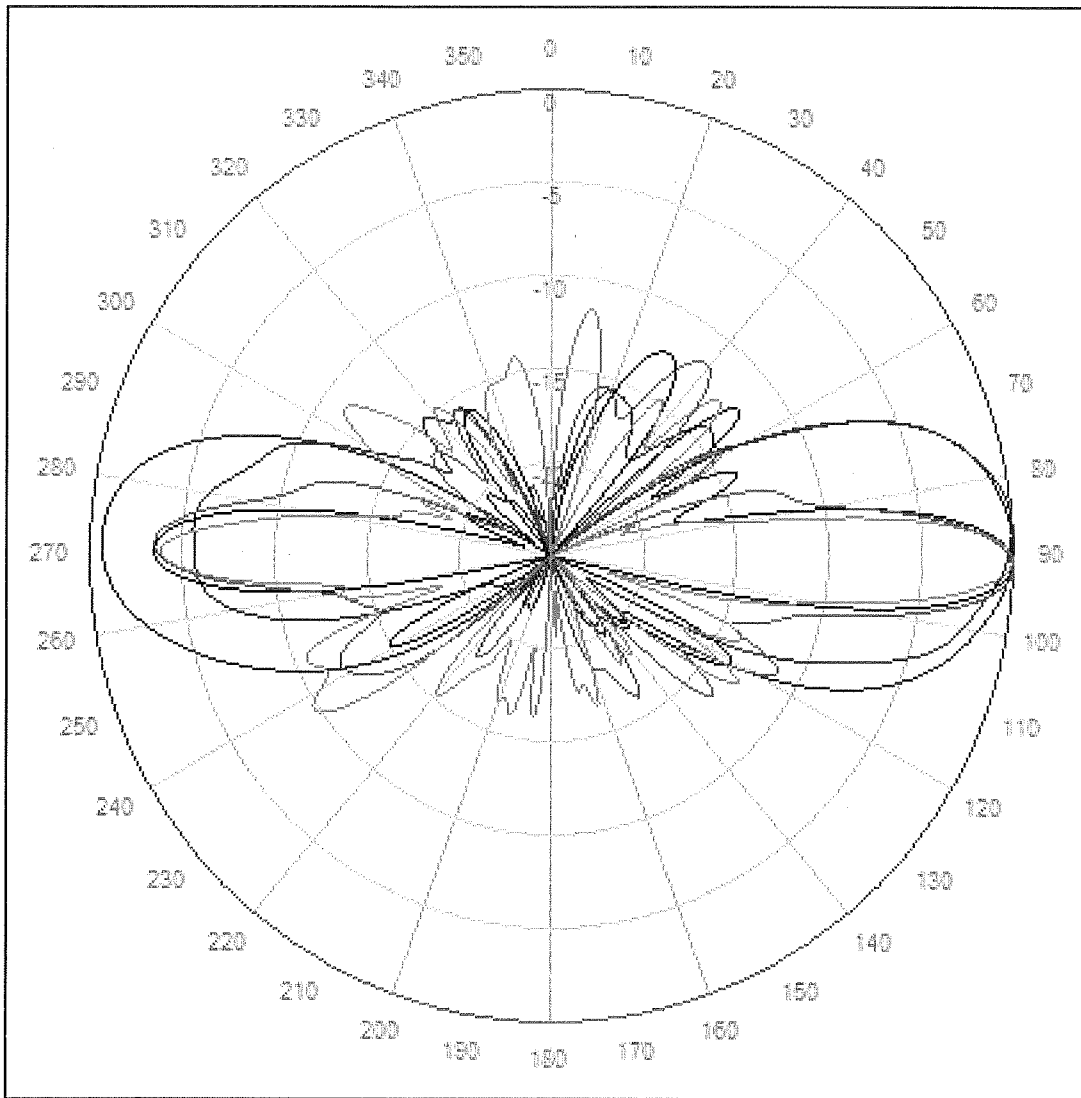
Sincerely,



Donald L. Haes, Jr., Ph.D
Certified Health Physicist

Note: The analyses, conclusions and professional opinions are based upon the precise parameters and conditions of these particular sites; **Utility pole near Boylston Street, Newton, MA.** Utilization of these analyses, conclusions and professional opinions for any personal wireless services installation, existing or proposed, other than the aforementioned has not been sanctioned by the author, and therefore should not be accepted as evidence of regulatory compliance.

APPENDIX A



**Composite Vertical Radiation Patterns for Proposed Small Cell Omni Antenna
For Specific Verizon Wireless Proposed AWS and PCS Frequencies**

DONALD L. HAES, JR., PH.D., CHP*Radiation Safety Specialist*

MA Radiation Control Program Health Physics Services Provider Registration #65-0017
PO Box 198, Hampstead, NH 03841 603-303-9959 Email: donald_haes_chp@comcast.net

STATEMENT OF CERTIFICATION

1. I certify to the best of my knowledge and belief, the statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are personal, unbiased professional analyses, opinions and conclusions.
3. I have no present or prospective interest in the property that is the subject of this report and I have no personal interest or bias with respect to the parties involved.
4. My compensation is not contingent upon the reporting of a predetermined energy level or direction in energy level that favors the cause of the client, the amount of energy level estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
5. This assignment was not based on a requested minimum environmental energy level or specific power density.
6. My compensation is not contingent on an action or event resulting from the analyses, opinions, or conclusions in, or the use of, this report.
7. The consultant has accepted this assessment assignment having the knowledge and experience necessary to complete the assignment competently.
8. My analyses, opinions, and conclusions were developed and this report has been prepared, in conformity with the *American Board of Health Physics* (ABHP) statements of standards of professional responsibility for Certified Health Physicists.

Date: December 20, 2016



Donald L. Haes, Jr., Ph.D
Certified Health Physicist

ENDNOTES

- i. Federal Register, Federal Communications Commission Rules; *Radiofrequency radiation; environmental effects evaluation guidelines* Volume 1, No. 153, 41006-41199, August 7, 1996. (47 CFR Part 1; Federal Communications Commission).
- ii. Telecommunications Act of 1996, 47 USC; Second Session of the 104th Congress of the United States of America, January 3, 1996.
- iii. 105 CMR 122.000: Massachusetts Department of Public Health, *Non-Ionizing Radiation Limits for: The General Public from Non-Occupational Exposure to Electromagnetic Fields, Employees from Occupational Exposure to Electromagnetic Fields, and Exposure from Microwave Ovens*.
- iv. ANSI/IEEE C95.1-1999: American National Standard, *Safety levels with respect to human exposure to radio frequency electromagnetic fields, from 3 KHz to 300 GHz (Updated in 2010)*.
- v. National Council on Radiation Protection and Measurements (NCRP); *Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields*, NCRP Report 86, 1986.
- vi. OET Bulletin 65: Federal Communications Commission Office of Engineering and Technology, *Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields*; Edition 97-01, August 1999.

TAB B

PETITION FOR GRANT OF LOCATION
UNDER MGL c. 166, §§ 22 and 25A

To the City Council
Of Newton, Massachusetts

Cellco Partnership d/b/a Verizon Wireless requests permission to locate on an existing utility pole a small cell wireless antenna, including the necessary sustaining and protecting fixtures, along and across the following public way:

Commonwealth Avenue, one pole, number Eversource #102/200.

Location approximately as shown on plans attached.

Wherefore, Cellco Partnership d/b/a Verizon Wireless prays that after due notice and hearing, because the pole in question is previously approved and already existing – as provided by law – it be granted a location for and permission to erect and maintain an antenna, radio unit, meter, AC/DC converter, 60A disc., RGS conduit, ground rod, power and fiber together with such sustaining and protecting fixtures as it may find necessary, said equipment to be installed substantially in accordance with the plans filed herewith, plan name:

Newton MA SC27, dated November 29, 2016.

February 6, 2017

Cellco Partnership d/b/a Verizon Wireless

By: 

Elizabeth F. Mason, Agent for Cellco
Partnership d/b/a Verizon Wireless, duly
authorized

ORDER FOR GRANT OF LOCATION
UNDER MGL c. 166, §§ 22 and 25A

In the City of Newton, Massachusetts
Notice having been given and public hearing held, as provided by law

IT IS HEREBY ORDERED:

that Cellco Partnership d/b/a Verizon Wireless be and it is hereby granted a location for and permission to install on an existing pole and maintain pole and wires to be placed thereon, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Company dated the 6th day of February, 2017.

All construction under this order shall be in accordance with the following conditions:

Plan name: **Newton MA SC27, dated November 29, 2016**, filed with this order.

There may be attached to said pole antenna, radio unit, meter, AC/DC converter, 60A disc., RGS conduit, ground rod, power and fiber and fixtures as needed in their business and all of said wires and cables.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Commonwealth Avenue, one pole, number Eversource #102/200.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Newton, Massachusetts held on the _____ day of _____, 2017.

City Clerk
Newton, Massachusetts

Received and entered in the records of location orders of the City of Newton at Book _____, Page _____.

Attest: _____
Newton City Clerk

TAB A

PETITION FOR GRANT OF LOCATION
UNDER MGL c. 166, §§ 22 and 25A

To the City Council
Of Newton, Massachusetts

Cellco Partnership d/b/a Verizon Wireless requests permission to locate on an existing utility pole a small cell wireless antenna, including the necessary sustaining and protecting fixtures, along and across the following public way:

Boylston Street, one pole, number Eversource #11.


Location approximately as shown on plans attached.

Wherefore, Cellco Partnership d/b/a Verizon Wireless prays that after due notice and hearing, because the pole in question is previously approved and already existing – as provided by law – it be granted a location for and permission to erect and maintain an antenna, radio unit, meter, AC/DC converter, 60A disc., RGS conduit, ground rod, power and fiber together with such sustaining and protecting fixtures as it may find necessary, said equipment to be installed substantially in accordance with the plans filed herewith, plan name:

Newton MA SC23, dated January 12, 2017.

February 6, 2017

Cellco Partnership d/b/a Verizon Wireless

By: 
Elizabeth F. Mason, Agent for Cellco
Partnership d/b/a Verizon Wireless, duly
authorized

ORDER FOR GRANT OF LOCATION
UNDER MGL c. 166, §§ 22 and 25A

In the City of Newton, Massachusetts
Notice having been given and public hearing held, as provided by law

IT IS HEREBY ORDERED:

that Cellco Partnership d/b/a Verizon Wireless be and it is hereby granted a location for and permission to install on an existing pole and maintain pole and wires to be placed thereon, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Company dated the 6th day of February, 2017.

All construction under this order shall be in accordance with the following conditions:

Plan name: **Newton MA SC23, dated January 12, 2017**, filed with this order.

There may be attached to said pole antenna, radio unit, meter, AC/DC converter, 60A disc., RGS conduit, ground rod, power and fiber and fixtures as needed in their business and all of said wires and cables.

The following are the public ways or part of ways along which the poles above referred to may be erected, and the number of poles which may be erected thereon under this order:

Boylston Street, one pole, number Eversource #11.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Newton, Massachusetts held on the _____ day of _____, 2017.

City Clerk
Newton, Massachusetts

Received and entered in the records of location orders of the City of Newton at Book _____, Page _____.

Attest: _____
Newton City Clerk

Eversource Energy and Verizon Telephone, among others, which allow for the installation of compact Small Cell canister antennas on existing utility poles throughout the Commonwealth.

There are three installations proposed by Verizon in this application: one each on existing utility poles in public rights of way on Boylston Street, Commonwealth Avenue and Albemarle Road:

- The Boylston Street installation will primarily consist of a 38.7" tall by 12" wide canister antenna that will be mounted on the side of the 33'9" utility pole at a centerline height of 27'9" above ground level ("AGL").
- The Commonwealth Avenue installation will primarily consist of a 24.2" tall by 15.1" wide canister antenna that will be mounted on the side of the 37'11" utility pole at a centerline height of 26'7" AGL.
- Like the Boylston Street installation, the Albemarle Road installation will primarily consist of a 38.7" tall by 12" wide canister antenna, but its antenna will be mounted on the top of the utility pole; without the proposed antenna, this pole is 29' 4" tall; with the antenna installed, it will be 33'5" tall.

All of the proposed antennas will resemble traditional electric transformers and be virtually indistinguishable from such transformers already located on utility poles throughout the area. Additional supporting equipment—remote radio heads, electrical junction boxes and meters, and fiberoptic and power connections—will be mounted to the exterior of the poles, resulting in self-contained antenna facilities without the need for further infrastructure. With respect to visual impacts, this equipment is substantially similar to the equipment of electric, telephone and cable utility providers.

Following installation, Verizon Wireless technicians will monitor and occasionally visit the pole sites for maintenance purposes. Except for standard electrical service, the installations will not impact utilities, schools, traffic or other municipal resources. A key component of this technology, from Verizon Wireless's perspective, is the ability to deploy this equipment quickly, without the arduous processes involved in typical WCF permitting.

MATERIALS ENCLOSED

We have enclosed a check payable to the City of Newton in the amount of \$180.00 to cover the \$35.00 "public utility petition" fee and the \$25.00 "recording order granting location of poles, piers, abutments or conduits, alterations or transfers thereof, and increase in the number of wires and cables or attachments under the provisions of G.L. c. 166, § 22" fee for each proposed installation.

In addition, we have enclosed the following materials for your review and consideration:

1. Petition for Grant of Location for each proposed installation;

2. Proposed Order for Grant of Location for each proposed installation;
3. 11"x17" plans detailing the specifics of each proposed installation;
4. Affidavit of Radio Frequency Engineer prepared by C Squared Systems, LLC for each proposed installation (the affidavit for the Albemarle Road installation to be provided under separate cover); and
5. Radio Frequency Emissions Report prepared by Certified Health Physicist Donald L. Haes, Jr., Ph.D., CHP for each proposed installation.

These are organized by proposed installation as follows: at **Tab A**, ten (10) copies of the materials for the Boylston Street site; at **Tab B**, ten (10) copies of the materials for the Commonwealth Avenue installation; and at **Tab C**, the materials for the Albemarle Road installation. We will provide copies of the pole attachment licenses issued to Verizon Wireless by Verizon New England and Eversource for the installations under separate cover.

CONCLUSION

These proposed Small Cell antennas are by far the least intrusive means available to address gaps in coverage in those areas of dense demand for Verizon Wireless's LTE voice and data services that exist in Newton. The equipment as proposed will provide enhanced service to areas of concentrated demand, while avoiding the aesthetic impacts of traditional wireless facilities.

Thank you for your timely attention to this matter. If you should have any questions regarding the enclosed application, please do not hesitate to contact me directly.

Sincerely,



Elizabeth F. Mason

- ec. C. Webberly, SCG (w/o enc.)
A. Whelan, SCG (w/o enc.)
S. Delsonno, SCG (w/o enc.)
T. Hildreth, MM (w/o enc.)

