# City of Gardner, Massachusetts
# Office of the City Council

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**CALENDAR FOR THE MEETING**
***of***
**MONDAY, MAY 16, 2022**
**CITY COUNCIL CHAMBER**
**7:30 P.M.**

## ORDER OF BUSINESS

**I. CALL TO ORDER**

**II. CALL OF THE ROLL OF COUNCILLORS**

**III. OPENING PRAYER**

**IV. PLEDGE OF ALLEGIANCE**

**V. ANNOUNCEMENT OF OPEN MEETING RECORDINGS**

**Any person may make a video or audio recording of an open session of a meeting, or may transmit the meeting through any medium, subject to reasonable requirements of the chair as to the number, placement and operation of equipment used so as not to interfere with the conduct of the meeting. Any person intending to make such recording shall notify the Chair forthwith. All documents and exhibits used or referenced at the meeting must be submitted in duplicate to the City Clerk, as they become part of the Meeting Minutes.**

**VI. READING OF MINUTES OF PRIOR MEETING(S)**

**VII. PUBLIC HEARINGS**

**VIII. COMMUNICATIONS FROM THE MAYOR**

***ORDINANCES***

**10679** – An Ordinance to Amend the Code of City of Gardner Chapter 664, Entitled "Yard Sales." *(Public Safety)*

**10680** – An Ordinance to Amend the Code of the City of Gardner, Chapter 500, Entitled "Nuisances: Vacant, Abandoned, and Blighted Buildings." *(Public Safety)*

**10681** – An Ordinance to Amend the Code of the City of Gardner, Chapter 330, Entitled "Bicycles and Play Vehicles", by Adding a New Article III, to be Entitled "Sharable Dockless Mobility Devices," Which Article Provides for the Definition of Sharable Dockless Mobility Devices, Licensing and Operation Requirements, Regulatory Authority, and Enforcement. *(Public Safety)*
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***COMMUNICATIONS***

**10682** – A Measure Authorizing Traffic Restrictions Temporarily Closing a Portion of Pleasant Street. *(Public Safety)*

## IX. PETITIONS, APPLICATIONS, COMMUNICATIONS, ETC.

**10678 –** An Application by House of Peace and Education, Inc., d/b/a HOPEful Boutique, for a License to Deal in Second Hand Articles at 29 Pleasant Street. *(Public Safety)*

**10685** – A Petition by National Grid and Verizon New England Inc., Cross Street – to install 1 Jointly Owned Pole on Cross Street beginning at a point approximately 45 Feet west of the centerline of the intersection of Sherman Street. Install Stub Pole 5-84 Cross Street, across from existing Pole 5 Cross Street, at the intersection of Sherman Street. *(Public Service; Public Hearing Required)*

**10686** – A Petition by National Grid, Timpany Blvd. – to install electric conduits 269.5 feet northwest of the centerline of the intersection of Donlan Street and Timpany Blvd and continuing approximately 411 feet in a south direction. Install 411' of 1-2" conduit from HH 3-80, HH 6-80 on Timpany Blvd as shown in the plans. Install heavy duty handholes HH 3-80, HH 5-80, and HH 6-80 on Timpany Blvd. *(Public Service; Public Hearing Required)*

**10687** – A Petition by National Grid, Pearson Blvd. – to install electric conduits at a point approximately 588 feet southeast of the centerline of the intersection of Elm Street and Pearson Blvd and continuing approximately 128 feet in a southeast direction. Install 149' of 1-2" conduit from P4-80 to P5 on Pearson Blvd as shown in the plans. Install heavy duty hand holes HH4-80 and HH5 on Pearson Blvd as shown in the plans. *(Public Service; Public Hearing Required)*

**10688** – A Petition by National Grid, Pearson Blvd. – to install electric conduits beginning at a point approximately 176 feet northeast of the centerline of the intersection of Olney Street and Pearson Blvd. and continuing approximately 88 feet in a northeast direction. Install 106' of 1-2" conduit from P21-80 to P15-80 on Pearson Blvd. as shown in the plans. Install heavy duty hand holes HH21-80 and HH15-80 on Pearson Blvd. as shown in the plans. *(Public Service; Public Hearing Required)*

**10689** – An Application by ECO ATM, LLC for a License to deal in Second-hand Articles at 677 Timpany Blvd. *(Public Safety)*

## X. REPORTS OF STANDING COMMITTEES

***APPOINTMENTS COMMITTEE***

**10631** – A Measure Confirming the Mayor's Appointment of Casey Bashaw to the position of Alternate Plumbing & Gas Inspector, for term expiring March 9, 2025. *(In the City Council and Referred to Appointments Committee 3/21/2022; More Time 4/19/2022, 5/2/2022)*

**10664** – A Measure Confirming the Mayor's Appointment of Robert Oliva to the position of City Engineer, for term expiring April 15, 2025. *(In the City Council and Referred to Appointments Committee 5/2/2022)*

**10665** – A Measure Confirming the Mayor's Appointment of Michael Zlotnik to the position of Bandstand Committee Member, for term expiring April 15, 2025. *(In the City Council and Referred to Appointments Committee 5/2/2022)*

**10666** – A Measure Confirming the Mayor's Appointment of Nevonya Smith to the position of Youth Commission Member, for term expiring April 13, 2025. *(In the City Council and Referred to Appointments Committee 5/2/2022)*

**10667** – A Measure Confirming the Mayor's Appointment of Paul Leone to the position of Council on Aging Member, for term expiring April 13, 2025. *(In the City Council and Referred to Appointments Committee 5/2/2022)*

***PUBLIC SAFETY COMMITTEE***

**10675 –** An Application by GameStop, Inc. #3725, for a License to deal in Second-hand Articles at 376 Timpany Blvd. *(In the City Council and Referred to Public Safety 5/2/2022)*

**10676 –** An Application by The Salvation Army – Family Store & Donation Center, for a License to deal in Second-hand Articles at 8 Union Street. *(In the City Council and Referred to Public Safety 5/2/2022)*

**10677 –** An Application by Gardner Coins & Cards, Inc., for a License to deal in Second-hand Articles at 18 Parker Street. *(In the City Council and Referred to Public Safety 5/2/2022)*

***PUBLIC SERVICE COMMITTEE***

**10655 –** A petition by National Grid and Verizon New England Inc., Matthews Street - to install 2 Jointly Owned Poles on Matthews Street beginning at a point approximately 3,700 feet east of the centerline of the intersection of Green Street and continuing approximately 300 feet in a south direction. Install 2 Poles underneath transmission crossing. *(In the City Council and Referred to Public Service 4/19/2022; Public Hearing 5/2/2022; More Time 5/2/2022)*

***PUBLIC SERVICE COMMITTEE, continued***

**10656** – A petition by National Grid, Matthews Street – to install 5 Single Owned Poles on Matthews Street beginning at a point approximately 1400 feet west of the centerline of the intersection of Route 140 and continuing approximately 780 feet in a north direction. Install 5 poles to extend line for a new service. *(In the City Council and Referred to Public Service 4/19/2022; Public Hearing 5/2/2022; More Time 5/2/2022)*

## XI. UNFINISHED BUSINESS AND MATTERS FOR RECONSIDERATION

## XII. NEW BUSINESS

## XIII. CLOSING PRAYER

## XIV. ADJOURNMENT

**Items listed on the Council Calendar are those reasonably anticipated by the Council President to be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.**

10679

# City of Gardner, *Executive Department*

Michael J. Nicholson, Mayor

RECEIVED
2022 MAY -5 PM 12:10
CITY CLERK'S OFFICE
GARDNER, MA

May 5, 2022

Hon. Elizabeth J. Kazinskas, Council President
And City Councilors
Gardner City Hall, Rm 121
95 Pleasant St
Gardner, MA 01440

RE: Ordinance to Amend Code of the City of Gardner Chapter 664, Entitled "Yard Sales"

Dear Madam President and Councilors,

Attached, please find an ordinance proposal to amend the time that yard sales within the City are legally allowed to start.

When the ordinance was first adopted in 2013 into the City Code, it placed the legal time that a yard sale could start at 9:00 a.m. However, in practice most yard sales have either requested or simply started at 8:00 a.m.

This request is to bring the provisions of the City Code in line with what is actually being done throughout the City in practice and to make the process easier for those who are hosting these sales.

As I have done with ordinance changes in the past, the following are included with this correspondence:

- the legislative document
- a comparison document in which any deletions are in red and additions in green
- an opinion on the amendment from the Law Department
- Correspondence with department heads whose purview relates to the topics associated with the ordinance and its implementation.

Respectfully Submitted,

Michael J. Nicholson
Mayor, City of Gardner

CC: Public Safety Committee

# *Legislative Document*

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER CHAPTER 664, ENTITLED "YARD SALES"**

Be it ordained by the City Council of the City of Gardner as follows:

SECTION 1: Section 2(B) of Chapter 664 of the Code of the City of Gardner, entitled "Yard Sales: Registration Required, General restrictions," be amended by deleting "9:00 a.m." and inserting in place thereof, "8:00 a.m."

SECTION 2: This ordinance shall take effect upon passage and publication as required by law.

# *Comparison Document*

# ORDINANCE COMPARISON:

§ 664-2**Registration required; general restrictions.**

**A.** No person shall conduct a yard sale without first registering with the Building Commissioner's office at least 48 hours prior to such sale.

**B.** Yard sales shall take place only between the hours of ~~9:00 a.m.~~ 8:00 a.m. and 4:00 p.m., shall be held not more than four days each calendar year by any one person or household and shall take place on the premises of the owner of the property to be sold or at another location designated by the Building Commissioner or his designee.
[Amended 11-18-2013 by Ord. No. 1563]

**C.** In the event that inclement weather forecloses holding such sale on a day registered, the Building Commissioner or his designee may, in his discretion, allow registration for alternate sale days.
[Amended 11-18-2013 by Ord. No. 1563]

**D.** Such registration shall be allowed only to the owner of the premises on which the sale is to be held or to an authorized tenant of said premises.

