



# Town of Winchester

Mariano Goluboff, Chairman  
Michael Bettencourt, Vice Chairman  
Jacqueline A. Welch  
Susan Verdicchio  
Amy Shapiro

Select Board  
71 Mt. Vernon Street  
Winchester, MA 01890  
Phone: 781-721-7133  
Fax: 781-756-0505  
townmanager@winchester.us

## PUBLIC HEARING NOTICE

To: Abutters

In conformity with the requirements of Section 22 of Chapter 166 of the General Laws (Ter. Ed.) you are hereby notified that a public hearing will be held in the Select Board Meeting Room on the 2<sup>nd</sup> Floor of Winchester Town Hall in the Town of Winchester, Massachusetts on the **24<sup>th</sup> day of February, 2020 at 7:50 p.m.** upon the petition of Waterfield Design Group for permission to construct, and a location for, a line of conduits and manholes, with the necessary wires and cables therein, for the transmission of electricity, under the following public ways of said Town:

**Highland – install approximately 15-feet of conduit within the public right-of-way.**

This work is necessary to provide underground telecommunications and data service to the Abby Road subdivision, which is currently under construction.

The public is invited to attend.

February 13, 2020



TOWN OF WINCHESTER  
71 MT. VERNON STREET, WINCHESTER, MA  
ENGINEERING DEPARTMENT  
PHONE 781-721-7120 / FAX 781-721-7166

---

**TO:** Lisa Wong, Town Manager  
**FROM:** Beth Rudolph, P.E., Town Engineer *Beth*  
**DATE:** February 3, 2020  
**RE:** Waterfield Design Group Grant of Location Petition – Highland Avenue/Abby Road

The Engineering Department has reviewed the Grant of Location Petition from Waterfield Design Group for Highland Avenue. The proposed work includes the installation of approximately 15-feet of conduit within the public right-of-way, and will require repairs to the Town-owned sidewalk in this area. The improvements are necessary to provide underground telecommunications and data service to the Abby Road subdivision currently under construction.

The Engineering Department has previously confirmed with Town Counsel from Anderson Kreiger that Waterfield Design Group is eligible to apply for this Grant of Location.

We find this petition to be acceptable subject to the following conditions:

- The petitioner must meet and satisfy all conditions of Exhibit A (attached);
- Installation shall be subject to the Town's Street Opening moratorium, which runs from November 15<sup>th</sup> through April 15<sup>th</sup>, at the discretion of the DPW Director;
- The conduit shall be installed by open excavation only (no tunneling);
- All underground utilities shall be adequately protected;
- All town-owned utilities shall be relocated at the applicant's expense, as needed;
- The conduit shall be installed/inspected by the applicant and Building Department and duly recorded with Dig Safe.

cc: Jay Gill, DPW Director

Attachment: Exhibit A – Town of Winchester Grant of Location Requirements



**TOWN OF WINCHESTER**  
**GRANT OF LOCATION – EXHIBIT A**

**Applicant:** Waterfield Design Group  
**Location:** Highland Avenue

---

Grantee(s) shall apply for and obtain a Street Opening Permit from the Winchester Department of Public Works, (781-721-7100).

Said Grantee(s) and/or any sub-contractor employed by the grantee(s) shall indemnify and save the Town harmless against all damages, costs and expense whatsoever to which the Town may be subjected in consequence of the acts or neglect of said Grantee(s), its agents or servants, or in any manner arising from the rights and privileges granted by the Town. The foregoing is with respect to activity in, over or under public ways and public property.

Grantee(s) shall execute a bond in a penal sum of five thousand dollars (\$5,000.00) (a bond already on file with Town may be used if and only if said bond by its terms is applicable to the work hereby authorized), conditional on the faithful performance of its duties under this permit including without limitation compliance with lawful state and local laws and requirements.

Said Grantee(s) shall comply with the requirements of all state laws and regulations, to the extent applicable, including but not limited to Massachusetts Dig-Safe Requirements, MGL c. 82, sections 40A – 40D; the Massachusetts Excavation and Trench Safety Law, MGL c. 82A, s. 1 et al, and Town of Winchester by-laws, Board of Selectmen and Department of Public Works reasonable regulations and requirements including Town of Winchester Rules and Regulations Regulating Street Excavations, and such other reasonable rules and regulations as may hereafter be adopted governing the construction and maintenance of conduits and wires, and work in and use of the rights-of-way within the Town, so far as the same are not inconsistent with the laws of the Commonwealth.

In work involving excavation of more than 100 feet of any public way, Grantee shall exercise best efforts to notify all abutters served and impacted by the work within 72 hours prior to commencement of said work.

Grantee shall comply with traffic management and police detail requirements as stipulated in the street opening permit or as otherwise lawfully required by the Winchester Police Department.

All Town-owned services located in, or serviced from this location, shall be re-connected without any cost to the Town in accordance with Town of Winchester requirements and standards.

All disturbed areas must be returned to the same condition in which they were found before the excavation.

Grantee will upon request of the Town, provide to the Town, plans kept in the ordinary course of business reflecting the location of Grantee's facilities in a particular area; and if Town has compatible GIS data exchange, Grantee will periodically exchange its data base on facility locations via GIS data exchange.