DONALD L. HAES, JR., PH.D., CHP*Radiation Safety Specialist*

MA Radiation Control Program Health Physics Services Provider Registration #65-0017

PO Box 198, Hampstead, NH 03841

603-303-9959

Email: donald_haes_chp@comcast.net

2017 FEB -8 PM 3:01

David A. Olson, CHPC
Newton, MA 02459

February 3, 2017

RE: Proposed installation of radio base station antenna and associated equipment for the Verizon Wireless Small Cell Personal Wireless Services facility to be located on a utility pole located near Albemarle Road, Newton, MA.

PURPOSE

I have reviewed the information pertinent to the Verizon Wireless proposed installation of a small cell (SC) personal wireless services (PWS) facility within Newton, MA. To determine regulatory compliance, theoretical calculations of maximal radio-frequency (RF) fields have been prepared. The physical conditions are that Verizon Wireless proposes to install a PWS omnidirectional canister type antenna on an existing utility pole near Albemarle Road, Newton, MA. The antenna arrangement will include a single canister antenna on an existing utility pole and remote radio heads (RRHs). The mounting centerline height of the antenna is proposed to be 31'10" above ground level (AGL). This report provides written proof that the proposed facility would comply with the FCC RF exposure guidelines, including residential areas and in the surrounding neighborhood.

This report considers the contributions of the Verizon Wireless PWS transmitters operating at their proposed capacity. The calculated values of RF fields are presented as a percent of current Maximum Permissible Exposures (%MPE) as adopted by the Federal Communications Commission (FCC),^{i,ii} and those established by the Massachusetts Department of Public Health (MDPH).ⁱⁱⁱ

SUMMARY

Theoretical RF field calculations data indicate the summation of the proposed Verizon Wireless RF contributions would be well within the established RF exposure guidelines at the proposed site; see Figure 3. These results indicate there could be many more similar installations at this location, and still be within Federal and State guidelines for RF exposure. This report provides written proof that the proposed facility would comply with the FCC RF exposure guidelines, including residential areas and in the surrounding neighborhoods.

Based on the theoretical RF fields I have calculated, it is my expert opinion that this facility would comply with all regulatory guidelines for RF exposure to members of the public. The antenna installations proposed by Verizon Wireless would not produce significant changes to the ambient RF environment.

EXPOSURE LIMITS AND GUIDELINES

The RF exposure guidelines adopted by the FCC are a combination of the standards published by the American National Standards Institute (ANSI) ^{iv} and the National Council on Radiation Protection and Measurement (NCRP). ^v Also applicable are those published by the MDPH. The RF exposure guidelines are divided into two categories: "Controlled/Occupational areas" (those areas restricted to access by RF workers only) and "Uncontrolled/Public Areas" (those areas unrestricted for public access). Listed in Table 1 below and shown in Figure 1 above are the applicable RF exposure guidelines for uncontrolled areas as they pertain to the operating frequency band of the PWS facility.

| Table 1: Maximum Permissible Exposure Values for Uncontrolled/Public Areas | |
|--|--|
| <u>Frequency Band:</u> 300 - 1500 MHz 1500 - 100,000 MHz | <u>Maximum Permissible Exposure:</u> $f / 1.5$ in $\mu\text{W}/\text{cm}^2$ $1000 \mu\text{W}/\text{cm}^2$ * |
| Note: $1 \mu\text{W} = 0.000001$ Watt | |
| * For equivalent plane-wave power density, where f is the frequency in MHz (10^6 Hz). | |

NOTE: FCC 5% Rule – At multiple transmitter sites, actions necessary to bring the area into compliance with the RF exposure guidelines are the shared responsibility of all licensees whose transmitters produce RF field levels in excess of 5% of the applicable FCC MPEs.

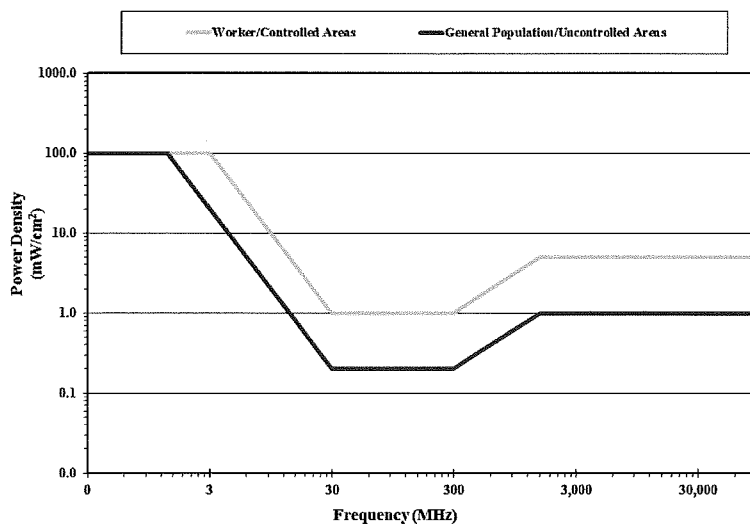


Figure 1: FCC Limits for Maximum Permissible Exposure (MPE)

THEORETICAL RF FIELD CALCULATIONS - GROUND LEVELS

METHODOLOGY

These calculations are based on what are called "worst-case" estimates. That is, the estimates assume 100% use of all transmitters simultaneously. Additionally, the calculations make the assumption that the surrounding area is a flat plane. The resultant values are thus conservative in that they over predict actual resultant power densities. The calculations are based on the following information for VERIZON WIRELESS:

1. Effective Radiated Power (ERP): See Table 2 inventory.
2. Antenna height (centerline, above ground level (AGL) See Table 2 inventory.
3. Antenna vertical radiation patterns; the source of the negative gain (G) values. "Omni directional" antennas are designed to focus the RF signal, resulting in "patterns" of signal loss and gain. These patterns (see **APPENDIX A**) display the loss of signal strength relative to the direction of propagation due to elevation angle changes.

Note: G is a unitless factor usually expressed in decibels (dB); where $G = 10^{(\text{dB}/10)}$.

For example: for an antenna *gain* of 3 dB, the net factor (G) = $10^{(3/10)} = 2$.

For an antenna *loss* of -3 dB, the net factor (G) = $10^{(-3/10)} = 0.5$.

To determine the magnitude of the RF field, the power density (S) from an isotropic RF source is calculated, making use of the power density formula as outlined in FCC's OET Bulletin 65, Edition 97-01: ^{vi}

$$S = \frac{P \cdot G}{4 \cdot \pi \cdot R^2}$$

Where:

P → Power to antenna (watts)

G → Gain of antenna

R → Distance (range) from antenna source to point of intersection with the ground (feet)

$R^2 = (\text{Height})^2 + (\text{Horizontal distance})^2$

Since: $P \cdot G = \text{EIRP}$ (Effective Isotropic Radiated Power) for broadcast antennas, the equation can be presented in the following form:

$$S = \frac{\text{EIRP}}{4 \cdot \pi \cdot R^2}$$

In the situation of off-axis power density calculations, apply the negative elevation gain (G^E) value from the vertical radiation patterns with the following formula:

$$S = \frac{\text{EIRP} \cdot G^E}{4 \cdot \pi \cdot R^2}$$

Ground reflections may add in-phase with the direct wave, and essentially double the electric field intensity. Because power density is proportional to the *square* of the electric field, the power density may quadruple, that is, increase by a factor of four (4). Since ERP is routinely used, it is necessary to convert ERP into EIRP; this is readily done by multiplying the ERP by the factor of 1.64, which is the gain of a half-wave dipole relative to an isotropic radiator. Therefore, downrange power density estimates can be calculated by using the formula:

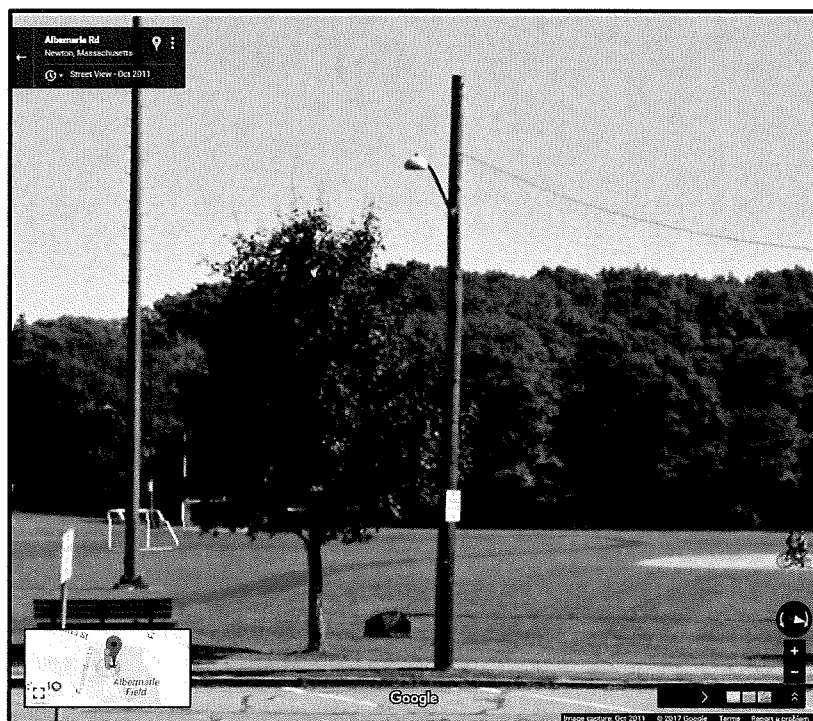
$$S = \frac{4 \cdot (\text{ERP} \cdot 1.64) \cdot G^E}{4 \cdot \pi \cdot R^2} = \frac{\text{ERP} \cdot 1.64 \cdot G^E}{\pi \cdot R^2} = \frac{0.522 \cdot \text{ERP} \cdot G^E}{R^2}$$

To calculate the % MPE, use the formula:

$$\% \text{ MPE} = \frac{S}{\text{MPE}} \cdot 100$$

ANTENNA INSTALLATION LOCATION

The proposed utility pole which would host a Verizon Wireless SC antenna is shown below in Figure 2. The latitude and longitude are listed in Table 2.



**Figure 2: Utility Pole (center) near Albemarle Road, Newton, MA
Which Would Host A Verizon Wireless SC Antenna**

The results of the percent Maximum Permissible Exposure (%MPE) calculations for the summation of the proposed Verizon Wireless contributions are depicted in Figure 3 as plotted against linear distance from the base of the utility pole. The values have been calculated for a height of six feet above ground level in accordance with regulatory rationale. In addition to the six-foot height, and depicted on the graph for reference only, values have been plotted for a height of 16 feet above ground level for comparison with a typical two-story structure. A logarithmic scale was used to plot the calculated theoretical %MPE values in order to compare with the MPE of 100%, which is so much larger that it would be off the page in a linear plot. The curves in the figure resemble a straight-line on the log-linear plots at distances beyond about one thousand feet. Within that distance, the curves are variable due to the application of the vertical radiation patterns.

OBSERVATIONS IN CONSIDERATION WITH FCC RULES §1.1307(B) & §1.1310

Is it physically possible to stand next to or touch any omni-directional antenna? **NO**, access to the utility pole is restricted, and the utility companies will adhere to RF safety guidelines regarding potential access to the proposed PWS antennas mounted on the pole.

ANTENNA INVENTORY

| Table 2: Proposed Verizon Wireless Antenna Inventory Utility Pole near Albemarle Road, Newton, MA | | | |
|---|--|-----------------------------|---------------|
| Parameters: 715 watts ERP* of AWS @ 2150 MHz 542 watts ERP* of PCS @ 1965 MHz | | | |
| Site Name | Latitude Longitude | Antenna Centerline (AGL) | Antenna Model |
| Newton MA SC31 | 42° 21' 31.930" N -71° 13' 0.590" W | 31'10" | NH360QM-DG |
| Information relevant to the antenna proposed by Verizon Wireless Appendix A. | | | |
| Table Notes: AWS: Advanced Wireless Services PCS: Personal Communication Services * ERP = Power out per channel (CH) X # channels per remote radio head (RRH) X #RRHs X gain the antenna provides within that frequency band. | | | |

The results of the RF field calculations for the summation of the proposed Verizon Wireless AWS and PCS technologies are depicted in Figure 3.

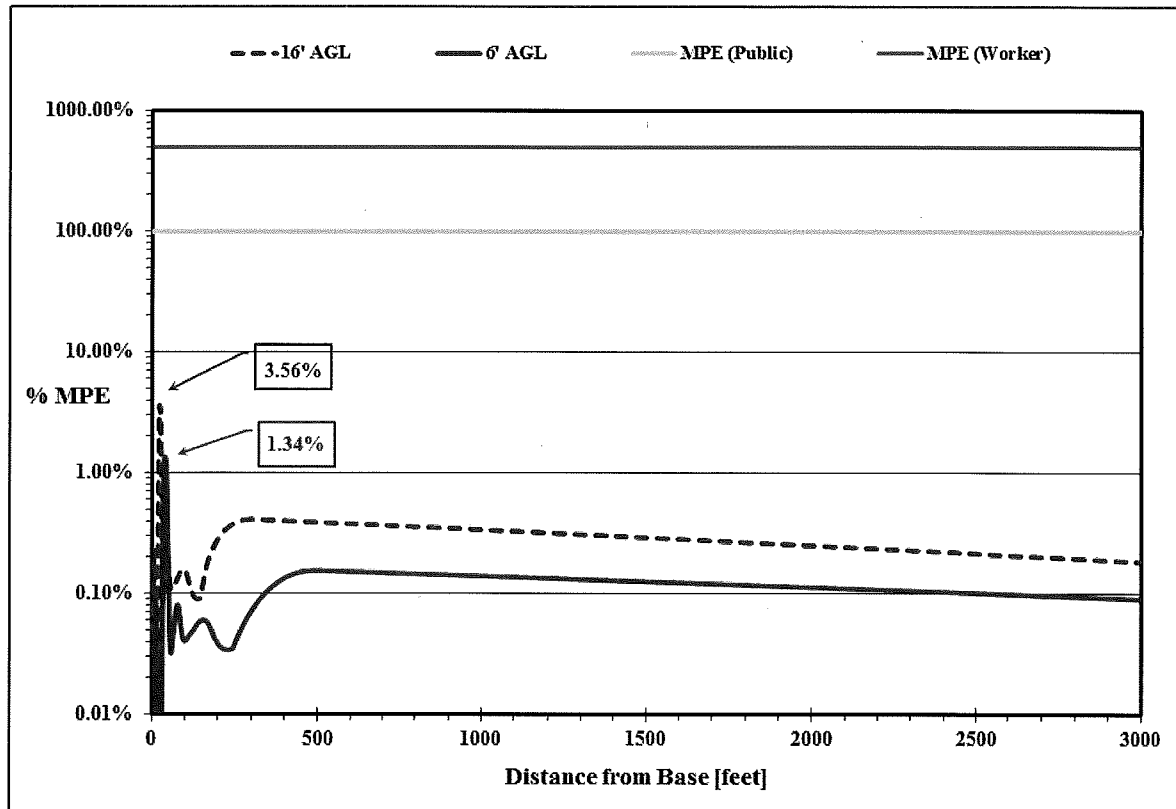


Figure 3: Theoretical RF field calculations for the summation of the proposed Verizon Wireless Small Cell Antenna Site "Newton MA SC31"; Near Albemarle Road, Newton, MA

CONCLUSION

Theoretical RF field calculations data indicate the summation of the proposed Verizon Wireless RF contributions would be well within the established RF exposure guidelines at the proposed site; see Figure 3. These results indicate there could be many more similar installations at this location, and still be within Federal and State guidelines for RF exposure. This report provides written proof that the proposed facility would comply with the FCC RF exposure guidelines, including residential areas and in the surrounding neighborhoods.