**E.** All items sold or offered for sale at a yard sale shall be owned by the person who has registered for such sale.

# *Law Department*

# *Legal Opinion*

# CITY OF GARDNER
## LAW DEPARTMENT

John M. Flick
City Solicitor

Ethan Kolodny
Assistant City Solicitor

144 Central Street, Suite 201
Gardner, MA 01440

Telephone (978) 632-7948
Fax (978) 630-3703

Writer's Email:

May 5, 2022

VIA ELECTRONIC DELIVERY (Mayor@gardner-ma.gov)

Mayor Michael J. Nicholson
City of Gardner
95 Pleasant Street
Gardner, MA 01440

*Re: Yard Sale Ordinance, Chapter 664 of the City Code*

Dear Mayor Nicholson:

As per your request, I have reviewed the proposed Ordinance changes to Chapter 664 of the City Code, entitled "Yard Sales." Specifically, you are proposing to amend Section 2(B) of said Chapter by changing the start time of yard sales from 9:00 a.m. to 8:00 a.m. Seeing no significant legal issues posed with such an amendment, it is the opinion of the City Law Department that this Ordinance be submitted to the City Council for enactment and approval.

I hope this answers your question. Please let me know if you have any additional questions or if I may be of any further assistance.

Very truly yours,

Ethan Kolodny

Ethan D. Kolodny, Esq.
Assistant City Solicitor

# *Correspondence from Relevant Department Heads*

# City of Gardner

**Department of Inspectional Services**
**115 Pleasant Street, Room 101**
**Gardner, MA 01440**
Tel. (978) 630-4007 Fax: (978) 632-3313


May 4, 2022

RE: Ordinance Change

Dear Mr. Mayor,

I have read your proposed change to City Ordinance 664-2 B changing the start time from 9:00 AM to 8:00AM and I am in favor of the change.

Do not hesitate to contact me should you need any further assistance.


Roland Jean
Building Commissioner/Zoning Enforcement Officer
City Hall Annex
115 Pleasant St. RM 101
Gardner, MA 01440
(978) 630 4007
rjean@gardner-ma.gov


**Mission Statement**
To promote the safe and compatible development of the community through fair and consistent enforcement of building codes and zoning ordinances

RECEIVED
2022 MAY -6 PM 12:23
CITY CLERK'S OFFICE
GARDNER, MA

# City of Gardner

95 Pleasant St., Gardner, MA 01440
Mayor Michael J. Nicholson
Councillor George C. Tyros

May 5, 2022

Hon. Elizabeth J. Kazinskas, Council President
And City Councilors
Gardner City Hall, Rm 121
95 Pleasant St
Gardner, MA 01440

RE: An Ordinance to Amend Code of the City of Gardner, Chapter 500, entitled "Nuisances: Vacant, Abandoned, and Blighted Buildings"

Dear Madam President and Councilors,

Earlier this year, the City Council adopted our joint proposal to update our ordinances related to problem properties throughout the City.

Following updates to different building and sanitary codes and further review of ways these updates could relate the new chapter of the City Code related to these matters, we are proposing that these additional amendments be adopted into the City Code in order to further solidify the goals that were put forward in the previous ordinance that was adopted.

Respectfully Submitted,

Michael J. Nicholson
Mayor, City of Gardner

George C. Tyros
Councilor At- Large

CC: Public Safety Committee

# *Legislative Document*

**AN ORDINANCE TO AMENDE THE CODE OF THE CITY OF GARDNER CHAPTER 500, ENTITLED "NUISANCES: VACANT, BLIGHTED, AND ABANDONED PROPERTIES"**

Be it Ordained by the City Council of the City of Gardner as follows:

**SECTION 1:** Section 500-3 of the Code of the City of Gardner, entitled "Property Standards," be amended by adding the following:

> G. The owner of a vacant building must promptly repair all broken windows, doors, other openings and any unsafe conditions at a vacant building. Boarding up of open or broken windows and doors is prohibited except as a temporary measure for no longer than forty-five (45) consecutive days, unless the Commissioner determines that, due to vandalism or security reasons and due to circumstances out of the owner's control, the proper boarding of windows and doors is necessary for a period of time longer than forty-five (45) consecutive days. Boards or coverings must be fitted to the opening size and colored to blend with the existing building color scheme.
>
> H. The owner must maintain the building and property for the duration of the vacancy or abandonment. The owner shall maintain the condition of the building and property so as to appear not to be vacant. Upon notice by the Building Commissioner, any accumulated trash and/or graffiti shall be removed from the property by the owner within (7) days. The Building Commissioner and/or his designee will document violations.
>
> I. If deemed necessary by the Building Commissioner, the owner must erect and maintain, at his/her own expense, a six (6)-foot privacy fence within thirty (30) feet of the entire building. The Building Commissioner shall notify the owner in writing of the basis for requiring any such fencing. Such an order from the Commissioner must first be confirmed by obtaining written letters of support by the Fire Chief, Police Chief, City Engineer, and one (1) disinterested party who is not an employee of the City, confirming the opinion of the Building Commissioner.

**SECTION 2.** Section 500-4 of the Code of the City of Gardner, entitled "Certificate of Building Closure and Other Requirements," be amended by removing Subsection (A)(1) and inserting in place thereof the following:

(1) Prior to or not more than seven (7) days after a building becomes a vacant building, as defined herein, the owner(s) must file a certificate of building closure application in a form prescribed and amended from time to time by the Director, Commissioner and the Fire Chief setting forth the following: the status of such building, including in such notice the name, address and telephone number of the owner; the location of the building; the length of time the building has been vacant; the estimated time the building will remain vacant; and the nature of the contents of the building;

**SECTION 3.** Chapter 500 of the Code of the City of Gardner, entitled "Buildings, Vacant and Abandoned Amendment; Nuisances Amendment; Nuisances: Vacant, Blighted and Abandoned Properties," be amended by adding a new Section 6 to be entitled, "Utility Shut Offs," as follows, with the subsequent sections being renumbered to account for this new section:

> A. The Building Commissioner shall have the discretionary authority to disconnect utilities immediately if a potential hazard that may be dangerous to life and limb is present.
>
> B. The Building Commissioner shall have the authority to order that all utilities to a property be disconnected after the property has been vacant, as defined in this Chapter of the City Code, for a period of six (6) months.

**SECTION 4:** Chapter 500 of the Code of the City of Gardner, entitled "Buildings, Vacant and Abandoned Amendment; Nuisances Amendment; Nuisances: Vacant, Blighted and Abandoned Properties," be amended by adding a new Section 7 to be entitled, "Inspections," as follows, with the subsequent sections being renumbered to account for this new section:

> 500-7: Inspections
>
> The Building Commissioner, Police Chief, Fire Chief and the Health Agent, or their designees shall have the authority to periodically inspect the exterior and interior of any building subject to this Chapter of the City Code for compliance, as authorized under the terms of registration form filed with the Building Commissioner, required in Section 500-4.

**SECTION 5:** Chapter 500 of the Code of the City of Gardner, entitled "Buildings, Vacant and Abandoned Amendment; Nuisances Amendment; Nuisances: Vacant, Blighted and Abandoned Properties," be amended by adding a new Section 11 to be entitled, "Inspections," as follows:

> 500-11: Severability
>
> If any provision of this by-law is held to be invalid by a court of competent jurisdiction, such provision shall be considered separate and apart from the remaining provisions, which shall remain in full force and effect.

**SECTION 6:** This ordinance shall take effect upon passage and publication as required by law.

# *Comparison Document*

# ORDINANCE COMPARISON

## Chapter 500
## NUISANCES: VACANT, BLIGHTED, AND ABANDONED PROPERTIES

**§ 500-1. Purpose.**
**§ 500-2. Definitions.**
**§ 500-3. Property standards.**
**§ 500-4. Certificate of building closure and other requirements.**
**§ 500 -5. Signs and markings.**
**§ 500 -6. Utility Shut Offs**
**§ 500 -7. Inspections**
**§ 500 -8. Order to remove nuisance.**
**§ 500 -9. Abatement by City; violations and penalties.**
**§ 500-10. Appeals.**
**§ 500 – 11. Severability**

### § 500-1. Purpose.

It is the purpose and intent of this chapter to eliminate property nuisances in the City of Gardner. Nuisances, such as dilapidated buildings, overgrowth, debris, trash, stagnant pools of water, property having defective weather protection, and vacant, blighted, or abandoned buildings cause and contribute to blight within neighborhoods and commercial areas of the City. Such nuisances on property also impair the public health and safety, contribute to the decline of neighborhoods, and negatively impact the economic well-being of the City. This chapter is enacted to promote the health, safety and welfare of the public and to minimize hazards to public safety personnel inspecting or entering such buildings by preventing unauthorized persons from gaining entry to abandoned, blighted and vacant buildings. Moreover, this chapter is enacted in the hopes that many such vacant, blighted and/or abandoned buildings may be rehabilitated, redeveloped, demolished and/or reused to provide safe, decent and sanitary uses, thereby increasing the quality of life for the public, occupants, abutters and the City.

### § 500-2. Definitions.

The following words and phrases, when used in this chapter, shall have the following meanings:

ABANDONED BUILDING —

A. A vacant building, the ownership responsibilities of which have been surrendered or relinquished, whether intentionally or by failure to occupy and maintain such property; or

B. Buildings, structures and premises, for which the owner cannot be identified or located by delivery of certified mail at the last known or registered address, which persistently or repeatedly become unprotected or unsecured or which are or have been occupied by unauthorized persons.

