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 2nd Floor of Winchester Town Hall in the Town of Winchester, Massachusetts on the **23rd day of March, 2020 at 7:50 p.m.** upon the petition of NSTAR Electric d/b/a Eversource Energy 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:

Cross Street– install approximately nine (9) feet of conduit within the public right-of-way.

This work is necessary to provide underground electrical service to the home at 248 Cross Street, Winchester.

The public is invited to attend.

March 12, 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 BER

DATE: March 7, 2020

RE: Eversource Grant of Location Petition – Cross Street

The Engineering Department has reviewed the Eversource Grant of Location Petition for Cross Street. The proposed work includes the installation of approximately 9-feet of conduit within the public right-of-way, and will require repairs to the Town-owned sidewalk. The improvements are necessary to provide underground electrical service to the home at 248 Cross Street.

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 15th through April 15th, 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 Eversource 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

Public Utility: Eversource
Location: Cross Street

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 15st and April 15st, 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.

EVERSOURCE
101 Linwood Street
Somerville, MA 02143

March 3, 2020

Board of Selectmen
Town Hall
Winchester, MA 01890

RE: Cross Street
Winchester
W.O. #2373771

Dear Members of the Board:

The NSTAR Electric Company d/b/a Eversource Energy respectfully requests a Grant of Location for the installation of approximately nine (9) feet of conduit in Cross Street.

This work is necessary to supply power to private property at #248 Cross Street.

If you have any questions or concerns, please call Jacqueline Duffy at 617-629-3204.

Very truly yours,

Kelly-Ann Correia

Kelly-Ann Correia, Supervisor
Rights and Permits

TOWN OF WINCHESTER
TOWN MANAGER
BOARD OF SELECTMEN
2020 MAR -9 PM 12:11
RECEIVED

PETITION OF NSTAR ELECTRIC COMPANY d/b/a EVERSOURCE ENERGY FOR LOCATION FOR CONDUITS AND MANHOLES

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

Respectfully represents **NSTAR ELECTRIC COMPANY d/b/a 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 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 and manholes to be located substantially as shown on the plan made by **A. DeBenedictis** dated **February 18,2020**, and filed herewith, under the following pubic way or ways of said Town:

Cross Street – Southeasterly from pole 31/26 to private property at #248 Cross Street, for a distance of approximately 9' of conduit.

W. O. #2373771

NSTAR ELECTRIC COMPANY
d/b/a EVERSOURCE ENERGY

By: _____
Kelly-Ann Correia, Supervisor
Rights and Permits

Dated this 3rd day of March, 2020

Town of Winchester, Massachusetts

Received and filed _____, 2020

_____

ORDER FOR LOCATION FOR CONDUITS AND MANHOLES

Town of **Winchester, Massachusetts** **March 3, 2020**

WHEREAS, **NSTAR ELECTRIC COMPANY d/b/a 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 Town hereinafter specified, and notice has been given and a hearing held on said petition as provided by law.

Cross Street – Southeasterly from pole 31/26 to private property at #248 Cross Street, for a distance of approximately 9' of conduit.

W. O. #2373771

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 **A. DeBenedictis** dated **February 18, 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