The number and duration of calls passing through PWS facilities cannot be accurately predicted. Thus, in order to estimate the highest RF fields possible from operation of these installations, the maximal amount of usage was considered. Even in this so-called "worst-case", the resultant increase in RF field levels are far below established levels considered safe.

Based on the theoretical RF fields I have calculated, it is my expert opinion that this facility would comply with all regulatory guidelines for RF exposure to members of the public. The antenna installations proposed by Verizon Wireless would not produce significant changes to the ambient RF environment.

Feel free to contact me if you have any questions.

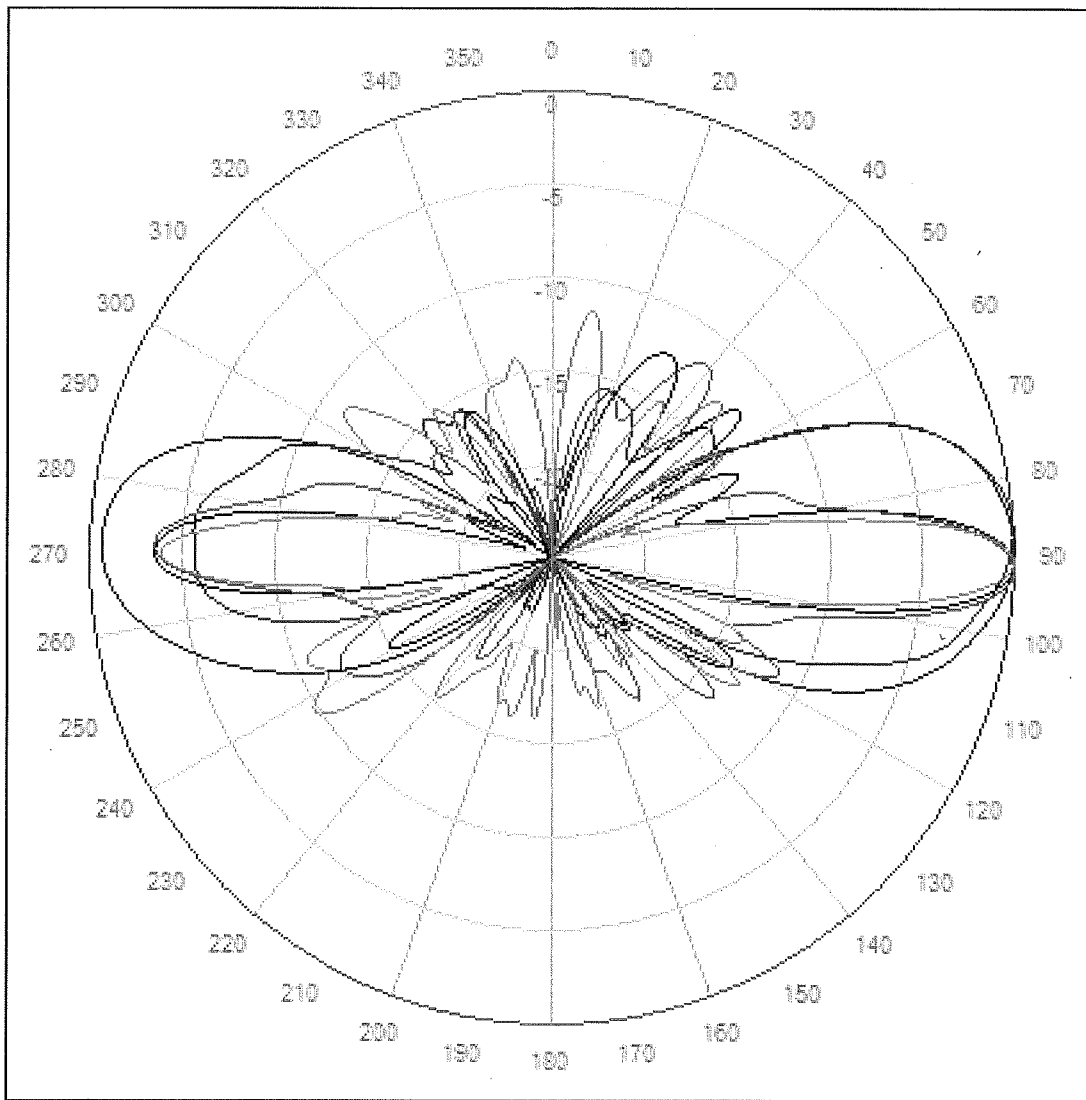
Sincerely,



Donald L. Haes, Jr., Ph.D
Certified Health Physicist

Note: The analyses, conclusions and professional opinions are based upon the precise parameters and conditions of these particular sites; **Utility pole near Albemarle Road, Newton, MA.** Utilization of these analyses, conclusions and professional opinions for any personal wireless services installation, existing or proposed, other than the aforementioned has not been sanctioned by the author, and therefore should not be accepted as evidence of regulatory compliance.

APPENDIX A



**Composite Vertical Radiation Patterns for Proposed Small Cell Omni Antenna
For Specific Verizon Wireless Proposed AWS and PCS Frequencies**

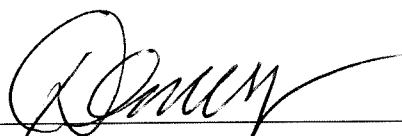
DONALD L. HAES, JR., PH.D., CHP*Radiation Safety Specialist*

MA Radiation Control Program Health Physics Services Provider Registration #65-0017
PO Box 198, Hampstead, NH 03841 603-303-9959 Email: donald_haes_chp@comcast.net

STATEMENT OF CERTIFICATION

1. I certify to the best of my knowledge and belief, the statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are personal, unbiased professional analyses, opinions and conclusions.
3. I have no present or prospective interest in the property that is the subject of this report and I have no personal interest or bias with respect to the parties involved.
4. My compensation is not contingent upon the reporting of a predetermined energy level or direction in energy level that favors the cause of the client, the amount of energy level estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
5. This assignment was not based on a requested minimum environmental energy level or specific power density.
6. My compensation is not contingent on an action or event resulting from the analyses, opinions, or conclusions in, or the use of, this report.
7. The consultant has accepted this assessment assignment having the knowledge and experience necessary to complete the assignment competently.
8. My analyses, opinions, and conclusions were developed and this report has been prepared, in conformity with the *American Board of Health Physics* (ABHP) statements of standards of professional responsibility for Certified Health Physicists.

Date: February 3, 2017



Donald L. Haes, Jr., Ph.D
Certified Health Physicist

ENDNOTES

- i. Federal Register, Federal Communications Commission Rules; *Radiofrequency radiation; environmental effects evaluation guidelines* Volume 1, No. 153, 41006-41199, August 7, 1996. (47 CFR Part 1; Federal Communications Commission).
- ii. Telecommunications Act of 1996, 47 USC; Second Session of the 104th Congress of the United States of America, January 3, 1996.
- iii. 105 CMR 122.000: Massachusetts Department of Public Health, *Non-Ionizing Radiation Limits for: The General Public from Non-Occupational Exposure to Electromagnetic Fields, Employees from Occupational Exposure to Electromagnetic Fields, and Exposure from Microwave Ovens*.
- iv. ANSI/IEEE C95.1-1999: American National Standard, *Safety levels with respect to human exposure to radio frequency electromagnetic fields, from 3 KHz to 300 GHz (Updated in 2010)*.
- v. National Council on Radiation Protection and Measurements (NCRP); *Biological Effects and Exposure Criteria for Radiofrequency Electromagnetic Fields*, NCRP Report 86, 1986.
- vi. OET Bulletin 65: Federal Communications Commission Office of Engineering and Technology, *Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields*; Edition 97-01, August 1999.



VERIZON WIRELESS
118 FLANDERS ROAD
WESTBOROUGH, MA 01581-3956

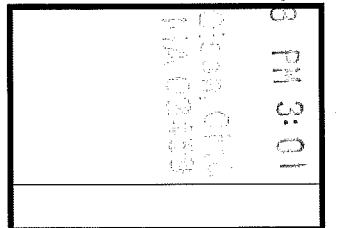
NEWTON_SC31_MA

LEASE EXHIBIT

| | |
|---|----------------------|
| | |
| | |
| | |
| | |
| | |
| A | 08/05/16 FOR COMMENT |



Dewberry Engineers Inc.
280 SUMMER STREET
10TH FLOOR
BOSTON, MA 02201
PHONE: 617.695.3400
FAX: 617.695.3310



| | |
|-------------------|----------|
| DRAWN BY: | SK |
| REVIEWED BY: | CDH |
| CHECKED BY: | OAS |
| PROJECT NUMBER: | 50002925 |
| JOB NUMBER: | 50083005 |
| EXISTING POLE ID: | |

#2X

COORDINATES:

N 42° 21' 31.93"
W 71° 13' 00.59"

NEAREST STREET:

ALBEMARLE ROAD
NEWTON, MA 02460

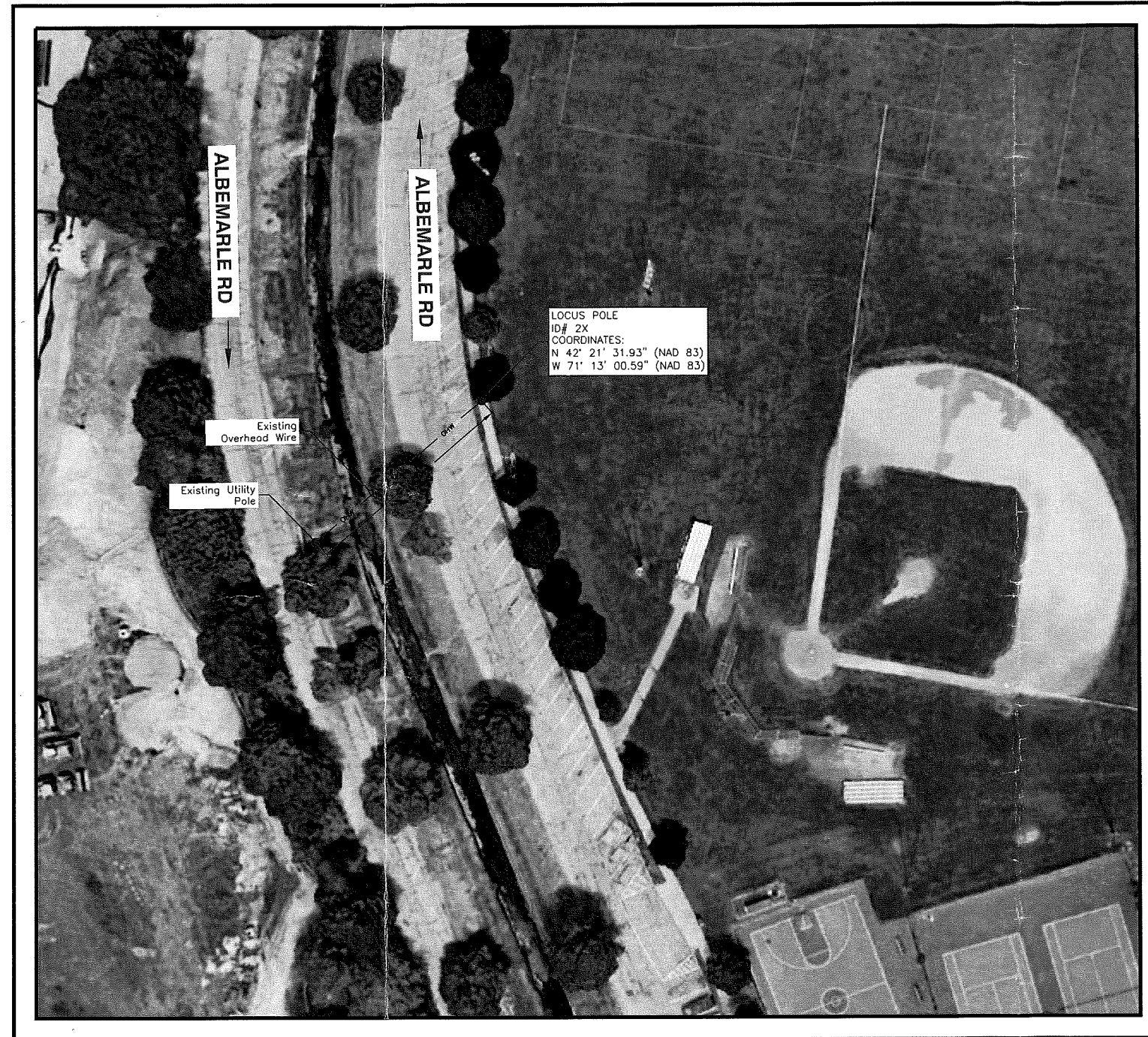
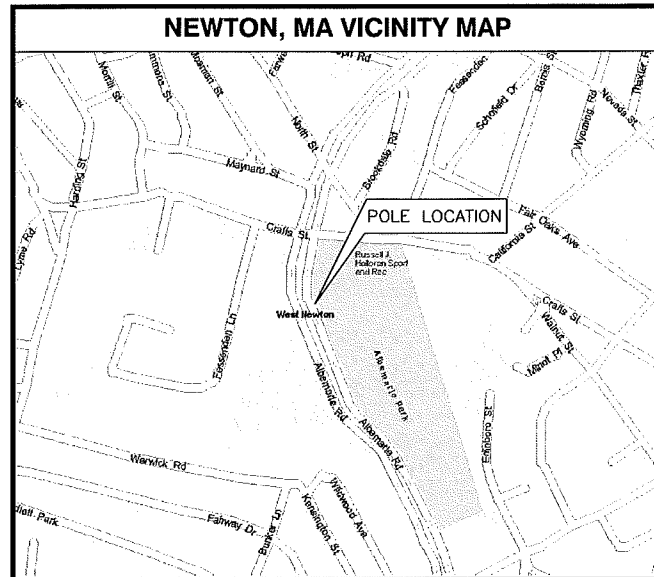
SHEET TITLE