BLIGHTED PREMISES – Any commercial or industrial building, structure, parcel of land, or any part of a commercial or industrial building or structure that is a separate unit in which at least one of the following conditions exist:

A. It is not being adequately maintained and secured as documented by the Commissioner or Director (as defined herein) based upon, but not limited to, the following factors:
   (1) Missing, broken or boarded up windows or doors for more than thirty (30) days;
   (2) Collapsing or missing walls, roof or floor;
   (3) Siding that is seriously damaged or missing;
   (4) Extensive fire or water damage;
   (5) A foundation that is structurally faulty;
   (6) The failure to remedy graffiti or other vandalism within thirty (30) days;
   (7) The exterior storage or accumulation of junk, trash, litter, bottles, cans, and/or rubbish, which definition shall include machinery parts, storage of abandoned or unregistered vehicles, or any other items not customarily used in connection with a lawfully operating business or building.
   (8) Overgrowth. All property shall be maintained free of vegetation over 12 inches high that is or may reasonably become infested with rodents, vermin, or other animals, conceal pools of stagnant water, or create a fire safety hazard. All property shall be kept free of overgrown, decayed, dead, or hazardous trees, shrubs, or any other vegetation that poses a hazard to the health and safety of any person in the vicinity of the property, including any persons traveling on any portion of any public way, or any surrounding property.

B. It has been cited for violations of the building, health, or fire codes as documented by the Commissioner, Director, and/or Fire Chief (as defined herein), and such violations have not been remedied in a timely manner. Such violations include, but are not limited to:
   (1) Conditions causing a public nuisance, harboring vermin or pests, presenting a threat to public health and safety, or which is/are a fire hazard.
   (2) Conditions which are or may attract illegal activity.

BUILDING — Any combination of materials having a roof and enclosed within exterior walls or fire walls, built to form a structure for the shelter of persons or property, excluding accessory structures that are incidental to the principal structure located on the same lot, such as but not limited to doghouses and storage sheds, structures used on a seasonal basis, such as vacation premises or resort facilities, and structures that are temporarily vacant for owner or tenant change or for remodeling.

CERTIFICATE OF BUILDING CLOSURE — Certificate issued by the Commissioner to the owner of a vacant building or abandoned building upon compliance with the provisions of § 500-4 herein.

COMMISSIONER — The Building Commissioner or his or her designee.

DANGEROUS BUILDING — Any unoccupied building that has been neglected and deteriorated or abandoned, vacated, unused or open to weather to such an extent that it is a danger or potential danger to life or property.

DIRECTOR — The Director of Public Health or his or her designee.

FIRE CHIEF — The Chief of the Gardner Fire Department or his or her designee.

NUISANCE — A failure to satisfy any one or more of the property standards set forth in § 500-3 herein.

OWNER — A person, trust, partnership, corporation, mortgagee in possession or other entity who or which is capable of owning legal or equitable title to real property or an authorized agent of the person or entity holding legal or equitable interest to real property, including but not limited to any person sufficiently identified by the name and address appearing in the records of the City Assessor.

PERSON — The owner, occupant, or his or its authorized agent who owns, possesses, occupies, manages or controls any property.

PROPERTY — Any land, building, structure on real property, including any fixtures attached thereto, or any personal property located within the City of Gardner.

UNSECURED BUILDING — Any vacant or abandoned building not continuously secured, maintained, locked or boarded to prevent unauthorized entry or which fails to provide protection from weather damage.

VACANT BUILDING —

A. Any unoccupied real property which is empty or remains empty and is not continuously maintained for 21 consecutive days or longer by occupants having custody or legal right of entry to said property; or

B. Any building which exhibits dilapidated walls, roof or doors which will fail to prevent the entry of a trespasser.

**§ 500-3. Property standards.**

No owner of property located within the City shall allow, create, maintain or cause to be created or maintained any blighted premises as defined herein. All property in the City of Gardner shall be maintained in accordance with the following property standards:

A. General. All property, whether occupied or vacant, shall be maintained in good repair and a safe and sanitary condition as provided herein, so as not to cause or contribute to the creation of a hazardous or blighted area or to affect adversely the public health and safety of adjacent or surrounding property.

B. Overgrowth. All property shall be maintained free of vegetation over 12 inches high that is or may reasonably become infested with rodents, vermin, or other animals, conceal pools of stagnant water, or create a fire safety hazard. All property shall be kept free of overgrown, decayed, dead, or hazardous trees, shrubs, or any other vegetation that poses a

hazard to the health and safety of any person in the vicinity of the property, including any persons traveling on any portion of any public way, or any surrounding property.

C. Structures. All structures, including any buildings, fences, storage sheds, or any element thereof, shall be maintained in a structurally sound condition and in good repair, including proper weather protection and waterproofing, and shall be maintained in a condition so as to not cause or contribute to creation of a fire safety hazard. All property shall be maintained free of extensive peeling, flaking, or chipped paint. All property with siding shall be maintained in a weather-resistant and watertight condition.

D. Accumulation of trash, rubbish or debris. All property shall be maintained in a clean and sanitary manner and free from the accumulation of litter, rubbish, trash or other debris, except in closed receptacles intended for such use.

E. Pools of stagnant water. All property shall be maintained to prohibit the formation of stagnant pools of water, which may affect adversely the public health by attracting and harboring mosquitoes and other insects.

F. Vacant, blighted, and abandoned property. All property shall be maintained in accordance with the relevant sanitary, building and fire codes, which shall include securing property in the owner's possession so as to prevent unauthorized entry and exposure to the elements, repairing or replacing broken windows or doors, and ensuring that all utilities are shut off, removed, cut, or capped to prevent accidents, if directed by the Director, Commissioner, or their designees. No owner of a vacant, blighted, or abandoned building shall allow said building to become or remain unsecured or dangerous.

G. The owner of a vacant building must promptly repair all broken windows, doors, other openings and any unsafe conditions at a vacant building. Boarding up of open or broken windows and doors is prohibited except as a temporary measure for no longer than forty-five (45) consecutive days, unless the Commissioner determines that, due to vandalism or security reasons and due to circumstances out of the owner's control, the proper boarding of windows and doors is necessary for a period of time longer than forty-five (45) consecutive days. Boards or coverings must be fitted to the opening size and colored to blend with the existing building color scheme.

H. The owner must maintain the building and property for the duration of the vacancy or abandonment. The owner shall maintain the condition of the building and property so as to appear not to be vacant. Upon notice by the Building Commissioner, any accumulated trash and/or graffiti shall be removed from the property by the owner within (7) days. The Building Commissioner and/or his designee will document violations.

I. If deemed necessary by the Building Commissioner, the owner must erect and maintain, at his/her own expense, a six (6)-foot privacy fence within thirty (30) feet of the entire building. The Building Commissioner shall notify the owner in writing of the basis for requiring any such fencing. Such an order from the Commissioner must first be

confirmed by obtaining written letters of support by the Fire Chief, Police Chief, City Engineer, and one (1) disinterested party who is not an employee of the City, confirming the opinion of the Building Commissioner.

**§ 500-4. Certificate of building closure and other requirements.**

A. Any owner/person who knows or reasonably should know that a building owned by said owner/person is or will become vacant, abandoned, or a blighted premises, as those terms are defined herein, or any owner/person who intends to abandon or vacate a building owned or controlled by said owner/person shall forthwith:

(1) Prior to or not more than seven (7) days after a building becomes a vacant building, as defined herein, the owner(s) must File a certificate of building closure application in a form prescribed and amended from time to time by the Director, Commissioner and the Fire Chief setting forth the following: the status of such building, including in such notice the name, address and telephone number of the owner; the location of the building; the length of time the building has been vacant; the estimated time the building will remain vacant; and the nature of the contents of the building;

(2) As may be required by the Fire Chief, file one set of space utilization floor plans for said building with the Fire Chief and one set of plans with the Commissioner;

(3) Remove from the building, to the satisfaction of the Fire Chief, hazardous material, as that term is defined in MGL c. 21K, as that statute may be amended from time to time;

(4) Secure all windows and door openings and ensure that the building is secured from all unauthorized entry continuously in accordance with the United States Fire Administration, National Arson Prevention Initiative, Board Up Procedures, or provide twenty-four-hour on-site security personnel in the building. When a building is located within a complex of buildings owned by a single owner, twenty-four-hour on-site security shall be provided within the building or within the complex wherein the building is located;

(5) Maintain all relevant sanitary, building and fire codes, including but not limited to the maintenance of major systems, the removal of trash and debris, and the upkeep of lawns, shrubbery and other landscape and external/visible features.

(6) As may be required by the Fire Chief, Director, or Commissioner, post "No Trespassing" signs on the building;

(7) Provide the Fire Chief, Commissioner and Director with the name, local address, and telephone number of a responsible person who can be contacted in case of emergency. The owner shall cause the name and contact number to be marked on the front of the building as may be required by the Fire Chief or Director;

(8) Maintain liability insurance on the building and furnish the Commissioner with a copy of said certificate of insurance;

(9) As may be required by the Commissioner, provide a cash bond acceptable to the Commissioner, in the sum of not less than $5,000, to secure the continued maintenance of the building throughout its vacancy and remunerate the City for any expenses incurred in inspecting, securing, marking or making such building safe; and

(10) Pay the appropriate certification fee or certification renewal fee as set forth in Article II of Chapter 390, Fees, of this Code, as from time to time amended.

B. The Commissioner shall undertake an investigation of any alleged violation of this section and shall coordinate inspections by and among the Board of Health, the Chief of Police and Fire Chief, or their designees, as the Commissioner deems appropriate to ensure that this Ordinance is properly enforced. In making such inspection(s), the Commissioner and/or Board of Health, Chief of Police and Fire Chief, or their designees, shall have such right of access to premises as may be lawfully required and exercised by him/her under the laws of the Commonwealth of Massachusetts.