Grantee(s) acknowledges and agrees to the Town of Winchester roadway construction moratorium between November 15<sup>st</sup> and April 15<sup>st</sup>, except for emergency situations. If emergency status is granted to permit work during the winter moratorium, the grantee(s) and/or contractor must secure the area by sunset each working day, and shall secure the roadway to allow snow plowing and salting and to avoid any flooding. All roadway paving must be maintained during the winter months until permanent repairs can be made.

Upon reasonable request of the Department of Public Works, Town Engineer or Police/Fire Departments, Grantee shall meet with Town designees prior to commencement of construction to discuss Town right-of-way management, public safety matters, street restoration, work standards and related matters if and as needed.

Conduit shall be installed by excavation and not tunneling.

# WDG | Waterfield Design Group

January 20, 2020

Town of Winchester Board of Selectman  
Town Hall  
71 Mt. Vernon Street  
Winchester, Massachusetts 01890

Reference: Abby Road Telecommunications & Data Connection  
Winchester, Massachusetts

WDG Project No: P-0294-60

Dear Members of the Board:

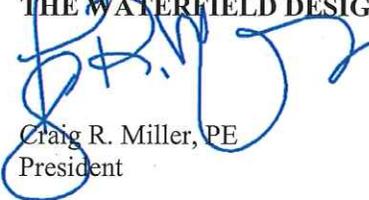
On behalf of Five Points Development LLC, the owner and developer of the above referenced project, We would like to respectfully request a Grant of Location for the installation of approximately 15'± of conduit on Town property in the Highland Avenue right-of-way.

This work is necessary so that a new telecommunications and data conduit may connect to the proposed utility pole which will allow telecommunications and data wires to connect from existing tel/data lines on Highland Avenue to Abby Road. We have discussed this need with the Town Engineer, Ms. Beth Rudolph and she instructed us to make our submission to you in this way.

If you have any questions, please do not hesitate to contact me directly at 781-756-0001 ext. 11 or by e-mail at [cmiller@wdgrp.com](mailto:cmiller@wdgrp.com)

Very truly yours,

**THE WATERFIELD DESIGN GROUP, INC.**



Craig R. Miller, PE  
President

PETITION OF WATERFIELD DESIGN GROUP, INC.  
FOR LOCATION FOR CONDUITS AND MANHOLES

To the BOARD OF SELECTMEN of the Town of Winchester, Massachusetts:

Respectfully represents **The Waterfield Design Group, Inc.** a company designing the alignment of a proposed telecommunication and data for communications for residential dwellings connection that are desired to be constructed by Five Points Development 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 Board of Selectmen 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 to be located substantially as shown on the plan made by The Waterfield Design Group, Inc. dated January 15, 2020, and filed herewith, under the following public way or ways of said Town:

**Abby Road - Southerly approximately 370 feet from Forest Street, to install approximately 15 feet-conduit.**

WDG# P-0294-60

The Waterfield Design Group, Inc.

By: 

Craig R. Miller, PE  
President

Dated this 20th day of January, 2020

Town of Winchester Massachusetts

Received and filed \_\_\_\_\_, 2020

---

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES

Town of Winchester, Massachusetts

January 20, 2020

WHEREAS, **The Waterfield Design Group, Inc.** has petitioned for permission to construct a line for the transmission of telecommunications and data under the public way or ways of the Town hereinafter specified, and notice has been given and a hearing held on said petition as provided by law.

**Abby Road - Southerly approximately 370 feet from Forest Street, to install approximately 15 feet-conduit.**

WDG# P-0294-60

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

1. Conduits and manholes shall be located as shown on a plan made by **The Waterfield Design Group, Inc.** dated **January 20, 2020** on file with said petition.
2. Said Company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and manholes.
3. All work shall be done to the satisfaction of the Board of Selectmen or such officer or officers as it may appoint to supervise the work.

1 \_\_\_\_\_  
 2 \_\_\_\_\_ Board of Selectmen  
 3 \_\_\_\_\_ the Town of  
 4 \_\_\_\_\_ **Winchester**  
 5 \_\_\_\_\_

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 Selectmen 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 \_\_\_\_\_, 2020 in said Town.