VICINITY &
AERIAL MAP

SHEET NUMBER

LE-1

APPROXIMATE TRUE NORTH

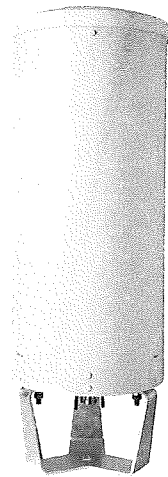


NOTES:

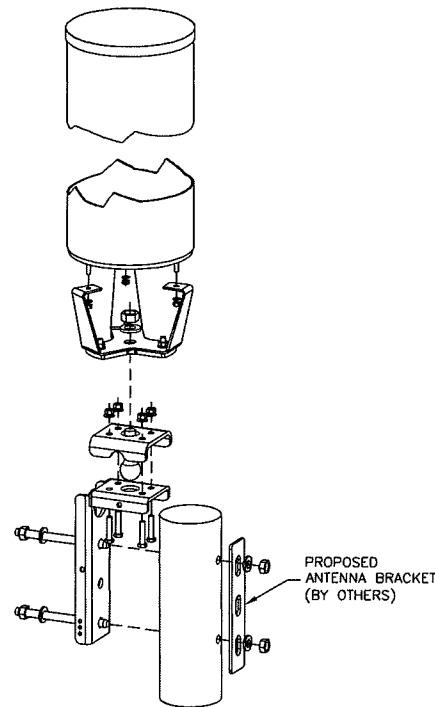
1. NORTH IS APPROXIMATE.
2. SOME EXISTING AND PROPOSED INFORMATION NOT SHOWN FOR CLARITY.
3. BEFORE ISSUANCE OF ATTACHMENT LICENSE, UTILITY POLE OWNER SHALL COMPLETE INDUSTRY-STANDARD STRUCTURAL ANALYSIS TO CONFIRM THAT POLE HAS STRUCTURAL CAPACITY TO SUPPORT THE ATTACHMENT PROPOSED, BASED ON STANDARDS SPECIFIED IN THE NATIONAL ELECTRICAL SAFETY CODE (NEC LATEST EDITION) AND NSI 05.1 SPECIFICATIONS AND DIMENSIONS FOR WOOD POLES (LATEST EDITION).
4. THIS DOCUMENT IS FOR LEASING PURPOSES ONLY.
5. POWER & FIBER TO BE COME FROM OVERHEAD WIRES. SERVICE SOURCES TO BE DETERMINED.
6. SITE PLAN & ELEVATIONS BASED ON SITE VISIT BY DEWBERRY ENGINEERS INC. ON 07/28/16.
7. UTILITY POLE NAD83 COORDINATES AND NAVD88 ELEVATIONS BASED ON FAA-2C SURVEY.
8. AERIAL & VICINITY MAPS BASED ON GOOGLE EARTH OBTAINED ON 08/03/16.

AERIAL MAP
SCALE: N.T.S.

1



ANTENNA OVERVIEW

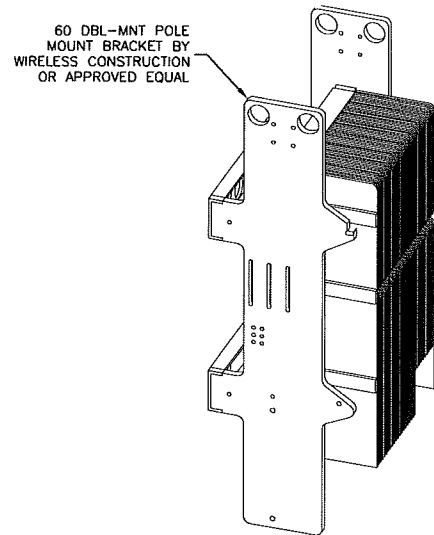


ANTENNA MOUNTING

| ANTENNA SPECIFICATIONS | MOUNT SPECIFICATIONS |
|-----------------------------|-----------------------------------|
| MODEL: NH360QM-DG-2 XR | MODEL: WCI/CHAPPELL ANTENNA MOUNT |
| DIMENSIONS: 12.0"φ x 38.7"H | WEIGHT: 15.4 LBS. |
| WEIGHT: 33.7 LBS. | |

ANTENNA & MOUNTING BRACKET DETAIL
SCALE: N.T.S.

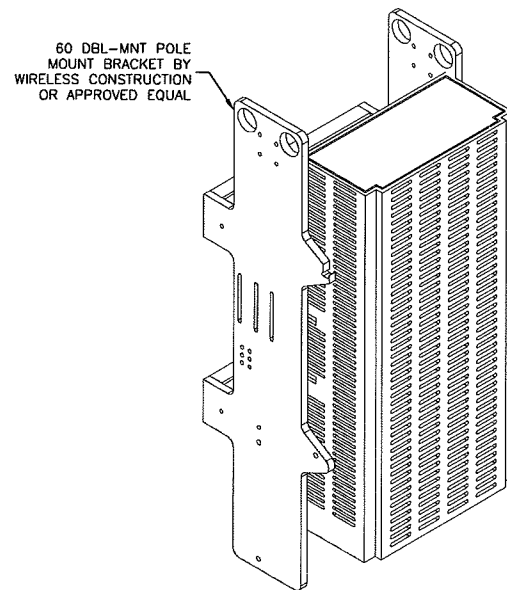
1



| RRH SPECIFICATIONS |
|---------------------------------|
| MODEL: PCS-RRH |
| DIMENSIONS: 22"H x 12"W x 9.5"D |
| WEIGHT: 57 LBS. (W/O BRACKET) |

RRH DETAIL (PCS)
SCALE: N.T.S.

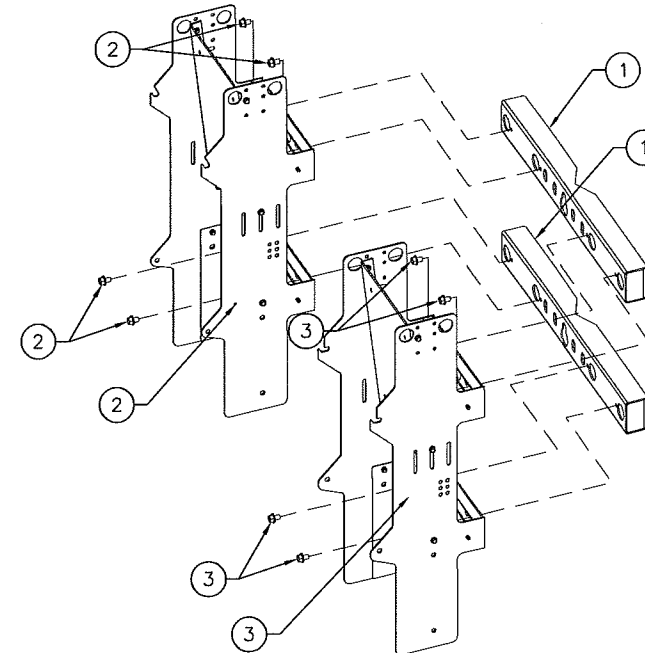
2



| RRH SPECIFICATIONS |
|-----------------------------------|
| MODEL: AWS RRH |
| DIMENSIONS: 25.8"H x 12"W x 7.6"D |
| WEIGHT: 67 LBS. |

RRH DETAIL (AWS)
SCALE: N.T.S.

3



| WIRELESS CONSTRUCTION, INC. POLE/WALL MOUNT FOR DUAL RADIO BRACKET | | |
|--|-----------------------------------|------|
| ITEM | DESCRIPTION | QTY. |
| 1 | DOUBLE MOUNT | 2 |
| 2 | PCS RRH RACK W/ SUPPLIED HARDWARE | 1 |
| 3 | AWS RRH RACK W/ SUPPLIED HARDWARE | 1 |

| RRH BRACKET SPECIFICATIONS |
|------------------------------|
| DIMENSIONS: 27"H x 3"W x 2"D |
| WEIGHT: 19 LBS. |

RRH MOUNTING BRACKET
SCALE: N.T.S.

4



VERIZON WIRELESS
118 FLANDERS ROAD
WESTBOROUGH, MA 01581-3956

NEWTON_SC31_MA

LEASE EXHIBIT

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|---|----------------------|
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| | |
| A | 08/05/16 FOR COMMENT |



Dewberry Engineers Inc.
280 SUMMER STREET
10TH FLOOR
BOSTON, MA 02210
PHONE: 617.695.3400
FAX: 617.695.3310

DRAWN BY: SK

REVIEWED BY: CDH

CHECKED BY: OAS

PROJECT NUMBER: 50002925

JOB NUMBER: 50083005

EXISTING POLE ID:

#2X

COORDINATES:

N 42° 21' 31.93"
W 71° 13' 00.59"

NEAREST STREET:

ALBEMARLE ROAD
NEWTON, MA 02460

SHEET TITLE

EQUIPMENT DETAILS

SHEET NUMBER

LE-3



VERIZON WIRELESS
118 FLANDERS ROAD
WESTBOROUGH, MA 01581-3956

NEWTON_SC31_MA

LEASE EXHIBIT

| | | |
|---|----------|-------------|
| | | |
| | | |
| | | |
| | | |
| A | 08/05/16 | FOR COMMENT |



Dewberry Engineers Inc.
280 SUMMER STREET
10TH FLOOR
BOSTON, MA 02210
PHONE: 617.695.3400
FAX: 617.695.3310

| | |
|-------------------|----------|
| DRAWN BY: | SK |
| REVIEWED BY: | CDH |
| CHECKED BY: | OAS |
| PROJECT NUMBER: | 50002925 |
| JOB NUMBER: | 50083005 |
| EXISTING POLE ID: | |

#2X

COORDINATES:

N 42° 21' 31.93"
W 71° 13' 00.59"

NEAREST STREET:

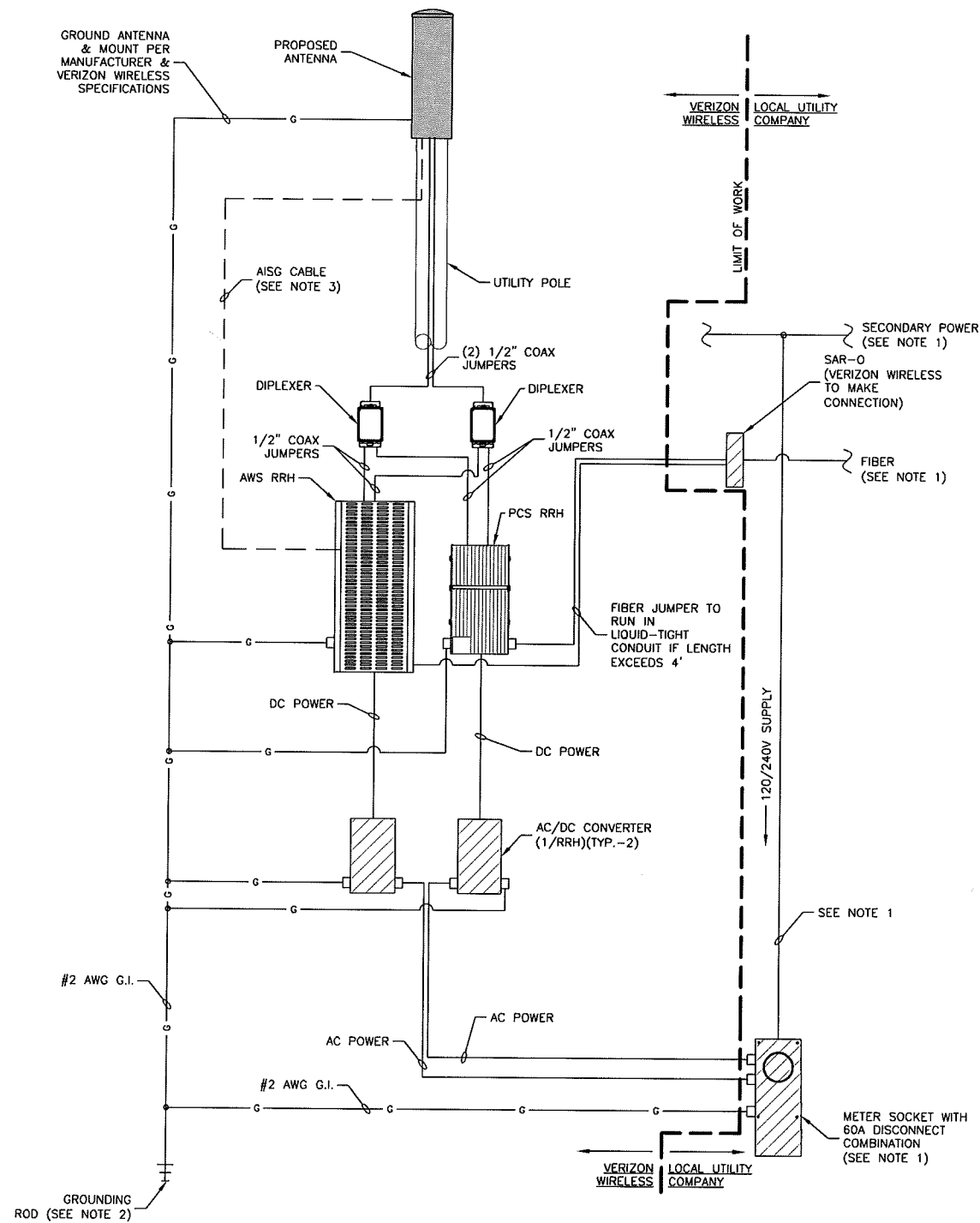
ALBEMARLE ROAD
NEWTON, MA 02460

SHEET TITLE

WIRING DIAGRAM &
DETAILS

SHEET NUMBER

LE-4



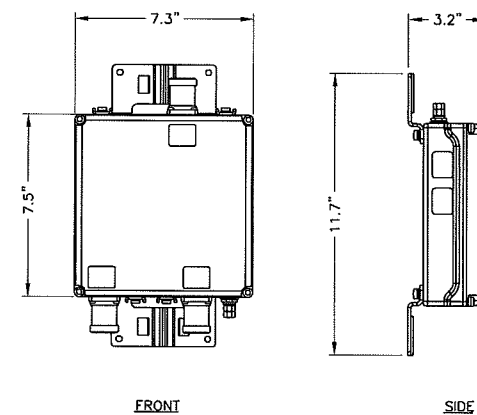
NOTES:

1. FINAL ELECTRICAL AND FIBER SOURCE PENDING FINAL DESIGN & UTILITY APPROVAL.
2. VERIZON WIRELESS TO FIELD TEST AND TIE INTO EXISTING GROUNDING SYSTEM. IF GROUNDING SYSTEM DOES NOT MEET VERIZON WIRELESS STANDARDS OR IS NOT FOUND, VERIZON WIRELESS TO NOTIFY POLE OWNER & INSTALL GROUNDING SYSTEM PER UTILITY PROVIDER & VERIZON WIRELESS REQUIREMENTS AND SPECIFICATIONS.
3. VERIFY FINAL ANTENNA DESIGN WITH RF ENGINEER.