C. If it appears that any vacant, blighted or abandoned building is unsecured or dangerous, the Commissioner shall send written notification to the owner as provided for in § 500-6, requiring that the owner promptly secure or cause the building to be secured. If the owner fails to comply with any order issued pursuant to this section, the Fire Chief or Commissioner may immediately seek to obtain the proceeds secured by the bond filed pursuant to § 500-4(A), herein and shall enter upon the premises and cause the building to be inspected, secured and marked using said proceeds.

D. The Commissioner or Fire Chief, upon being informed of the existence of an abandoned, blighted or a vacant building without a certificate of building closure, shall cause notice to issue to the owner of the status of said building and shall order said person to immediately obtain a certificate of building closure. If any person fails to comply with said order, the Fire Chief or Commissioner may enter the premises to inspect, secure and mark the building.

E. All unsecured vacant, blighted, and unsecured abandoned buildings shall be immediately referred to the Director and Commissioner for a determination relative to whether the building is a nuisance or dangerous pursuant to MGL c. 139 and MGL c. 143 and procedures promulgated thereunder.

F. Upon satisfactory compliance with the above provisions, the Commissioner shall issue a certificate of building closure. Said certificate shall be valid for period not to exceed six months from the date of issuance. Said certificate may be renewed, at the discretion of the Commissioner, subject to continued compliance with this chapter and the payment of the appropriate renewal fee as set forth in Article II of Chapter 390, Fees, of this Code, as from

time to time amended. Under no circumstances shall a certificate of building closure or any extension thereof exceed six months in duration from the date of issuance.

**§ 500 -5. Signs and markings.**
When required pursuant to this chapter, signs or markings shall be applied on the front of the building, and elsewhere as the Fire Chief may require, at or above the second floor level and shall not be placed over doors, windows, or other openings. All signs/markings shall be visible from the street and, when requested by the Fire Chief, shall be placed on the sides and rear of the building. Signs/markings shall be a minimum of 24 inches by 24 inches, with lines of two-inch width, and shall have a reflective background, or be painted with reflective paint, in contrasting colors. Signs/markings shall be applied directly on the surface of the building and shall state the date of posting and the most recent date of inspection by the Fire Chief and Director.

**§ 500 -6. Utility Shut Offs.**

A. The Building Commissioner shall have the discretionary authority to disconnect utilities immediately if a potential hazard that may be dangerous to life and limb is present.

B. The Building Commissioner shall have the authority to order that all utilities to a property be disconnected after the property has been vacant, as defined in this Chapter of the City Code, for a period of six (6) months.

**§ 500 -7. Inspections.**

The Building Commissioner, Police Chief, Fire Chief and the Health Agent, or their designees shall have the authority to periodically inspect the exterior and interior of any building subject to this Chapter of the City Code for compliance, as authorized under the terms of registration form filed with the Building Commissioner, required in Section 500-4.

**§ 500 -8. Order to remove nuisance.**
It shall be unlawful for the owner of any property in the City to violate any one or number of the property standards contained in § 500-3 and any such property in violation shall be deemed a public nuisance. Depending upon the violation, the Commissioner, Director, and/or their respective designated agent(s) shall declare the property a public health nuisance and order the owner to remove the nuisance within thirty (30) days after service of notice of the violation.

A. Notices required pursuant to this section shall contain the following information:

(1) The street address and description of the property sufficient for identification of the property.

(2) A statement that the property has been declared a public nuisance because of the presence of a nuisance on the property.

(3) A concise description of the conditions on the property that have led to the determination that the property is a public nuisance.

(4) A statement that the nuisance shall be removed from the property within 10 days from service of the notice and that if the owner fails to remove the nuisance within the time frame specified that the owner will be in violation of this chapter and subject to the penalties described therein.

B. Notice.

(1) Notices required pursuant to this chapter shall be served in the following manner:

(a) Personally on the owner, occupant or his authorized agent;

(b) Left at the last and usual place of abode of the owner, occupant or his authorized agent if such place of abode is known and is within or without the commonwealth; or

(c) By certified or registered mail, return receipt requested, to the owner, occupant or his authorized agent if such address is known and is within the commonwealth.

(2) If the residence and whereabouts of the owner, occupant or his authorized agent are unknown or are outside the commonwealth, then the notice shall be served by posting a copy thereof in a conspicuous place on the property and by advertising it for at least three out of five consecutive days in one or more newspapers of general circulation within the City.

(3) All such notices shall require the owner to bring the building into compliance with the requirements of the notice within thirty (30) days of receipt. In the event of demonstrated hardship, an extension of time may be granted at the discretion of the Commissioner, Director, or their designee. Should the Commissioner or his/her designee determine that the condition(s) of the building are subject to the jurisdiction of the Board of Health or is/are in violation of the State Sanitary Code or any health regulation, in addition to enforcing this chapter, the Commissioner shall refer the matter to the Board of Health or any other appropriate state or local officials, at which time the Director or his/her designee shall be tasked with providing the owner with notice as required under this section. Conversely, should the matter fall within the purview of the building code, the Commissioner or his/her designee shall be tasked with enforcement and providing notice to the owner.

**§ 500 -9. Abatement by City; violations and penalties.**

A. If the owner fails to remove such nuisance within the period provided in § 500-6, the City may enter the property and remove or cause the nuisance to be removed. The reasonable costs and expense of abating a nuisance in accordance with this section shall be assessed to the owner, who shall be liable to the City for expenses incurred by the City in making such repairs or other corrective actions. The Commissioner, Director, or their designee shall provide the owner with a written statement of all costs associated with abating the

nuisance, and the owner shall reimburse the City within 60 days of notice of expenses incurred for such abatement. If the owner fails to pay or reimburse the City, the sum so expended may be recovered by the City as provided in MGL c. 111, § 125, and MGL c. 139, § 3A, relative to liens for such debt and collection of the claims for such debt, or in an action of contract by the City against the owner.

B. In addition to the penalties set forth above, the owner of an abandoned or vacant building who fails to obtain a certificate of building closure as required herein shall be liable to the City for expenses incurred by the City in securing such building. The Commissioner shall provide the owner with a written statement of all costs associated with inspecting, securing and marking the building. If the owner fails to pay or reimburse the City within 60 days of notice of expenses, the City shall record the notice of claim in the Worcester District Registry of Deeds (or the Land Court Department) forthwith, establishing a lien on the property for the balance due.

C. This chapter may also be enforced by civil process, criminal process or by noncriminal disposition as provided in MGL c. 40, § 21D.

D. Each day on which a violation exists shall be deemed to be a separate offense, and any person in violation of this chapter shall be subject to the following fines:

(1) First violation: $100.
(2) Second violation: $200.
(3) Third violation and each subsequent violation: $300.

E. In addition to the penalties set forth above, the Commissioner, Director or their respective designated agent may seek an injunction from a court of competent jurisdiction to restrain any violation of this chapter.

F. This chapter shall not be enforced against the City or the Commonwealth of Massachusetts, its authorities, departments, or agencies.

**§ 500-10 Appeals.**

A. Any owner who is aggrieved by a notice of violation made by the Commissioner, Director, or their designee(s) may, within five business days from the date of notice of violation, appeal his or her case in writing for further consideration. Thereafter the decision of the Commissioner, Director or his/her designee shall be final and binding on the parties.

B. If an owner submits a written statement of action taken or to be taken within a designated time period to abate a nuisance violation, the Commissioner or Director, whichever is applicable to the nuisance violation, shall determine whether said action will eliminate the nuisance in a timely manner. If it is determined that the action taken or to be taken will result in the elimination of the nuisance a timely manner, the Commissioner or Director shall notify the owner, in writing, that no assessment will be made at that time.

**§ 500-11 Severability.**

If any provision of this by-law is held to be invalid by a court of competent jurisdiction, such provision shall be considered separate and apart from the remaining provisions, which shall remain in full force and effect.

# *Law Department*

# *Legal Opinion*

# CITY OF GARDNER
## LAW DEPARTMENT

John M. Flick
City Solicitor

Ethan Kolodny
Assistant City Solicitor

144 Central Street, Suite 201
Gardner, MA 01440

Telephone (978) 632-7948
Fax (978) 630-3703

Writer's Email:

May 5, 2022

VIA ELECTRONIC DELIVERY (Mayor@gardner-ma.gov)

Mayor Michael J. Nicholson
City of Gardner
95 Pleasant Street
Gardner, MA 01440

*Re: Vacant Building Ordinance*

Dear Mayor Nicholson:

You have requested an opinion from the City Law Department concerning the proposed Ordinance changes to Chapter 500 of the City Code, entitled "Buildings, Vacant and Abandoned Amendment; Nuisances Amendment; Nuisances: Vacant, Blighted and Abandoned Properties." As you are aware, the City Law Department assisted with the initial drafting of this proposed Ordinance and amendment. I have reviewed the supplemental revisions made thereto and, having no further changes to make, it is the opinion of the City Law Department that this Ordinance be submitted to the City Council for enactment and approval.

I hope this answers your question. Please let me know if you have any additional questions or if I may be of any further assistance.

Very truly yours,

Ethan D. Kolodny, Esq.
Assistant City Solicitor

# *Correspondence from Relevant Department Heads*

# City of Gardner

**Department of Inspectional Services**
**115 Pleasant Street, Room 101**
**Gardner, MA 01440**
Tel. (978) 630-4007 Fax: (978) 632-3313


May 4, 2022

RE: Ordinance Change to Chapter 500

Dear Mr. Mayor,

I have reviewed your proposed Ordinance change to Chapter 500 of the City Code and I feel these changes will give us the help we need to either bring vacant or blighted buildings into compliance, or in the interim make them safe for first responders and less enticing to squatters. I am in favor of these changes.

Do not hesitate to contact me should you need any further assistance.