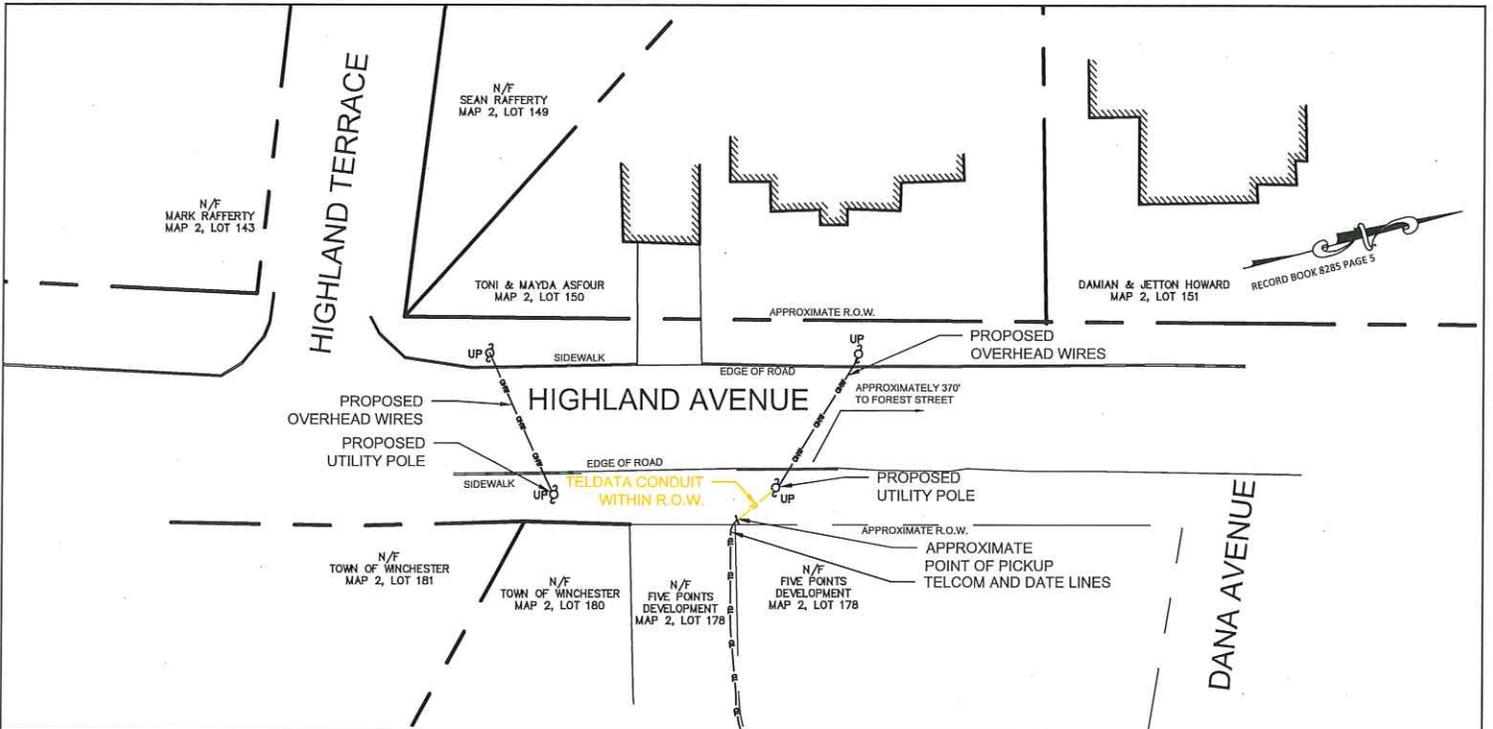
1 \_\_\_\_\_  
 2 \_\_\_\_\_ Board of Selectmen  
 3 \_\_\_\_\_ the Town of  
 4 \_\_\_\_\_ **Winchester**  
 5 \_\_\_\_\_

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the Board of Selectmen of the Town of **Winchester**, Massachusetts, duly adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 2020, and recorded with the records of location Orders of said town, 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 Town of **Winchester**, Massachusetts



<p>0 40 80 FEET</p> <p>1" = 40'</p>	<p>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. WATERFIELD DESIGN GROUP, INC. SHALL NOT BE LIABLE FOR ANY LOSS OR INJURY CAUSED IN WHOLE OR IN PART BY USE OF THIS INFORMATION OR A RELIANCE UPON IT TO THE MAXIMUM EXTENT ALLOWED BY LAW. YOU AGREE BY YOUR ACCEPTANCE OF THE INFORMATION TO RELEASE INDEMNITY AND HOLD WATERFIELD DESIGN GROUP, INC. HARMLESS FROM ANY SUCH LOSS OR INJURY.</p> <p>THE INFORMATION MAY NOT REPRESENT A SURVEY, MAY NOT BE THE MOST COMPLETE AND IT 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.</p> <p><b>MASS. LAW</b></p> <p>REQUIRES 72 HOURS ADVANCE NOTICE TO UTILITY COMPANIES BEFORE DIGGING BY ANYONE, CALL DIG-SAFE 1-888-344-7233</p>	<p>C#</p>	<p><b>WDG</b> Waterfield Design Group</p> <p>50 Cross Street   Winchester, Massachusetts   01890 T 781.756.0001 F 781.756.0007</p>
		<p>Ward #</p>	
		<p>Work Order #</p>	<p>Plan of <b>HIGHLAND AVENUE WINCHESTER</b></p>
		<p>Surveyed by: <b>WDG</b></p>	
		<p>Research by: <b>JRM</b></p>	<p>Showing <b>PROPOSED CUSTOMER CONDUIT LOCATION</b></p>
		<p>Plotted by: <b>JRM</b></p>	
		<p>Proposed Structures: <b>WDG</b></p>	<p>Scale 1" = 40' Date January 21, 2020</p>
		<p>Approved: <b>CRM</b></p>	
		<p>P#</p>	<p>SHEET 1 of 1</p>