WIRING DIAGRAM

SCALE: N.T.S.

1



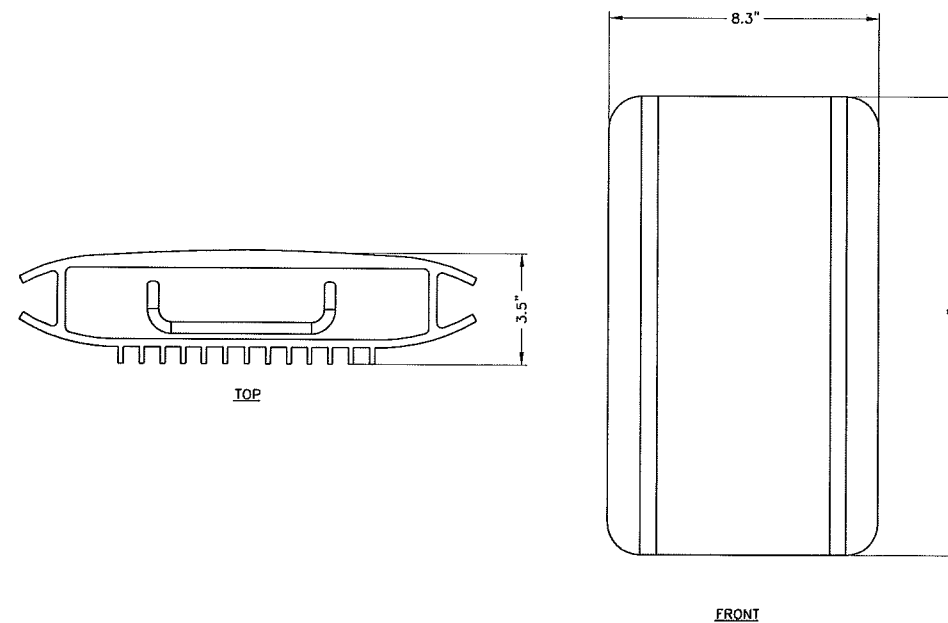
DIPLEXER SPECIFICATION

DIMENSIONS: 7.6"H x 7.3"W x 3.2"D
WEIGHT: 6.6 LBS.

DIPLEXER DETAIL

SCALE: N.T.S.

2



AC/DC CONVERTER SPECIFICATION

DIMENSIONS: 14.1"H x 8.3"W x 3.5"D
WEIGHT: 14.1 LBS.

AC/DC CONVERTER DETAIL

SCALE: N.T.S.

3



VERIZON WIRELESS
118 FLANDERS ROAD
WESTBOROUGH, MA 01581-3956

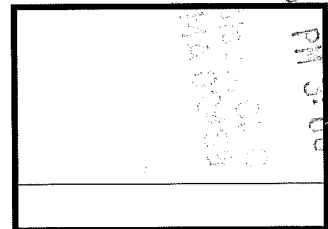
NEWTON SC27 MA

PERMIT DRAWINGS

| | | |
|---|----------|---------------|
| 1 | 11/29/16 | FOR SUBMITTAL |
| 0 | 04/12/16 | FOR SUBMITTAL |



Dewberry Engineers Inc.
280 SUMMER STREET
10TH FLOOR
BOSTON, MA 02210
PHONE: 617.695.3400
FAX: 617.695.3310



DRAWN BY: JG

REVIEWED BY: KB

CHECKED BY: BBR

PROJECT NUMBER: 50002925

JOB NUMBER: 50077210

EXISTING POLE ID:

#102/200

COORDINATES:

N 42° 20' 12.73"
W 71° 13' 25.84"

NEAREST ADDRESS:

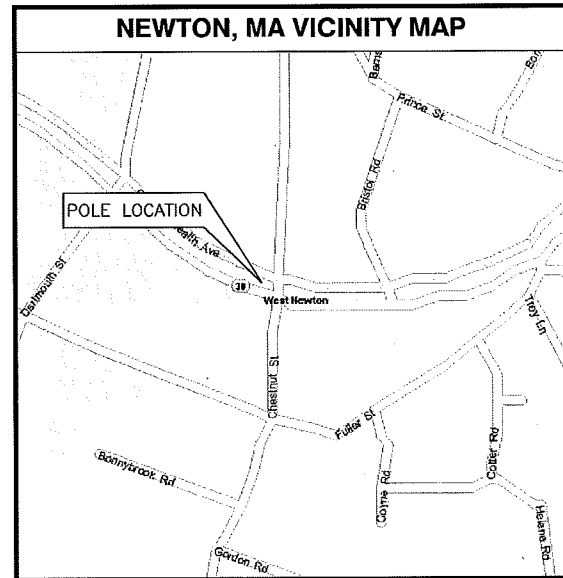
1400 COMMONWEALTH AVE
NEWTON, MA 02465-2830

SHEET TITLE

VICINITY &
AERIAL MAP

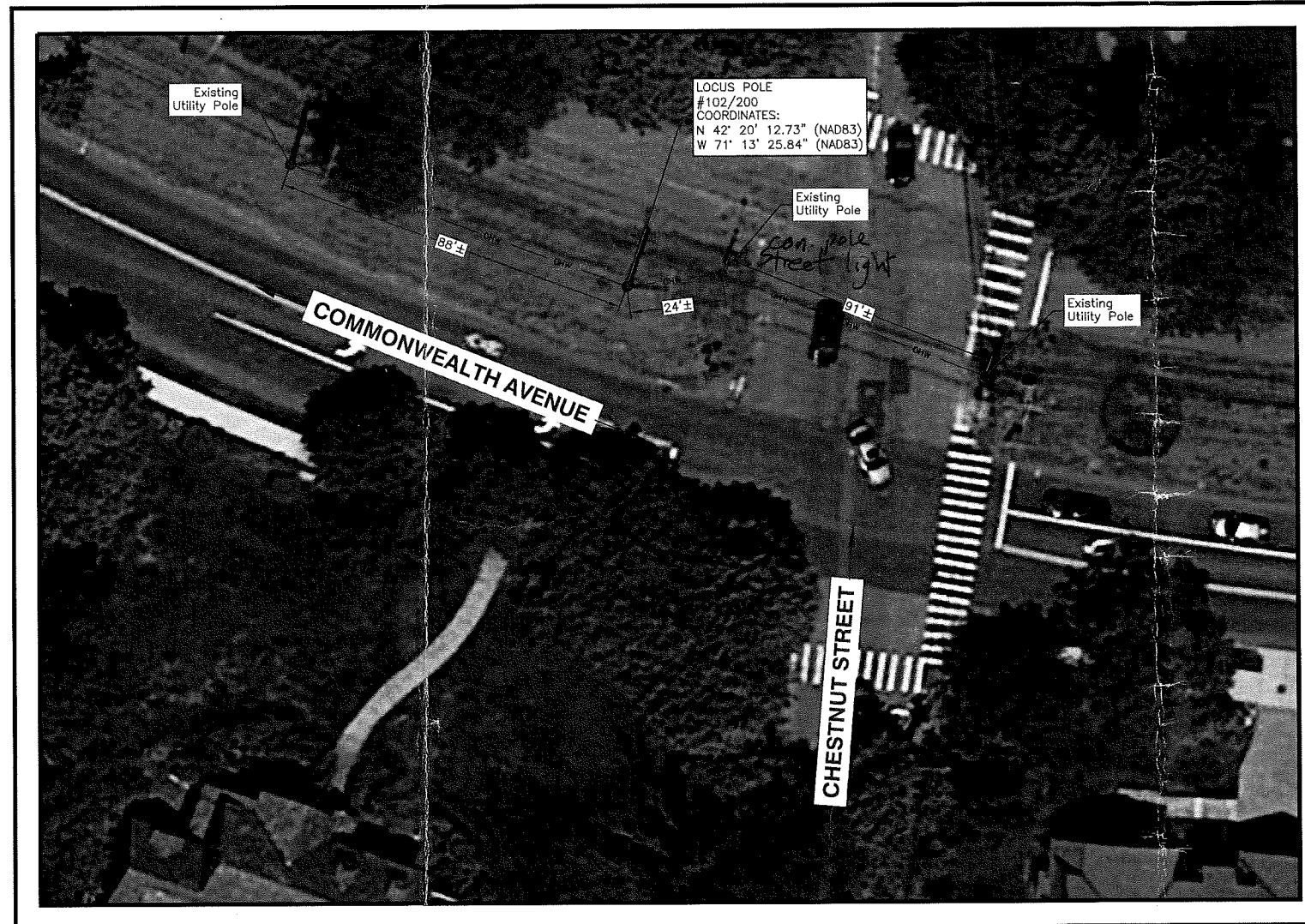
SHEET NUMBER

C-1



APPROXIMATE TRUE NORTH

APPROXIMATE TRUE NORTH



AERIAL MAP
SCALE: N.T.S.

1

GENERAL NOTES:

CODE SPECIFICATIONS:

- ALL GENERAL WORK TO BE DONE IN ACCORDANCE WITH THE MASSACHUSETTS STATE BUILDING CODE, 8TH EDITION (780 CMR).
- ALL ELECTRICAL WORK TO BE DONE IN ACCORDANCE WITH THE LOCAL UTILITY COMPANY SPECIFICATIONS AND CONSTRUCTION REQUIREMENTS FOR DISTRIBUTED ANTENNA SYSTEMS (DAS) IN COMMUNICATION SPACE TITLED DESIGN & APPLICATION STANDARD BY EVERSOURCE DATED 04/16/15.

GROUNDING & ANTENNA INSTALLATION NOTES:

- GROUNDING SHALL COMPLY WITH THE LOCAL UTILITY COMPANY CODES & REQUIREMENTS & NEC ART. 250.
- ALL GROUND CONNECTIONS TO BE BURNDY HYGROUND COMPRESSION TYPE CONNECTORS OR CADWELD EXOTHERMIC WELD DO NOT ALLOW BARE COPPER WIRE TO BE IN CONTACT WITH GALVANIZED STEEL.
- ROUTE GROUNDING CONNECTORS ALONG THE SHORTEST AND STRAIGHTEST PATH POSSIBLE, EXCEPT AS OTHERWISE INDICATED. GROUNDING LEADS SHOULD NOT BE BENT AT RIGHT ANGLE. ALWAYS MAKE 12" RADIUS BENDS. #6 WIRE CAN BE BENT AT 6" RADIUS WHEN NECESSARY.
- TEST COMPLETED GROUNDING SYSTEM AND RECORD RESISTANCE VALUES FOR PROJECT CLOSE-OUT DOCUMENTATION. GROUND RESISTANCE SHALL NOT EXCEED 5 OHMS.

SITE NOTES:

- NORTH IS APPROXIMATE.
- SOME EXISTING AND PROPOSED INFORMATION NOT SHOWN FOR CLARITY.
- THIS DOCUMENT IS FOR PERMIT PURPOSES ONLY.
- POWER AND TELCO SERVICES TO COME FROM EXISTING OVERHEAD UTILITY LINES. SERVICE SOURCE TO BE DETERMINED. SEE ONE LINE DIAGRAM FOR VERIZON WIRELESS & UTILITY COMPANY RESPONSIBILITIES.
- SITE PLAN & ELEVATIONS BASED ON SITE VISIT BY DEWBERRY ENGINEERS INC. ON 09/11/15.
- UTILITY POLE COORDINATES BASED ON FAA-2C SURVEY.
- AERIAL & VICINITY MAPS BASED ON GOOGLE EARTH OBTAINED ON 09/14/15.
- SITE ADDRESS HAS BEEN PROVIDED BY VERIZON WIRELESS AND DOES NOT REFLECT THE E911 ADDRESS FOR THIS UTILITY POLE.

STRUCTURAL NOTE:

- BEFORE ISSUANCE OF ATTACHMENT LICENSE, UTILITY POLE OWNER SHALL COMPLETE INDUSTRY-STANDARD STRUCTURAL ANALYSIS TO CONFIRM THAT POLE HAS STRUCTURAL CAPACITY TO SUPPORT THE ATTACHMENT PROPOSED, BASED ON STANDARDS SPECIFIED IN THE NATIONAL ELECTRICAL SAFETY CODE (NESC LATEST EDITION) AND ANSI O5.1 SPECIFICATIONS AND DIMENSIONS FOR WOOD POLES (LATEST EDITION).
- VERIZON WIRELESS TO CONFIRM ANTENNA AND EQUIPMENT ATTACHMENT METHOD WITH STRUCTURAL ANALYSIS AND UTILITY COMPANY PRIOR TO CONSTRUCTION.