Roland Jean
Building Commissioner/Zoning Enforcement Officer
City Hall Annex
115 Pleasant St. RM 101
Gardner, MA 01440
(978) 630 4007
rjean@gardner-ma.gov

# CITY OF GARDNER

OFFICE OF THE
**BOARD OF HEALTH ROOM 29, CITY HALL**
GARDNER, MASSACHUSETTS 01440
(978) 630-4013
FAX (978) 632-4682

May 5, 2022

Mayor Michael J. Nicholson
Executive Department
Gardner City Hall
95 Pleasant St.
Gardner, MA 01440

RE: Blighted, Nuisance, Vacant and Abandoned Properties Ordinance

Dear Mayor Nicholson:

I have reviewed the updated drafted proposal to amend the Gardner City Code by adding the section "Blighted, Nuisance, Vacant and Abandoned Properties Ordinance." I believe combining all the above mentioned nuisance violations into the ordinance proposed here makes sense and should help us to enforce public health and safety in the City. I am available for any further questions or discussion if necessary.

Sincerely,

Lauren Saunders

Lauren Saunders
Director of Public Health

# CITY OF GARDNER

**FIRE DEPARTMENT**
**70 CITY HALL AVENUE**
**GARDNER, MA 01440-2671**

**OFFICE OF FIRE CHIEF**
**GREGORY F. LAGOY**

**(978) 632-1616 Ext. 5**
**FAX (978) 630-4028**

May 5, 2022

RE: Vacant Building Ordinance

Dear Mayor Nicholson:

I have reviewed and support the proposed changes to Chapter 500 of the City Code involving vacant and/or blighted buildings. The changes will assist Code Enforcement Officials in the City to mitigate hazards found with these buildings.

Please feel free to contact me if you need any additional information regarding this subject.

Respectfully,

Gregory F. Lagoy
Fire Chief
City of Gardner

# City of Gardner, *Executive Department*

Michael J. Nicholson, Mayor

RECEIVED
2022 MAY -9 PM 2:44
CITY CLERK'S OFFICE
GARDNER, MA

May 5, 2022

Hon. Elizabeth J. Kazinskas, Council President
And City Councilors
Gardner City Hall, Rm 121
95 Pleasant St
Gardner, MA 01440

RE: Shared Mobility Device Ordinance Proposal

Dear Madam President and Councilors,

Across the Untied States, several cities and towns are starting to see new motorized scooter and bicycle programs pop up. In some cases, shared mobility businesses have opened new locations in different areas, in others, people have begun to privately purchase these devices.

Gardner has been selected as a Pilot City for the scooter company, Bird.

The attached ordinance proposal is to regulate the businesses who could potentially come into the City as well as the use of these devices- both rented from these businesses or privately owned.

While these scooters have potential to provide new methods of transportation, they also need to be regulated as to where they can be ridden, stored, operated, and more.

It is also important to note that whether or not the City adopts this ordinances, these new vehicles can come into the City as they are generally available to the public for private purchase for use on their own.

This ordinance proposal seeks to address these concerns and help ensure that the City sees the benefits of these devices and preemptively alleviates and avoids any issues that may arise.

Respectfully Submitted,

Michael J. Nicholson
Mayor, City of Gardner

CC: Traffic Commission
Public Safety Committee

# Legislative Document

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARDNER, CHAPTER 330, ENTITLED "BICYCLES AND PLAY VEHICLES", BY ADDING A NEW ARTICLE III, TO BE ENTITLED "SHARABLE DOCKLESS MOBILITY DEVICES," WHICH ARTICLE PROVIDES FOR THE DEFINITION OF SHARABLE DOCKLESS MOBILITY BUSINESSES AND DOCKLESS MOBILITY DEVICES, LICENSING AND OPERATION REQUIREMENTS, REGULATORY AUTHORITY, AND ENFORCEMENT**

Be it enacted by the City Council of the City of Gardner as follows:

**Section 1.**

The Chapter 330 of the Code of the City of Gardner be amended by creating a new Article III to be entitled "Shared Mobility Businesses and Operations" as follows:

**ARTICLE III: SHARABLE DOCKLESS MOBILITY DEVICES**

**§330-7 Purpose**
**§330-8 Definitions.**
**§330-9 Operation of a Sharable Dockless Mobility Device System**
**§330-10 Licensing Requirements and Procedures**
**§330-11 Rental and Storage of Dockless Mobility Devices**
**§330-12 Authority over Dockless Mobility Devices Sharing Businesses**
**§330-13 Enforcement**
**§330-14 Operation of a Dockless Mobility Device**
**§330-15 Prohibited Acts While Operating Dockless Mobility Devices**
**§330-16 Violations and Penalties**
**§330-17 Severability**

330-7 Purpose

WHEREAS, companies have created new business offering bicycles and scooters, ("Dockless Mobility Devices") for public use via the placement of Sharable Dockless Mobility Devices throughout the City of Gardner ("City") without being locked to a bike rack or other infrastructure; and

WHEREAS, the City's bicycle and toy vehicle ordinances do not regulate Sharable Dockless Mobility Devices; and

WHEREAS, the City has evaluated other Sharable Dockless Mobility Device ordinances from Boston, Seattle, Atlanta, Brookline, and other cities to understand the regulatory schemes they have implemented to regulate these new devices; and

WHEREAS, the City has been selected as one of three pilot cities for the use of Sharable Dockless Mobility Devices in the Commonwealth; and

WHEREAS, the City has a substantial interest in regulating how private operators of Sharable Dockless Mobility Devices operate on the public rights-of-way to promote public safety and to ensure the public right-of-way remains obstruction free; and

WHEREAS, accordingly, the City of Gardner desires to amend Chapter 330, entitled "Bicycles and Play Vehicles" by adding an additional Article III to be entitled "Sharable Dockless Mobility Devices," to establish regulations related to sharable mobility devices, which shall include a requirement that Dockless Mobility Device System Operators secure a permit issued by the City for the operation of Dockless Mobility Device Systems in the City of Gardner; and

WHEREAS, it is the desire of the City to establish an annual licensing process and fee to be paid by Dockless Mobility Device System Operators which shall permit the operation of up to 100 Dockless Mobility Devices within the City's limits, along with an additional per device fee for each device operated under a Dockless Mobility Device permit over the initial 100 devices to offset any costs to the City related to the implementation and enforcement of the regulations contained in Chapter 330, Article III of the Code of the City of Gardner;

THEREFORE, the following provisions are to be included in the Code of the City of Gardner to meet such requirements:

330-8 Definitions

When used in this section, unless the context otherwise requires, the following terms shall have the following meanings:

A. "Chief" shall mean the Chief of the Gardner Police Department or their designee.

B. "Dockless Mobility Devices" shall mean an electric/motorized device that permits an individual to move or be moved freely which shall include but not be limited to e-scooters, stand-up electric scooters, and any device with no more than two ten-inch or smaller diameter wheels that has handlebars, front and rear lights, brake lights, is designed to be stood upon, and is powered by an electric motor that is capable of propelling the device with or without human propulsion at a speed no more than fifteen (15) miles per hour on a paved level surface, and shall exclude bicycles/e-bicycles and any motor vehicle required to be registered with the Commonwealth in accordance with the General Laws, or the operation of which is otherwise governed by state law.

C. Dockless Mobility Device System Operator ("Operator'') is a private entity that owns and operates a City permitted Sharable Dockless Mobility Device System.

D. "Dockless Mobility Devices Sharing Businesses" do not include publicly maintained or publicly owned Dockless Mobility Device sharing systems.

E. "Sharable Dockless Mobility Device License ("Dockless License")" shall be a license required to operate a Sharable Dockless Mobility Device System within the City.

F. "Sharable Dockless Mobility Device System" is a fleet of Sharable Dockless Mobility Devices operated by private entities that provides the general public with Sharable Dockless Mobility Devices.

G. Sharable Dockless Mobility Device System shall not include "Transportation Network Companies" as defined by Chapter 159A ½ of the General Laws.

330-9 Operation of a Sharable Dockless Mobility Device System

A. No person or entity shall operate a Dockless Mobility Device System except pursuant to a license issued by the Chief. A license to operate such a business may be issued upon:

   a. Completion of such application as required by the Chief setting forth the required information to determine qualification under any standards and requirements as may be established; and

   b. Determination by the Chief that the applicant's proposal meets such standards and requirements, which may take into account the applicant's past conduct in the City or other locations around the Commonwealth prior to the passage of this Ordinance, and that the issuance of such license complies with applicable law and contractual arrangements.

B. Sharable Dockless Mobility Device System Operator shall ensure that their Dockless Mobility Devices comply with all applicable federal and state laws and regulations.

C. All Sharable Dockless Mobility Devices shall have permanently affixed contact information and unique company specific device identifiers on all devices for relocation requests.

D. Operators must monitor and document relocation requests and responses 24/7, including providing a 24/7 toll-free phone number and/or e-mail address on each Dockless Mobility Device for members of the public to make relocation requests, report complaints, safety concerns, questions, or any other issues with devices.

E. Operators shall provide education to Dockless Mobility Device riders on the Commonwealth of Massachusetts and City's existing rules and regulations including, but not limited to, obeying all traffic laws, being subject to arrest for OUI, Leaving the Scene of a Personal Injury accident, Failure to Stop for the Police, etc. as well as safe and courteous riding, and proper parking via technological means. Such education to Dockless Mobility Device riders shall also include:

   a. Operators shall provide notice to all users that Dockless Mobility Devices are to be ridden on streets, and where available, in bike lanes and bike paths, and are to stay to the right of street lanes and to offer the right of way to bicycles in bike lanes and on bike paths. Users of Dockless Mobility Devices shall be 16 years old or older.

b. Dockless Mobility Devices shall be parked upright on sidewalks or on the street next to an unmarked curb. To the extent Operators desire to park Dockless Mobility Devices in areas other than the public right-of-way (e.g., parks, plazas, parking lots, private property, or transit stations), Operators must first obtain the right to do so from the appropriate City Department, property owner, or public agency and shall communicate this right to users through signage approved by the respective entity and/or through a mobile or web application.