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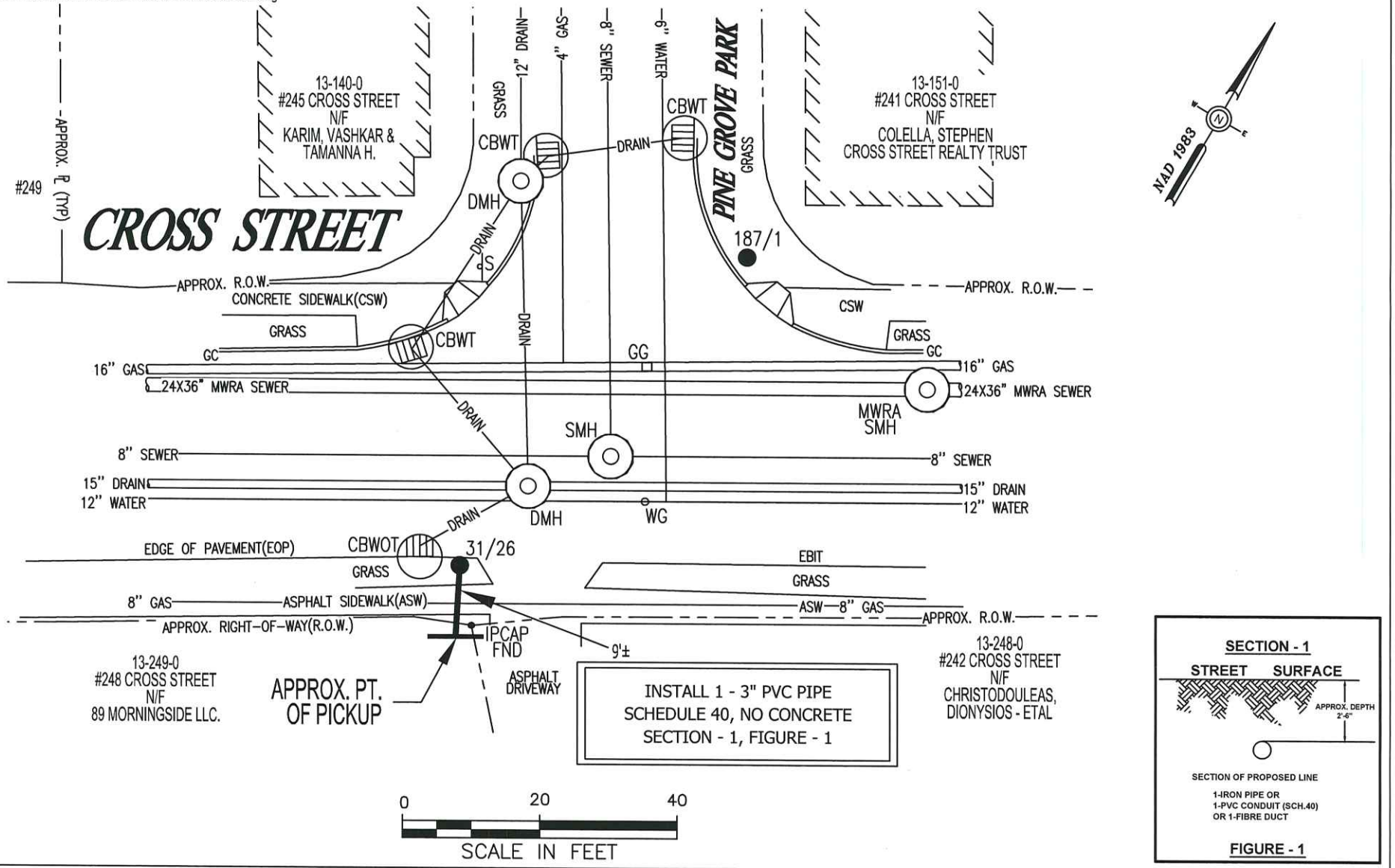

NOTES:

THE LOCATION OF UNDERGROUND STRUCTURES ARE FROM PLANS AND RECORDS AND ARE APPROXIMATE ONLY. IN ADDITION, SURFACE FEATURES OF UTILITIES AND SERVICES LOCATED BY FIELD SURVEY ARE TIED-IN TO THEIR NEAREST MAIN SERVICE LINE IF NO RECORDS WERE AVAILABLE TO CONFIRM IT'S UNDERGROUND EXISTENCE.

ANY UNDERGROUND STRUCTURES NOT EVIDENT WERE REQUESTED, YET UNAVAILABLE AT THIS PRESENT TIME.

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#	33-20
Ward #	-
Work Order #	2373771
Surveyed by:	SC/JF
Research by:	SC
Plotted by:	JF
Proposed Structures:	SC
Approved:	A DEBENEDICTIS
P#	

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

Plan of	CROSS STREET & PINE GROVE PARK WINCHESTER
Showing	PROPOSED CONDUIT LOCATION
Scale	1"=20' Date FEBRUARY 18, 2020
SHEET	1 of 1