VERIZON WIRELESS
118 FLANDERS ROAD
WESTBOROUGH, MA 01581-3956

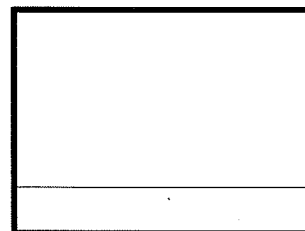
NEWTON SC27 MA

PERMIT DRAWINGS

| | | |
|---|----------|---------------|
| 1 | 11/29/16 | FOR SUBMITTAL |
| 0 | 04/12/16 | FOR SUBMITTAL |



Dewberry Engineers Inc.
280 SUMMER STREET
10TH FLOOR
BOSTON, MA 02210
PHONE: 617.695.3400
FAX: 617.695.3310



DRAWN BY: JG

REVIEWED BY: KB

CHECKED BY: BBR

PROJECT NUMBER: 50002925

JOB NUMBER: 50077210

EXISTING POLE ID:

#102/200

COORDINATES:

N 42° 20' 12.73"
W 71° 13' 25.84"

NEAREST ADDRESS:

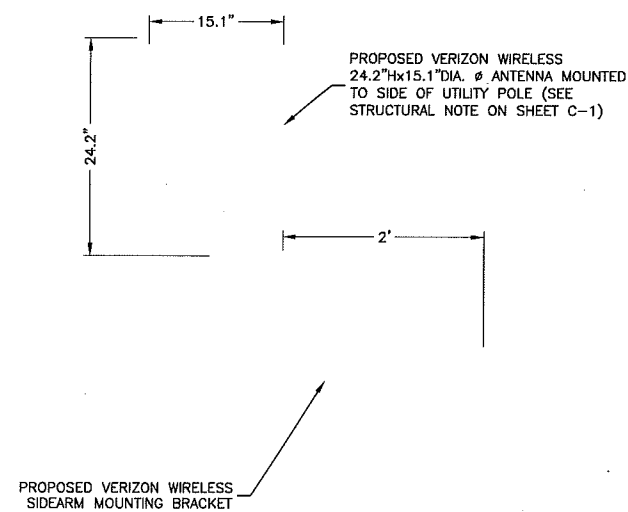
1400 COMMONWEALTH AVE
NEWTON, MA 02465-2830

SHEET TITLE

EQUIPMENT DETAILS

SHEET NUMBER

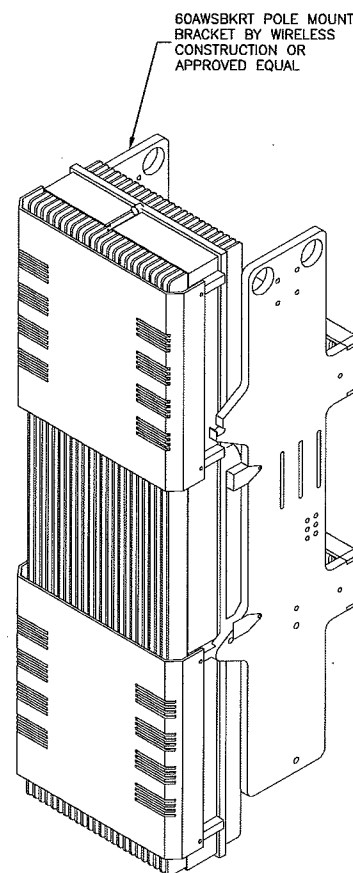
C-3



| ANTENNA SPECIFICATIONS |
|-----------------------------|
| MODEL: NH360QS-DG-F0M |
| DIMENSIONS: 15.1"Ø x 24.2"H |
| WEIGHT: 26.7 LBS. |

ANTENNA MOUNTING DETAIL
SCALE: N.T.S.

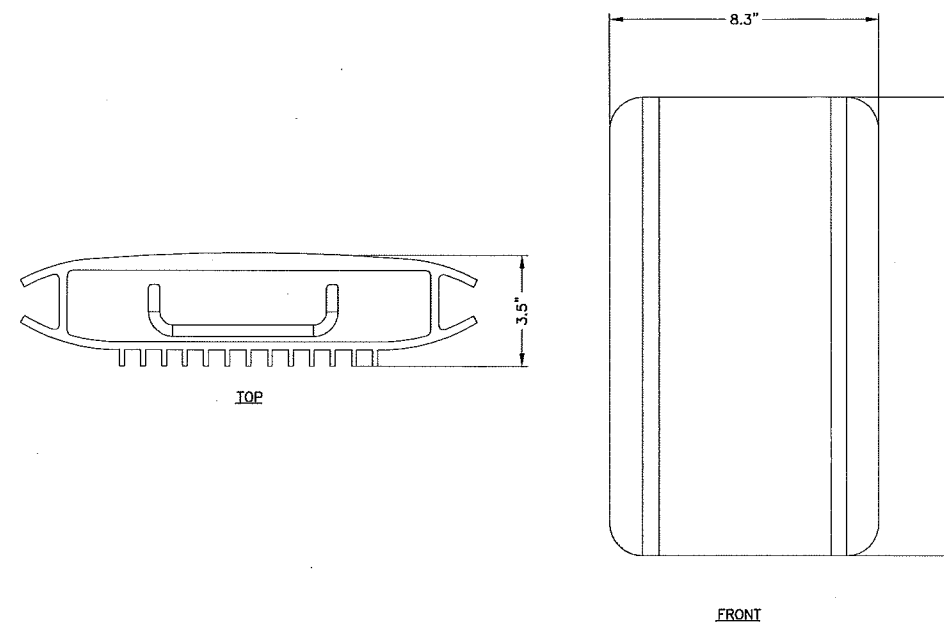
1



| RRH SPECIFICATIONS |
|-------------------------------|
| MODEL: AWS RRH |
| DIMENSIONS: 37"H x 11"W x 6"D |
| WEIGHT: 77 LBS. |

RRH DETAIL (AWS)
SCALE: N.T.S.

2



| AC/DC CONVERTER SPECIFICATION |
|------------------------------------|
| DIMENSIONS: 14.1"H x 8.3"W x 3.5"D |
| WEIGHT: 14.1 LBS. |

AC/DC CONVERTER DETAIL
SCALE: N.T.S.

3



VERIZON WIRELESS
118 FLANDERS ROAD
WESTBOROUGH, MA 01581-3956

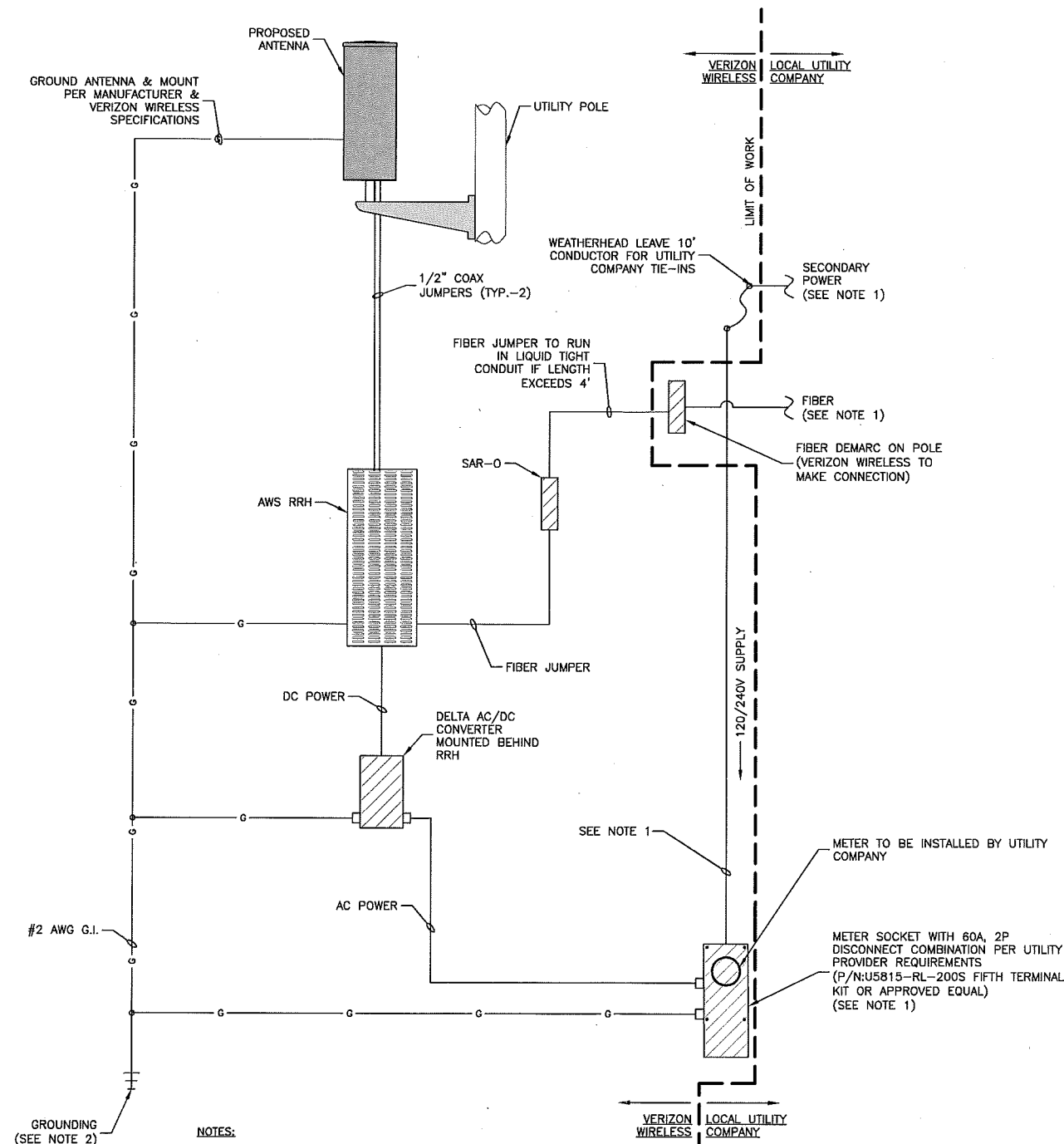
NEWTON SC27 MA

PERMIT DRAWINGS

| | | |
|---|----------|---------------|
| 1 | 11/29/16 | FOR SUBMITTAL |
| 0 | 04/12/16 | FOR SUBMITTAL |



Dewberry Engineers Inc.
280 SUMMER STREET
10TH FLOOR
BOSTON, MA 02210
PHONE: 617.695.3400
FAX: 617.695.3310



NOTES:

1. FINAL ELECTRICAL AND TELCO/FIBER SOURCE PENDING FINAL DESIGN & UTILITY APPROVAL.
2. VERIZON WIRELESS TO FIELD TEST AND TIE INTO EXISTING GROUNDING SYSTEM. IF GROUNDING SYSTEM DOES NOT MEET VERIZON WIRELESS STANDARDS OR IS NOT FOUND, VERIZON WIRELESS TO NOTIFY POLE OWNER & INSTALL GROUNDING SYSTEM PER UTILITY PROVIDER & VERIZON WIRELESS REQUIREMENTS AND SPECIFICATIONS.
3. VERIZON WIRELESS TO VERIFY FINAL ANTENNA DESIGN WITH RF ENGINEER.
4. VERIZON WIRELESS SHALL HAVE WRITTEN WORK AUTHORIZATION FROM UTILITY POLE OWNER PRIOR TO COMMENCEMENT OF WORK.
5. VERIZON WIRELESS TO TERMINATE LOAD SIDE FEEDERS & GROUNDING TO UTILITY METER SOCKET. COORDINATE WITH LOCAL UTILITY COMPANY.
6. WIRING DIAGRAM BASED ON EE-MEMO BY JAMES F. GVAZDAUSKAS, P.E. (ELECTRICAL) DATED 12/01/15.
7. CONTACT DIG SAFE (888-344-7233) FOR VERIFICATION OF UNDERGROUND UTILITIES PRIOR TO EQUIPMENT INSTALLATION.
8. FIELD TEST AND TIE INTO EXISTING GROUNDING SYSTEM. IF GROUNDING SYSTEM DOES NOT MEET VERIZON WIRELESS STANDARDS OR IS NOT FOUND, VERIZON WIRELESS TO NOTIFY POLE OWNER & INSTALL GROUNDING SYSTEM PER UTILITY PROVIDER & VERIZON WIRELESS REQUIREMENTS AND SPECIFICATIONS.

GENERAL WIRING DIAGRAM

SCALE: N.T.S.

1

DRAWN BY: JG

REVIEWED BY: KB

CHECKED BY: BBR

PROJECT NUMBER: 50002925

JOB NUMBER: 50077210

EXISTING POLE ID:

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COORDINATES:

N 42° 20' 12.73"
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NEAREST ADDRESS:

1400 COMMONWEALTH AVE
NEWTON, MA 02465-2830

SHEET TITLE

WIRING DIAGRAM

SHEET NUMBER

C-3



City of Newton, Massachusetts
Office of the Mayor

SETTI D. WARREN
MAYOR

#76-17

Telephone
(617) 796-1100

Telefax
(617) 796-1113

TDD
(617) 796-1089

E-mail
swarren@newtonma.gov

RECEIVED
Newton City Clerk
2017 MAR 13 PM 4:39
David A. Olson, CMC
Newton, MA 02459

March 13, 2017

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to authorize the appropriation and expenditure of \$1,000,000 from June 30, 2016 Certified Free Cash to the following accounts:

| <u>Acct #</u> | <u>Account</u> | <u>\$ Amount</u> |
|----------------|------------------|------------------|
| 0140110-513001 | Regular Overtime | \$ 250,000 |
| 0140110-5273A | Rental Vehicles | \$ 750,000 |

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor



City of Newton, Massachusetts
Office of the Mayor

SETTI D. WARREN
MAYOR

#77-17

Telephone
(617) 796-1100

Telefax
(617) 796-1113

TDD
(617) 796-1089

E-mail
swarren@newtonma.gov

March 13, 2017

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

RECEIVED
Newton City Office
2017 MAR 13 PM 4:39
David A. Olson, CMC
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to authorize the addition and acceptance of Illicit Discharges to Storm Drains Ordinance Section 29-134 through 29-147.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor

City of Newton



DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER
1000 Commonwealth Avenue
Newton Centre, MA 02459-1449

Setti D. Warren
Mayor

March 10, 2017

To: Maureen Lemieux, Chief of Staff, and Chief Financial Officer
From: James McGonagle, Commissioner
Theodore J. Jerdee, Utilities Director
Subject: Request for Docket the addition and acceptance of Illicit Discharges to Storm Drains Ordinance-Section 29-134 through 29-147

I request for consideration the addition and acceptance of Illicit Discharges to Storm Drains ordinance, Section 29-134 through 29-147 (see attached)

Brief Description: The City of Newton is required under the Municipal Separate Storm Sewer System (MS4) permit to systematically find and eliminate sources of non-stormwater discharges to its municipal separate storm sewer system and implement procedures to prevent such discharges. The City needs adequate legal authority to prohibit illicit discharges, that authority consists of a current effective ordinance. The attached ARTICLE 5 Section 29-134 through 29-147 meets the requirements set forth in the city's existing MS4-2003 permit and will be renewed on July 1, 2017.

Please docket this request with the Honorable City Council for their consideration.

Sincerely,

James McGonagle
Commissioner Public Works

CITY OF NEWTON, MASSACHUSETTS
(To be added as **Article V** in **Chapter 29** of the City of Newton Ordinances)

Last updated on:
February 14, 2017

DRAFT

ARTICLE V. Prohibition of Illicit Discharges to the Storm Drain System

29-134 Purpose

- (a) Increased and contaminated stormwater runoff is a major cause of impairment of water quality and flow in lakes, ponds, streams, rivers, wetlands and groundwater; contamination of drinking water supplies; alteration or destruction of aquatic and wildlife habitat; and flooding. Regulation of illicit connections and discharges to the municipal storm drain system is necessary for the protection of the natural resources and infrastructure of the City of Newton (hereafter the "city"), and to safeguard the public health, safety, welfare and the environment.
- (b) The objectives of this article are:
- (1) To prevent pollutants from entering the city's municipal storm drain system (MS4);
 - (2) To prohibit illicit connections and unauthorized discharges to the (MS4);
 - (3) To require the removal of all such illicit connections;
 - (4) To comply with state and federal statutes and regulations relating to stormwater discharges; and
 - (5) To establish the legal authority to ensure compliance with the provisions of this article through inspection, monitoring, and enforcement.