330-10 Licensing Requirements and Procedures

A. *Licensing.*

In the City, Sharable Dockless Mobility Device Systems shall be subject to annual licensure by the Chief and the minimum requirements provided in this Chapter. The minimum requirements shall be as follows:

a. Dockless Mobility Devices for rent by Dockless Mobility Device Systems shall not obstruct crosswalks, curb ramps, fire hydrants, building ingress or egress, public utilities, or as otherwise directed within the City's Traffic Rules and Regulations as issued by the City's Traffic Commission.

b. Sharable Dockless Mobility Device System applicants shall submit a safety plan, which outlines their plan to inspect, maintain, and replace, when appropriate, their Dockless Mobility Devices and how they plan to meet applicable federal and state laws.
   i. The safety plan shall also include a proposal to educate the public on proper and safe usage of their Dockless Mobility Devices.

   ii. The safety plan shall also include a proposal and commitment to ensure safe parking of such Dockless Mobility Devices.

   iii. The safety plan must be presented and approved by the Chief.

c. Sharable Dockless Mobility Device System applicants shall submit their proposed area(s) of service. Such proposed area(s) shall be subject to approval and revision by the Chief.

d. Sharable Dockless Mobility Device Systems shall have the ability to remove their Dockless Mobility Devices in advance of a Snow Emergency or other extreme weather, in advance of major events, or as otherwise directed by the Gardner Police Department or Department of Public Works.

e. Sharable Dockless Mobility Device Systems shall have the ability to remotely lock-down individual Dockless Mobility Devices when they are deemed or reported to be unsafe, in advance of a Snow Emergency or other extreme weather,

in advance of major events, when located outside approved service areas, or as otherwise directed by the Gardner Police Department or Department of Public Works.

f. The maximum speed of Dockless Mobility Devices made available by a Sharable Dockless Mobility Device System shall not exceed 15 miles per hour ("MPH").

g. Dockless Mobility Devices for rent by Sharable Dockless Mobility Device Systems shall clearly display a unique, permanent identification number that is provided to the City as required by Section 330-1 of the Code of the City of Gardner.

h. Sharable Dockless Mobility Device Systems and Sharable Dockless Mobility Device System Operators shall indemnify, defend and hold harmless the City of Gardner, as well as its employees, agents, and affiliates from and against all actions, damages or claims brought against the City arising out of Sharable Dockless Mobility Device Systems and Sharable Dockless Mobility System Operators' negligence or willful misconduct with regard to the use of Dockless Mobility Devices. Sharable Dockless Mobility Device Systems shall also be required to hold insurance.

i. Sharable Dockless Mobility Device Systems shall be required to meet with community and business groups, as directed by the Chief in consultation with the Mayor's Office, ahead of launching service.

B. *Application Fee.*

The application fee for a license or an annual renewal of a license for the operation of a Dockless Mobility Devices Sharing Business shall be $1,000.00 for 100 devices and an additional $50.00 per Dockless Mobility Device in the Operator's System for every device over the initial 100 allowed by this Article.

*C. License Requirements.*

a. Any Operator applying for a Dockless License shall submit a license application to the Gardner Police Department. The application shall be sworn to by the applicant or agent thereof and must include the following:

i. Completed Dockless Permit application form;

ii. City business license obtained from the City Clerk's Office;

iii. City Certificate of Good Standing as required by Chapter 464 of the Code of the City of Gardner;

iv. Insurance documentation and acknowledgement that the City is indemnified and held harmless for all liability related to the operation of the Sharable Dockless Mobility Device System;

v. Images and description of the applicant's Dockless Mobility Device, including technical specifications, any signage or instructions permanently affixed to the device, mobile application, and documentation that the devices meet safety standards as set forth in this Article;

vi. Address and contact information of the general manager for the Sharable Dockless Mobility Device System;

vii. Plan for educating users on proper parking, operations, and other applicable laws;

viii. Plan for encouraging helmet usage;

ix. Plan for sustainability measures when disposing of a broken Dockless Mobility Device;

x. Application fee of $1,000.

b. The Dockless License shall be valid for a period of 12 months, beginning on January 1st and expiring on December 31st of each calendar year. All permit holders shall be required to renew their permits annually with all of the documentation prescribed in this section by December 1st of each calendar year.

c. Any expansion of a Sharable Dockless Mobility Device System not originally permitted in the most current Dockless License on file may be authorized through the filing of an application to amend the permit to add devices along with the applicable fees.

d. Upon administrative declaration by the Chief, a permit holder may apply for a temporary expansion of their fleet in accordance with a temporary fleet maximum.

330-11 Rental and Storage of Dockless Mobility Devices

A. Based upon the interest of safety, no person or entity shall store or make available for rent Dockless Mobility Devices associated with their Sharable Dockless Mobility Device System on the public property in the City of Gardner, except as specifically authorized by this Chapter.

B. Public property includes but is not limited to all public ways, sidewalks, parks, plazas, bicycle paths and shared use paths owned by and/or under the care, custody and control

of the City of Gardner.

330-12 Authority over Dockless Mobility Devices Sharing Businesses

A. *Limits on Dockless Mobility Devices.*

The Chief may by regulation limit the total number of types of Dockless Mobility Devices available for rent by Dockless Mobility Devices Sharing Businesses based upon issues such as safety, accessibility of the public way, geographic availability, and usage rates. The Gardner Police Department shall evaluate this limit from time to time to determine whether the limit should be adjusted.

B. *Limits on Licenses.*

The Chief may from time to time set a limit on the number of total licenses that may be issued or renewed per year. The Chief's authority to limit the total number of licenses shall also include the ability to issue licenses for a defined period of time as "Pilot Licenses," in order to assess the impact of Dockless Mobility Devices Sharing Businesses and inform the promulgation of regulations.

C. *Transfers.*

No person holding a Dockless Mobility Devices Sharing Business license shall sell, lend, lease or in any manner transfer such license for value. However, a license holder may transfer the license as part of the sale of a majority of the stock in a corporation holding such license, as part of the sale of a majority of the membership interests of a limited liability company holding such license, or as part of the sale of a business or substantially all of its assets; provided that prior to any such transfer, the transferor shall notify the Gardner Police Department in writing and the transferee shall submit an application for approval pursuant to subsection 330-2(a) of this Chapter.

D. *Regulatory Authorities.*

The Chief may, by regulation, establish any standards and requirements for safe and responsible operation of Dockless Mobility Devices Sharing Businesses deemed necessary for reasonable management of the public right-of-way. Such regulations may include, but are not limited to:

1. Standards for safety of equipment, responsible operation and aesthetics;

2. Requirements to remove or promptly repair any vehicle determined by the City to present an impermissible risk to health or safety;

3. Standards designed to promote compliance with parking and storage requirements, including the establishment of penalties and fines in connection with Dockless Mobility Devices and Dockless Mobility Devices Sharing

Businesses;

4. Requirements to notify customers of legal or other requirements applicable to use of vehicles under the program;

5. Standards regarding the area of service;

6. Requirements to label vehicles with identifying information;

7. Requirements regarding insurance, security and indemnification of the City;

8. Requirements regarding the regular provision of data to the City regarding vehicles used by the business, such as usage rates and vehicle condition;

9. Requirements regarding the total number of Shared Vehicles in the City, or in any area of the City;

10. Standards for the suspension and revocation of a license;

11. Rules and procedures concerning renewal of a license; and

12. Such other standards or requirements as may be necessary for safe and reasonable management of the public right-of-way, and compliance with the licensing provisions of this ordinance.

E. *Revocation, Suspension, Modification.*

Once a license has been issued it may be revoked, suspended, modified, or not renewed by the Gardner Police Department for failure to comply with the provisions of this section or any rules and regulations promulgated.

F. *Enforcement.*

The provisions of this section or any rules and regulations promulgated thereof may be enforced by the Gardner Police Department.

330-13 Enforcement

A. The Chief shall have the authority to impound and/or contract with a third-party towing service to impound Dockless Mobility Devices of unlicensed Dockless Mobility Devices Sharing Businesses and impose fees related to the City's efforts to collect, store, and track such Dockless Mobility Devices.

B. The Chief shall also have the authority to impound Dockless Mobility Devices of licensed Dockless Mobility Devices Sharing Businesses that are stored or parked on the

public right-of-way in a manner that is inconsistent with this Chapter or the City of Gardner Traffic Rules and Regulations and impose fees accordingly.

330-14 Operation of a Dockless Mobility Device

A. No Person under the age of 16 may operate a Dockless Mobility Device in the City.

B. Dockless Mobility Devices shall be allowed to operate daily between of hours of 6AM and 9PM and must be removed from the public way and public property between the hours of 10PM and 5AM.

C. In the event a Dockless Mobility Device is not relocated, re-parked, or removed within the timeframe specified herein, or any Dockless Mobility Device is parked in one location for more than 48 hours without moving, such Dockless Mobility Device may be removed by Town crews and taken to a Town facility for storage at the expense of the Company.

D. Dockless Mobility Devices are to be ridden on streets, and where available, in bike lanes, bike paths and multi-use paths. Dockless Mobility Device are to stay to the right of street lanes and to offer the right of way to bicycles and other mobility devices in bike lanes, bike paths, and multi-use paths.

E. No person operating a Dockless Mobility Devices shall operate so as to damage or interfere with the use and enjoyment of any park or playground within the City or with any equipment, playing fields or courts, gardens and shrubbery found therein.

F. Operation within a cemetery shall be strictly prohibited.

G. Sharable Dockless Mobility Devices and Dockless Mobility Devices may be operated within the City's parks only on paved walking paths. Operations shall not be allowed on any grass areas of City Parks.

H. Sharable Dockless Mobility Devices and Dockless Mobility Devices may not be operated on sidewalks or any space exclusively for pedestrian use.

I. Sharable Dockless Mobility Devices and Dockless Mobility Devices may operate in vehicle travel lanes, in bike lanes, and along shared use paths throughout the City.

J. Sharable Dockless Mobility Devices and Dockless Mobility Devices shall be operated in a manner consistent with all applicable state and local laws.

K. Operators must educate users on proper Sharable Dockless Mobility Devices operations.

L. Sharable Dockless Mobility Device and Dockless Mobility Device riders must yield to pedestrians in all cases including along shared use paths.

M. Operators shall provide sufficient local operations and maintenance staff to address issues and remove improperly parked bikes or scooters. In the event of a safety or maintenance issue that is reported for a specific Dockless Mobility Device, said Device shall be made unavailable to all users and shall be removed by Operators at their sole expense and cost. Any inoperable or unsafe device shall be repaired by Operators prior to being placed back into service or use.

N. Operators shall work with the Gardner Police Department to enforce this Ordinance with the most advanced and appropriate available technology.

O. Operators shall work with the Gardner Police Department to enforce temporary or permanent no-ride zones authorized by the City with the most appropriate available technology.

P. Parking

   a. The City reserves the right to identify parking areas and no-parking areas through administrative regulations issued by the Gardner Police Department. All parking areas and no-parking areas will be communicated directly to operators.

   b. Operators must communicate proper Sharable Dockless Mobility Devices parking requirements to all users.

   c. Sharable Dockless Mobility Devices shall be parked upright at all times.

   d. No person shall park a Sharable Dockless Mobility Device or a Dockless Mobility Device other than upon the sidewalk in a bike rack or against a building or at a curb, in such manner as to afford the least obstruction of pedestrian traffic and provides a minimum of five (5) feet clear for pedestrians.

   e. Sharable Dockless Mobility Devices and Dockless Mobility Devices shall not be parked:

      i. On vegetation

      ii. On any grate, manhole cover, or access lid

      iii. In any loading zone, driveway, vehicle travel lane, bike lane, or shared-use path

      iv. Where they obstruct vehicle parking

      v. Where they obstruct pedestrian or wheelchair access to private or public buildings and establishments

vi. Street features that require pedestrian access including but not limited to benches, parklets, parking pay stations, and crosswalk buttons

vii. Accessibility and safety features including curb ramps, wheelchair ramps, ramp landings. handrails, areas of refuge, and detectable warning strips

viii. A bus stop clear zone of 40 feet long by 8 feet wide for transit stops.

ix. At or within 5 feet of a bikeshare station

x. Where it obscures any fixed, regulatory, or informational signs or traffic control devices

xi. Where it obstructs emergency service infrastructure including but not limited to fire hydrants, standpipes, or Automated External Defibrillators

xii. in such a manner as to impede or interfere with the reasonable use of any commercial window display or access to or from any building.

f. Operators will remove improperly parked Sharable Dockless Mobility Devices in accordance with local laws and without prior notice from the City

g. Upon evidence that an Operator 's Sharable Mobility Devices are found to be consistently parked improperly, the City reserves the right to reduce the number of shared devices allowed under their permit or revoke it all together

h. The City reserves the right to cite, impound and store, and dispose of improperly parked devices at the operators' expense.

330-15 Prohibited Acts While Operating Dockless Mobility Devices

A. Sharable Dockless Mobility Devices shall not be operated by more than one person at a time.

B. While operating a Sharable Dockless Mobility Device or Dockless Mobility Device, no individual shall physically hold or utilize a wireless telecommunications device, including cell phones, including but not limited to talking, texting, emailing, or otherwise using said telecommunications device.

330-16 Violations and Penalties

A. Whoever violates any of the provisions of this article shall be issued a citation by the Gardner Police Department and will be subject to a fine of $5 for each violation.

B. Any person with three or more violations, defined as a habitual offender, shall upon any subsequent violations be subject to a fine of $25 and may be prohibited from such further

use of a Dockless Mobility Device.

C. A police officer taking cognizance of any such violation may request the offender to state his/her true name and address. Whoever upon such request refuses to state his/her name and address or states a false name and address or a name and address which are not his/her name and address in ordinary use, shall be punished by a fine of not less than $25 nor more than $50. Any such offender so refusing to state his/her name and address may be arrested without a warrant, but no person shall be arrested without a warrant for any other violation of this Article.

330-17 Severability

A. If any provision of this Section is held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

**Section 2.**

This Article shall become effective upon adoption, final passage and publication pursuant to law.

# Law Department

# Legal Opinion

# CITY OF GARDNER
## LAW DEPARTMENT

John M. Flick
City Solicitor

Ethan Kolodny
Assistant City Solicitor

144 Central Street, Suite 201
Gardner, MA 01440

Telephone (978) 632-7948
Fax (978) 630-3703

Writer's Email:

May 9, 2022

VIA ELECTRONIC DELIVERY (Mayor@gardner-ma.gov)

Mayor Michael J. Nicholson
City of Gardner
95 Pleasant Street
Gardner, MA 01440

*Re: Sharable Dockless Mobility Devices Ordinance, Chapter 330 of the City Code*

Dear Mayor Nicholson:

As per your request, I have reviewed the proposed Ordinance changes to Chapter 330 of the City Code, entitled "Bicycles and Play Vehicles." Specifically, you are proposing to amend Chapter 330 by adding a new Article III, to be entitled "Sharable Dockless Mobility Devices," which Article provides for the definition of "Sharable Dockless Mobility Businesses" and "Dockless Mobility Devices, Licensing and Operation Requirements, Regulatory Authority, and Enforcement."

Earlier today, I sent you some proposed red-line edits to the proposed Ordinance change. Apart from these edits, and seeing no significant legal issues posed with such an amendment, it is the opinion of the City Law Department that this Ordinance be submitted to the City Council for enactment and approval.

I hope this answers your question. Please let me know if you have any additional questions or if I may be of any further assistance.

Very truly yours,

Ethan D. Kolodny, Esq.
Assistant City Solicitor

# *Correspondence from Relevant Department Heads*

# CITY OF GARDNER POLICE DEPARTMENT

200 Main Street
Gardner, Massachusetts 01440
Phone: (978) 632-5600
Fax: (978) 630-9045

May 5, 2022

RE: Shared Mobility Ordinance Chapter 330 Article III

Dear Mayor,

The Gardner Police Department has reviewed the proposed Ordinance addition to Chapter 330 on shared dock less mobility devices. We are in favor of this addition and feel it will allow the police department and the city the ability to ensure these mobility devices are safe and properly licensed within the city limits.

If you need any further assistance please contact us.

Lt. Eric McAvene
BCI Commander
Gardner Police Department
200 Main Street
Gardner, MA 01440
978-632-5600
emcavene@gardner-ma.gov

Lt. Nicholas Maroni
Community Policing Supervisor
Gardner Police Department
200 Main Street
Gardner, MA 01440
978-632-5600
nmaroni@gardner-ma.gov

# City of Gardner, *Executive Department*

RECEIVED
2022 MAY -9 PM 2:28
CITY CLERK'S OFFICE
GARDNER, MA

Michael J. Nicholson, Mayor

May 5, 2022

Hon. Elizabeth J. Kazinskas, Council President
And City Councilors
Gardner City Hall, Rm 121
95 Pleasant St
Gardner, MA 01440

RE: Temporary Traffic Restriction on Pleasant Street

Dear Madam President and Councilors,

As part of the Administration's efforts to assist in the City's economic recovery and development efforts as we move out of the COVID-19 pandemic, we have begun to work with our business community to find new ways to grow our existing business offerings in order to attract new endeavors to our area.

As part of this effort, we have worked with the businesses on Pleasant Street to create a Pilot Program to test on street outdoor dining for the Summer of 2022, where the section of Pleasant Street from Parker Street to City Hall Avenue is shut down to traffic to allow tables to be set up in the street.

**ALL** businesses located in this area have signed off on this move, as well as the new owners of the building located at 25 Main Street, commonly referred to as the Flat Iron Building.

As part of this initiative, we would like to make it so that the businesses in that area have as complete access to the street as possible.

While the General Laws and the City Code are both silent as to which branch of government has the authority to close streets, I am submitting this for your review to ensure that this is a fully collaborative process. Our goal is to have this in place for this summer to study and review its merits for future years.

As you are aware, per Massachusetts General Law, revenue collected from parking meters is severely restricted and can only be used for items related to the parking meters themselves, such as meter maintenance, compensation for the employee emptying them and repairing them, or items related to the parking area. It cannot be used generally within the City's operating budget.

Respectfully Submitted,

Michael J. Nicholson
Mayor, City of Gardner

CC: Traffic Commission
Public Safety Committee

**VOTE AUTHORIZING TRAFFIC RESTRICTIONS TEMPORARILY CLOSING A PORTION OF PLEASANT STREET**

VOTE: To authorize the Mayor to restrict traffic on Pleasant Street from Monday, June 20, 2022, from 7:00 a.m. through Saturday, October 1, 2022 at 7:00 a.m. beginning at a point approximately 100 feet south of the intersection of Parker Street and Pleasant Street (ay Prestige Barber Shop) and ending at a point approximately 245 feet southerly along Pleasant Street (at Turk's Barber Shop) from the point of beginning.