Editor's Note: The term "MS4" as used in federal and state regulations is an acronym for "municipal separate storm sewer systems." As used in this article, "MS4" refers to the city's municipal storm drain system.

29-135 Definitions

For purposes of this article, the meaning of the terms used shall be as follows:

Best Management Practice (BMP): An activity, procedure, restraint, or structural improvement that helps to reduce the quantity or improve the quality of stormwater runoff.

Clean Water Act: The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.) as hereafter amended.

CFR: The Code of Federal Regulations

CMR: The Code of Massachusetts Regulations

Commissioner: The commissioner of the department of public works or his/her designee.

Discharge of Pollutants: The addition from any source of any pollutant or combination of pollutants into the municipal storm drain system or into the waters of the United States or Commonwealth from any source.

Discharger: A person or persons who discharge or allows to be discharged any pollutant or combination of pollutants into the municipal storm drain system or into the waters of the United States or Commonwealth from any source.

Groundwater: Water that comes from or resides in the ground.

Illicit Connection: A surface or subsurface drain or conveyance, which allows an illicit discharge into the municipal storm drain system, including without limitation sewage, process wastewater, or wash water and any connections from indoor drains, sinks, or toilets, regardless of whether said connection was previously allowed or approved before the effective date of this article.

Illicit Discharge: Direct or indirect discharge to the municipal storm drain system that is not composed entirely of stormwater, except as exempted herein. The term does not include a discharge in compliance with an NPDES Stormwater Discharge Permit or a Surface Water Discharge Permit or to discharges or flows exempted pursuant to the provisions of section 29-141 hereof.

Impervious Surface: Any material or structure on or above the ground that prevents water infiltrating the underlying soil. Impervious surface includes without limitation roads, paved parking lots, sidewalks, and roof tops.

MS4: The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, or other drainage structure(s) that together comprise the storm drainage system owned or operated by the city. MS4 is an acronym for "municipal separate storm sewer system." As used in this article, MS4 refers to the city's municipal storm drain system.

National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit: A permit issued by United States Environmental Protection Agency or jointly with the Commonwealth of Massachusetts that authorizes and regulates the discharge of pollutants to waters of the United States.

Non-Stormwater Discharge: Discharge to the MS4 not composed entirely of stormwater.

Notice of Violation: A written notice given to a person by the commissioner that states that said person has violated the provisions of this article on any specified occasion.

Outfall: the terminus of a storm drain or other stormwater structure where stormwater is discharged.

Person: An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person, or any other entity.

Pollutant: Any element or property of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter whether originating at a point or nonpoint source, that is or may be introduced into any sewage treatment works or waters of the Commonwealth. Pollutants shall include without limitation:

- (1) paints, varnishes, and solvents;

- (2) oil, gasoline and other automotive fluids;
- (3) non-hazardous liquid and solid wastes and yard wastes;
- (4) refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordnances, accumulations and floatables;
- (5) pesticides, herbicides, and fertilizers;
- (6) hazardous materials and wastes;
- (7) sewage, septage, fecal coliform and pathogens;
- (8) dissolved and particulate metals;
- (9) animal wastes;
- (10) rock, sand, salt, soils;
- (11) construction wastes and residues; and
- (12) noxious or offensive matter of any kind.

Process Wastewater: Water which during manufacturing or processing comes into direct contact with or results from the production or use of any material, intermediate product, finished product, or waste product.

Recharge: The process by which groundwater is replenished by precipitation through the percolation of runoff and surface water through the soil.

Stormwater: Runoff from precipitation or snow melt.

Surface Water Discharge Permit: A permit issued by the Department of Environmental Protection (DEP) pursuant to 314 CMR 3.00 that authorize the discharge of pollutants to water of the Commonwealth of Massachusetts.

Toxic or Hazardous Material or Waste: Any material, which because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment. Toxic or hazardous materials include any synthetic organic chemical, petroleum product, heavy metal, radioactive or infectious waste, acid and alkali, and any substance defined as Toxic or Hazardous under G.L. c.21C and c.21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.0000.

Watercourse: A natural or man-made channel through which water flows or a stream of water, including a river, brook or underground stream.

Waters of the Commonwealth: All waters within the jurisdiction of the Commonwealth of Massachusetts, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, coastal waters, and groundwater.

Wastewater: Any sanitary waste, sludge, or septic tank or cesspool overflow, and water that during manufacturing, cleaning or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct or waste product.

29-136 Applicability

This article shall apply to flows entering the MS4, a watercourse, and any waters of the Commonwealth located within the boundaries of the City of Newton. The provisions of this article shall take precedence over any conflicting provisions of any ordinances or parts of ordinances of the city.

29-137 Authority

This article is adopted under authority granted by the Home Rule Amendment of the Massachusetts Constitution, the Home Rule Procedures Act, and pursuant to the regulations of the Federal Clean Water Act found at 40 CFR 122.34.

29-138 Responsibility for Administration and Enforcement

The commissioner of the department of public works or his/her designee shall administer, implement and enforce the provisions of this article.

29-139 Regulations

The commissioner may promulgate rules and regulations to effectuate the purposes of this article. Failure by the commissioner to promulgate such rules and regulations shall not have the effect of suspending or invalidating the provisions of this article.

29-140 Prohibited Activities

- (a) **Illicit Discharges.** No person shall dump, discharge, cause or allow to be discharged any pollutant or non-stormwater discharge into the MS4, into a watercourse, or into the waters of the Commonwealth.
- (b) **Illicit Connections.** No person shall construct, use, allow, maintain or continue any illicit connection to the MS4, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.
- (c) **Obstruction of the MS4.** No person shall obstruct or interfere with the normal flow of stormwater into or out of the MS4 without prior consent from the commissioner. No person shall dump or dispose of yard waste (leaves, grass clippings, etc.) into the open watercourses (swales, brooks and streams) that make up the MS4.

29-141 Exemptions

The following non-stormwater discharges or flows are exempt from the prohibition of non-stormwaters

provided that the source is not a significant contributor of a pollutant to the MS4, as determined by the commissioner:

- (1) Waterline and hydrant flushing;
- (2) Flow from potable water sources;
- (3) Discharge of flow resulting from fire fighting activities;
- (4) Discharge from de-chlorinated swimming pool water (less than one part per million chlorine) provided the water is allowed to stand for one week prior to draining and the pool is drained in such a way as not to cause a nuisance;
- (5) Discharge from landscape irrigation or lawn watering;
- (6) Water from individual residential car washing;
- (7) Discharge from street sweeping;
- (8) Dye testing, provided verbal notification is given to the commissioner prior to the time of the test;
- (9) Water from exterior foundation drains, footing drains overflow from infiltration structures (not including active groundwater dewatering systems), crawl space pumps, or air conditioning condensation;
- (10) Flow from springs;
- (11) Natural flow from riparian habitats and wetlands;
- (12) Diverted stream flow;
- (13) Rising groundwater;
- (14) Non-stormwater discharge permitted under an NPDES permit, waiver, or waste discharge order administered under the authority of the United States Environmental Protection Agency, provided that the discharge is in full compliance with the requirements of the written approval, waiver, or order and applicable laws and regulations; and
- (15) Discharge for which advanced written approval is received from the commissioner as necessary to protect public health, safety, welfare or the environment. In particular, this exemption shall apply to sand and salt that is applied to driveways, sidewalks, streets and parking lots for de-icing and public safety purposes.

29-142 Emergency Suspension of Storm Drainage System Access

- (a) The commissioner may suspend MS4 access to any person or property without prior written notice when such suspension is necessary to stop an actual or threatened discharge of pollutants that presents imminent risk of harm to the public health, safety, welfare or the environment. In the event any

person fails to comply with an emergency suspension order, the commissioner may take all reasonable steps to prevent or minimize harm to the public health, safety, welfare or the environment.

- (b) No person shall reinstate MS4 access that has been suspended or terminated without the prior written approval of the commissioner.

29-143 Industrial or Construction Activity Discharges

Any person subject to an industrial or construction activity NPDES storm water discharge permit may be required to provide proof of compliance with said permit in a form acceptable to the commissioner prior to the allowance of discharges to the MS4. The commissioner shall be permitted to enter and inspect facilities subject to regulation as often as may be necessary to determine compliance with this article.

29-144 Watercourse Protection and Maintenance

Every person owning or in control of property through which a watercourse passes, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly restrict the flow of water through the watercourse. The provisions in this section are intended to complement, not replace, maintenance responsibilities of the city where a drainage easement has been established.

29-145 Notification of Spills

Notwithstanding other requirements of local, state or federal law, as soon as a person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of or suspects a release of materials at that facility or operation resulting in or which may result in discharge of pollutants to the MS4, a watercourse, or waters of the Commonwealth, said person shall take all necessary steps to ensure containment, and cleanup of the release in accordance with the provisions of this article and any regulations promulgated pursuant to this article. Further, in the event of a release of oil or hazardous materials, the person shall immediately notify the city's fire department and the commissioner. In the event of a release of other pollutants, the person shall notify the commissioner no later than the next business day. Notification of a release to the commissioner shall include all pertinent information regarding the release including proof of notification to the Massachusetts Department of Environmental Protection if such notification was required.

29-146 Enforcement

- (a) The commissioner shall enforce the provisions of this article and any regulations promulgated hereunder and may issue and prosecute violation notices and enforcement orders and may pursue all civil and criminal remedies for such violations.
- (b) **Entry to Perform Duties Under This Article:** To the extent permitted by state law, upon reasonable notice to the owner or other party in control of the property, or if authorized by the owner or other party in control of the property, the commissioner, his/her agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this article and the regulations promulgated hereunder and may make or cause to be made such examinations, surveys or sampling as the commissioner deems reasonably necessary. What constitutes reasonable notice shall be determined by the commissioner in his/her sole discretion, based upon the nature and the imminence of a threat to the city's natural resources, environment, infrastructure, public health,

public safety or public welfare.

- (c) Civil Relief: The commissioner may seek injunctive relief in a court of competent jurisdiction to restrain a person from continued violations of the provision of this article or the regulations promulgated hereunder, or any notices, orders or written approvals or to compel said person to abate or remediate violations hereunder.
- (d) Orders: The commissioner may issue a written order to enforce the provisions of this article and the regulations promulgated hereunder, which may include:
 - (1) elimination of illicit connections or discharges to the MS4;
 - (2) performance of monitoring, analyses, and reporting;
 - (3) that unlawful discharges, practices, or operations shall cease and desist;
 - (4) remediation of contamination in connection therewith;
 - (5) payment of a fine to cover administrative and remediation costs; and
 - (6) implementation of source control or treatment BMPs.
- (e) If the commissioner determines that abatement or remediation of contamination is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the city may, at its option, undertake such work, and expenses thereof shall be charged to the violator.
- (f) Within thirty (30) days after completion by the city of all measures necessary to abate the violation or to perform remediation, the violator and the property owner will be notified of the costs incurred by the city, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the commissioner within thirty (30) days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within thirty (30) days following a decision of the commissioner affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall become a special assessment against the property owner and shall constitute a lien on the owner's property for the amount of said costs. Interest shall accrue on any unpaid costs in accordance with the provisions of Massachusetts law.
- (g) Notices of Violation and Orders shall be written and shall be served by the city upon the persons to whom or to which they apply.
- (h) Criminal Penalty: Any person who violates any provision of this article, the regulations promulgated hereunder, or an order or written approval issued hereunder, shall be subject to a fine not to exceed three hundred dollars (\$300.00). Each day or part thereof that such violation occurs or continues shall constitute a separate offense. Violations may result in the revocation of city licenses.
- (i) Non-Criminal Disposition: As an alternative to criminal prosecution or civil action, the city may elect to utilize the non-criminal disposition procedure set forth in G.L. c. 40, §21D.

- (j) Appeals: The decisions or orders of the commissioner shall be final. Further relief shall be to a court of competent jurisdiction.
- (k) Remedies Not Exclusive: The remedies listed in this section are not exclusive of any other remedies available under any applicable federal, state or local law.

29-147 Severability

The provisions of this article are severable. If any provision, paragraph, sentence, or clause, of this article or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this article.

City of Newton

Setti D. Warren
Mayor

Department of Public Works Utilities Division

Theodore J. Jerdee, Utilities Director

60 Elliot Street

Newton, Ma. 02461

Telephone (617) 796-1650 Fax (617) 796-1653

To: Deborah Crossley, Public Facilities Chair

Thru: James McGonagle, Commissioner of Public Works

From: Theodore J. Jerdee, Utilities Director

Date: March 16, 2017

Subject: Proposed Ordinance: *Prohibition of Illicit Discharges to Storm Drain System*

Newton is authorized to discharge our stormwater to the Charles River and its tributaries under the Environmental Protection Agency's (EPA) National Pollutant Discharge Elimination System (NPDES) Program. Since 2003, we have received coverage as a Small Municipal Separate Storm Sewer System (MS4) community.

In order to comply with our MS4 General Permit, the Department of Public Works is proposing a new ordinance to enforce our existing Illicit Discharge Detection and Elimination (IDDE) Program. The objective of any IDDE program is to find and eliminate sources of non-stormwater discharges and implement procedures to prevent such discharges. Furthermore, our Permit requires that we establish "legal authority to prohibit illicit discharges; investigate suspected illicit discharges; eliminate illicit discharges, including discharges from properties not owned by or controlled by the MS4 that discharge into the MS4 system; and implement appropriate enforcement procedures and actions."

We present the attached Draft *Prohibition of Illicit Discharges to the Storm Drain System* Ordinance to establish the required legal authority stipulated in our MS4 permit. This Draft is based upon a model Massachusetts stormwater by-law, provided as a resource for regulated communities, and a review of similar ordinances from neighboring communities. This draft ordinance has been reviewed by the Law Department and the Conservation Commission/Agent.

The adoption of an ordinance, by-law or other regulatory mechanism to prohibit illicit discharges is required under our current MS4 permit term, which expires on June 30, 2017.



City of Newton, Massachusetts
Office of the Mayor

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MAYOR

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March 13, 2017

Honorable City Council
Newton City Hall
1000 Commonwealth Avenue
Newton Centre, MA 02459

RECEIVED
Newton City Clerk
2017 MAR 13 PM 4:39
David A. Olson, OMC
Newton, MA 02459

Ladies and Gentlemen:

I write to request that your Honorable Council docket for consideration a request to authorize the appropriation and expenditure of \$71,800 from the Storm Water Surplus Account # 26A401A-5790 for the purpose of professional engineering services in the design and construction services during the rehabilitation of the Flowed Meadow Pump Station.

Thank you for your consideration of this matter.

Sincerely,

Setti D. Warren
Mayor

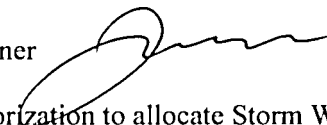
City of Newton



DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE COMMISSIONER
1000 Commonwealth Avenue
Newton Centre, MA 02459-1449

Setti D. Warren
Mayor

March 6, 2017

To: Maureen Lemieux, Chief of Staff and Chief Financial Officer
From: Jim McGonagle, Commissioner 
Subject: Docket Request for the authorization to allocate Storm Water Surplus funds
For the Rehabilitation of the Flowed Meadow Pump Station

I respectfully request a docket item be submitted for the authorization to allocate \$71,800.00 from the Storm Water surplus account (Account No. 26A401A-5790) for the purpose of professional engineering services in the design and construction services during the rehabilitation of the Flowed Meadow Pump Station.

The Flowed Meadow Pump Station is located in the northwest section of the city off Wabasso Street, the pump station controls the water elevation in Flowed Meadow for mosquito abatement. The scope of work under this agreement includes engineering design and preparation of bid documents for Structural Upgrades to the existing structure, Heating, Ventilation, Air Conditioning (HVAC), Supervisory Control and Data Acquisition (SCADA) upgrades and site improvements In addition, Construction Services during the rehabilitation of the pump station is included.

Please let me know if you have questions or concerns.

Cc: Shane Mark, Director of Operations
Louis M. Taverna, City Engineer
Rob Symanski DPW Business Manager

**COMMITMENT & INTEGRITY
DRIVE RESULTS**

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**City of Newton, Massachusetts
Department of Public Works, Water & Sewer Division
Professional Engineering Services for the
Rehabilitation of the Forest Grove / Flowed Meadow Pump Station Facility**

Woodard & Curran is pleased to present the City of Newton, Massachusetts (the City) with the following proposal for professional engineering services for the rehabilitation of the Forest Grove / Flowed Meadow Pump Station Facility (facility). This scope of services is based on our meeting with Mr. Jerdee and site visit on September 1, 2016.

The project includes professional engineering services for the design, bidding and construction administration for repairs and upgrades to the facility including structural repairs, electrical, Supervisory Control And Data Acquisition (SCADA) upgrades and associated site improvements. The project will be completed in accordance with the scope of services, compensation, schedule, and terms and conditions as defined herein.

SCOPE OF SERVICES

Woodard & Curran will provide the following services for the rehabilitation of the facility.

PHASE 1 – Design and Bidding Services

Woodard & Curran will prepare design plans and specifications suitable for public bidding for repairs and upgrades of the facility. Rehabilitation of the facility will include structural upgrades and repairs to address damaged components as well as upgrades to existing components including HVAC, electrical, and the SCADA system. Pump upgrades or modifications are not included at this time.

Task 1.0 – Facility Rehabilitation Design**Task 1.1 – Facility Structural Upgrades**

- Conduct a site visit to assess the existing facility and obtain information and dimensions necessary for the design of structural improvements.
- Structural repairs and upgrades to the building will include: roof replacement, removal and replacement of the entry door and associated hardware, permanent closure of two window openings, and upgrade the existing wooden plank floor to aluminum grating. A review and assessment of the existing brickwork and concrete will be conducted, and if warranted, details for brick and concrete repair will be provided.
- Prepare structural design plans to include: demolition of existing systems; a floor plan; details of floor grating and associated grate supports; exterior building elevations; door and finish schedules, sections and details; and a roof plan including the design of a roof hatch.
- Exterior structural facility repairs of the existing trash rack and channel entry grating.
- Prepare technical specifications to include: concrete repair, masonry, miscellaneous metals, rough carpentry, sealants, membrane roofing, flashing and sheet metal, doors, frames, hardware, and paints and coatings to be incorporated into the project bid documents.



Task 1.2 - Facility Electrical, HVAC & SCADA Upgrades

- Conduct a site visit to review existing instrumentation and electrical components.
- Improvements to the facility will include: a new utility service and meter, replacement of the electrical panel, a new manual transfer switch and generator receptacle, GFCI receptacle, interior lighting, exterior lighting, and entry door security.
- Review existing equipment size and ratings, to be provided by the City, in design of the electrical service and panel.
- Exhaust fans and louvers will be designed to fit within the existing window openings, to be permanently closed.
- It should be noted that due to the open nature of the facility inlet channel, a facility unit heater is not recommended; therefore, individual cabinet heaters will be designed, as needed.
- The design will accommodate a new level sensor and transmitter.
- Existing VFDs and SCADA equipment, to remain, will be relocated and re-wired in conjunction with the new electrical equipment.
- The existing SCADA panel will be re-wired to accommodate the new equipment.
- Existing SCADA plans will be updated to reflect the system modifications.
- Electrical plans are anticipated to include the following: a one-line diagram; instrumentation; schedules and details.
- Prepare applicable electrical, SCADA and HVAC technical specifications for incorporation into the project bid documents.

Task 1.3 – Site Improvements

- Site improvements will include the removal and replacement of an existing fence enclosure at the inlet channel. It is anticipated that the fence enclosure will include a gate, consistent with existing conditions and a wire fabric top enclosure.
- Technical specifications will be prepared for the fence, gate and top enclosure to be included in the project bid documents; however, it is assumed that a plan is not required.

It should be noted that the site is located within resource areas and associated buffer areas, therefore a Request for Determination of Applicability (RDA) should be filed with the City of Newton Conservation Commission. Woodard & Curran will assist the City in applying for a RDA. Since the project includes only repairs to an existing structure, it is assumed that a Notice of Intent (NOI) will not be required. The submittal of a NOI, wetlands flagging or survey is not included in this scope of services.

Task 1.4 – Bid Documents

- Prepare draft technical bid documents including plans and specifications for public bidding under Massachusetts General Laws Chapter 149 for the structural, electrical, HVAC, SCADA and site improvements identified in Tasks 1.1 to 1.3.
- Meet with the City to review the 90% draft plans and specifications and obtain their comments.
- Prepare a construction cost estimate, broken down by discipline.



- Incorporate the City's comments into a final set of technical plans and specifications for the above referenced scope of services.

Task 2.0 – Bidding Services

- Coordinate with the City to incorporate the technical plans and specifications into the City's final bid documents.
- Provide the City bid documents in electronic format and up to 10 sets of printed bid documents.
- Assist with questions during the bidding process and provide the City in electronic format, addenda as appropriate to clarify, edit or change the bid documents.
- Attend a pre-bid meeting if one is scheduled.
- Evaluate the bids received and provide a summary to the City.

Assumptions / Exclusions

The scope of services presented above are based on the following assumptions/exclusions:

- A Chapter 34 Structural Code Review, or any facility upgrades which may be required in conjunction with Chapter 34, is not included.
- A Hazardous Materials Survey is not included.

PHASE 2 – Construction Phase Engineering Services

Woodard & Curran will provide the following professional engineering services during the construction phase of the project.

1. Consult with the City and act as City's representative during construction.
2. Participate in a pre-construction conference prior to commencement of work at the site.
3. Participate in up to two construction meetings.
4. In connection with observation of Contractor's work while it is in progress, Woodard & Curran will provide five site visits at key stages of construction to observe, as an experienced and qualified design professional, the progress and quality of the Work.
5. Recommend to Client that Contractor's work be disapproved and rejected while it is in progress, if on the basis of such observations, Woodard & Curran believes that such work will not produce a completed Project that conforms generally to the Contract Documents or that it will prejudice the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents.
6. Issue necessary clarifications and interpretations of the Contract Documents as appropriate to the orderly completion of Contractor's work. Such clarifications and interpretations will be consistent with the intent of and reasonably inferable from the Contract Documents. Woodard & Curran may issue Field Orders authorizing minor variations from the requirements of the Contract Documents.
7. Recommend Change Orders and Work Change Directives to the City, as appropriate, and prepare Change Orders and Work Change Directives as required.
8. Review and approve or take other appropriate action with respect to Shop Drawings, Samples and other data which Contractor is required to submit, but only for conformance with the



information given in the Contract Documents and compatibility with the design concept of the completed Project as a functioning whole as indicated in the Contract Documents. Such reviews and approvals or other action will not extend to means, methods, techniques, sequences or procedures of construction or to safety precautions and programs incident thereto.

9. Evaluate and determine the acceptability of substitute or "or equal" materials and equipment proposed by Contractor.
10. Require such special inspections or tests of Contractor's work as deemed reasonably necessary, and receive and review all certificates of inspections, tests, and approvals required by Laws and Regulations or the Contract Documents. Woodard & Curran's review of such certificates will be for the purpose of determining that the results certified indicate compliance with the Contract Documents and will not constitute an independent evaluation that the content or procedures of such inspections, tests, or approvals comply with the requirements of the Contract Documents. Woodard & Curran shall be entitled to rely on the results of such tests.
11. Render formal written decisions on all claims of the City and Contractor relating to the acceptability of Contractor's work or the interpretation of the requirements of the Contract Documents pertaining to the execution and progress of Contractor's work.
12. Based on Woodard & Curran's observations as an experienced and qualified design professional and on review of Applications for Payment and the accompanying supporting documentation:
 - a. Determine the amounts that Woodard & Curran recommends Contractor be paid. Such recommendations of payment will be in writing and will constitute Woodard & Curran's representation to the City, based on such observations and review, that, to the best of Woodard & Curran's knowledge, information and belief, Contractor's work has progressed to the point indicated, the quality of such work is generally in accordance with the Contract Documents (subject to an evaluation of such work as a functioning whole prior to or upon Substantial Completion, to the results of any subsequent tests called for in the Contract Documents and to any other qualifications stated in the recommendation), and the conditions precedent to Contractor's being entitled to such payment appear to have been fulfilled in so far as it is Woodard & Curran's responsibility to observe Contractor's work. In the case of unit price work, Woodard & Curran's recommendations of payment will include final determinations of quantities and classifications of Contractor's work (subject to any subsequent adjustments allowed by the Contract Documents). The responsibilities of Woodard & Curran contained in paragraph 12.1 are expressly subject to the limitations set forth in paragraph 12.2 and other express or general limitations in this Agreement and elsewhere.
 - b. By recommending any payment Woodard & Curran shall not thereby be deemed to have represented that on-site observations made by Woodard & Curran to check the quality or quantity of Contractor's work as it is performed and furnished have been exhaustive, extended to every aspect of the work in progress, or involved detailed inspections of the work beyond the responsibilities specifically assigned to Woodard & Curran in this Agreement and the Contract Documents. Neither Woodard & Curran's review of Contractor's work for the purposes of recommending payments nor Woodard & Curran's recommendation of any payment including final payment will impose on Woodard & Curran's responsibility to supervise, direct or control Contractor's work in progress or for the means, methods, techniques, sequences or procedures of construction or safety precautions or programs incident thereto, or Contractor's compliance with Laws and Regulations applicable to Contractor's furnishing and performing the work. It will also not



impose responsibility on Woodard & Curran to make any examination to ascertain how or for what purposes Contractor has used the moneys paid on account of the Contract Price, or to determine that title to any portion of the work in progress, materials or equipment has passed to City free and clear of any liens, claims, security interests or encumbrances, or that there may not be other matters at issue between City and Contractor that might affect the amount that should be paid.

13. Contractor's Completion Documents. Receive and review maintenance and operating instructions, schedules, and guarantees.
 - a. Receive bonds, certificates or other evidence of insurance required by the Contract Documents, certificates of inspection, tests and approvals, Shop Drawings, Samples and other data approved as provided under paragraph 8, and the annotated record documents which are to be assembled by Contractor in accordance with the Contract Documents to obtain final payment. The extent of such Woodard & Curran's review will be limited as provided in paragraph 8.
 - b. Woodard & Curran shall transmit these documents to the City.
14. Conduct an inspection to determine if the Project is Substantially Complete. If, after considering any objections of City, Woodard & Curran considers the Project Substantially Complete, Woodard & Curran shall deliver a certificate of Substantial Completion to City and Contractor.
15. Conduct a final inspection to determine if the completed work of Contractor is acceptable so that Woodard & Curran may recommend, in writing, final payment to Contractor. Accompanying the recommendation for final payment, Woodard & Curran shall provide notice that the Project is acceptable (subject to the provisions of paragraph 12.2) to the best of the Woodard & Curran's knowledge, information and belief and based on the extent of the services provided by Woodard & Curran under this Agreement.

Exclusions

The following construction related activities are not included and will require additional compensation:

1. Services in connection with Work Change Directives and Change Orders to reflect changes requested by City so as to make the compensation commensurate with the extent of the Additional Services rendered.
2. Services in evaluating and determining the acceptability of a substitution which is found to be inappropriate for the Project or an excessive number of substitutions.
3. Preparing to serve or serving as a consultant or witness for City in any litigation, arbitration or other dispute resolution process related to the project.
4. Evaluating an unreasonable claim or an excessive number of claims submitted by the Contractor or others in connection with the Work.

Limitations of Responsibilities

Woodard & Curran shall not be responsible for the acts or omissions of any Contractor, or of any Subcontractor, suppliers, or of any other individual or entity performing or furnishing any of the Work. Woodard & Curran shall not, in the performance of its services hereunder, supervise, direct or have control over Contractor's work nor shall Woodard & Curran have authority over or responsibility for the means, methods, techniques, sequences or procedures of construction selected by Contractor(s), for safety precautions and programs incident to the work of Contractor(s) or for any failure of Contractor(s)



to comply with laws, rules, regulations, ordinances, codes or orders applicable to Contractor(s) furnishing and performing their work. Woodard & Curran shall not be responsible for Contractor's failure to perform or furnish the work in accordance with the Contract Documents except to the extent that the Contractor's failure results from Woodard & Curran's failure to perform its duties as required by this Agreement.

The Engineer is not responsible for costs related to errors or omissions within the Standard Duty of Care expected of Design Professionals In the Industry.

COMPENSATION

The compensation for the above Scope of Services will be a fixed fee of \$71,800. The fee is based on the following budget:

| | |
|---|-----------------|
| Phase 1 – Design and Bidding | \$45,000 |
| Phase 2 – Construction Services | <u>\$26,800</u> |
| Total – Design, Bidding, & Construction Services: | \$71,800 |

This fee will not be exceeded without prior written approval by the City of Newton. Monthly invoices will be submitted for the services completed during the previous billing period.

SCHEDULE

The design will begin immediately upon written authorization to proceed and will be completed within two months. The bidding phase will proceed according to a schedule agreed upon by the City of Newton and Woodard & Curran. The schedule for construction administration services for the project will be coordinated and determined with the City of Newton and the contractor's project completion schedule.

TERMS AND CONDITIONS

The Terms and Conditions will be per the executed Agreement for Engineering Services between the City of Newton and Woodard & Curran.

Please review this proposal and if it is acceptable to you, an Agreement for Engineering Services will be prepared for signatures by the City of Newton.

By:
WOODARD & CURRAN INC.

Carol A. Harris
Vice President | Senior Client Manager