10682

CITY OF GARDNER
ENGINEERING DEPARTMENT
50 MANCA DRIVE
GARDNER, MA

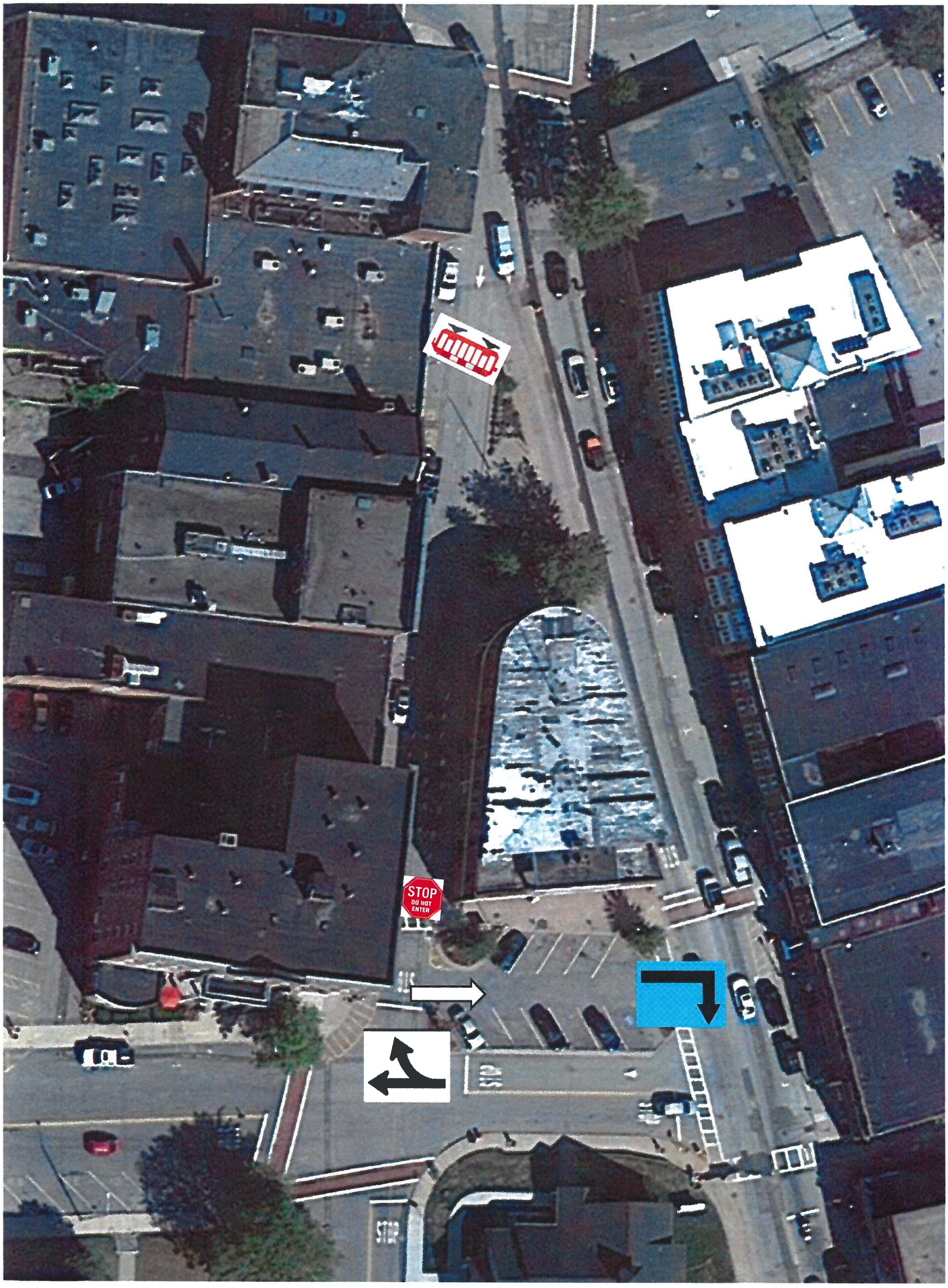
# *PROPOSED PLEASANT STREET TRAFFIC RESTRICTION*

SCALE: 1"=50±'

DATE: MAY 2022

EAT

Sugar Corn Shop


STOP
DO NOT
ENTER

# CITY OF GARDNER
## TREASURER/COLLECTOR'S DEPARTMENT

Jennifer A. Dymek, Treasurer / Collector
95 Pleasant Street, Room 116
Gardner, MA 01440-2690
Tel: 978-630-4016 * Fax: 978-630-2520

May 5, 2022

Mayor Michael Nicholson
95 Pleasant Street
Gardner, MA 01440

RE: Parking Meter Votes

Dear Mr. Mayor:

I have reviewed both resolutions regarding the parking meters on Pleasant Street and Parker Street, as well as the proposed vote to restrict traffic on Pleasant Street.

I fully support these initiatives. Outdoor dining spaces will bring more people into the downtown area which will benefit, not only the restaurants, but the other merchants as well. The willingness, of the City, to invest in the downtown area, will encourage private investment and development which will, in turn, have a positive impact on property values, tax rates, and collections.

Should you have any questions, please do not hesitate to contact me.

Regards,

Jennifer A. Dymek

Jennifer Dymek
Treasurer/Collector

# CITY OF GARDNER

**FIRE DEPARTMENT**
**70 CITY HALL AVENUE**
**GARDNER, MA 01440-2671**

**OFFICE OF FIRE CHIEF**
**GREGORY F. LAGOY**

**(978) 632-1616 Ext. 5**
**FAX (978) 630-4028**

May 6, 2022

RE: Temporary Closing of Pleasant St.

Dear Mayor Nicholson:

I am writing to you in regard to the proposed temporary closing of Pleasant Street from the area of Prestige Barber Shop to Turk's Barber Shop. I have no issue with this closure providing traffic barriers at the south end (in the area of Turk's Barber Shop) are easily movable in case Fire Department apparatus needs to access the closed section of the street.

Feel free to contact me if you need more information on this subject.

Respectfully,

Gregory F. Lagoy
Fire Chief
City of Gardner

**ENGINEERING DEPARTMENT**
CITY OF GARDNER
50 Manca Drive, Gardner MA 01440

Robert E. Oliva, City Engineer
Telephone (978) 630-8195
roliva@gardner-ma.gov

May 6, 2022

Mayor Michael J. Nicholson
Gardner City Hall
95 Pleasant Street
Gardner, MA 01440

Dear Mr. Mayor,

I have reviewed your proposal to establish a seasonal traffic restriction on a small section of Pleasant Street in the downtown area and have no issue with it. The Engineering Department will work with the city's public safety departments to develop a plan which ensures that the closure will be safe for building tenants, motorists and pedestrians.

Please let me know if you require any additional information.

Sincerely,

Robert E. Oliva
City Engineer

CITY OF GARDNER POLICE DEPARTMENT
200 Main Street
Gardner, Massachusetts 01440
Phone: (978) 632-5600
Fax: (978) 630-9045

May 9, 2022

RE: Restrict Traffic on Pleasant Street

Dear Mayor,

The Gardner Police Department has reviewed the proposal to restrict Pleasant Street from 2 Parker Street (Garbose Building) to 43 Pleasant St (Turk's Barber Shop) from June 20, 2022 from 7:00 a.m. through October 1, 2022 at 7:00 a.m. to allow for the Outdoor Seating Initiative. The Department is in favor of this change and does not see an issue with this as it will have minimal impact on traffic and will be safely blocked off while allowing access to emergency vehicles. The Department is also in favor of changing the one way traffic on City Hall Ave heading north to allow vehicle access to the George Sweeney lot during this time frame.

If you need any further assistance please contact us.

Lt. Eric McAvene
BCI Commander
Gardner Police Department
200 Main Street
Gardner, MA 01440
978-632-5600
emcavene@gardner-ma.gov

Lt. Nicholas Maroni
Community Policing Supervisor
Gardner Police Department
200 Main Street
Gardner, MA 01440
978-632-5600
nmaroni@gardner-ma.gov

Jonathan Bombaci, President
Millennium Holding Group
165 Thorndike Street, Suite 2002
Lowell MA, 01852

May 9, 2022

To City Council President Elizabeth Kazinskas and Councilors:

My name is Jonathan Bombaci I represent Millennium Holding Group, the new owners at 25 Main St. and 88-98 Main st in Gardner, MA. I am writing to support the closure of the one-way street (Pleasant St.) in order to provide more outdoor dining/seating options for the public. As a patron of local businesses, I support any efforts that ensure outdoor patios to be a feasible option for business owners and the community. This is working in many cities all around the state and I think it would be a big hit in Gardner.

During the pandemic, outdoor seating was one of the few options for patrons as it allowed them to grab a bite and enjoy the fresh air. I believe that if we're able to offer more outdoor dining options it would make the downtown area more attractive to visitors, and therefore bringing more business into Gardner. Plus we are in the process of attracting new business owners to the Flat Iron Building and if we can make that area more attractive I think I will help us attract the right commercial tenants for those spaces.

I support the closure of the one=way road pleasant st and any other initiatives that would create more outdoor dining options in Downtown Gardner.

Very truly yours,

Millennium Holding Group
Jonathan Bombaci, President and CEO

MILLENNIUM
HOLDING GROUP LLC

# CITY OF GARDNER

DEPARTMENT OF COMMUNITY DEVELOPMENT AND PLANNING

May 9, 2022

Mayor Michael J. Nicholson
Executive Department
City Hall
95 Pleasant Street
Gardner, MA 01440

RE: Temporary Traffic Restrictions for Pleasant Street

Dear Mayor Nicholson:

I have reviewed the proposed Ordinance to amend the City of Gardner Code by adding a chapter to be entitled "TRAFFIC RESTRICTIONS TEMPORARILY CLOSING A PORTION OF PLEASANT STREET". I am supportive of this temporary concept of encouraging more outdoor seating, walking, shopping and recreating within the downtown and more notably the Pleasant Street area as depicted in the proposed ordinance description. Assuming this concept is acceptable to the downtown business community in the general vicinity of this temporary change, I am in favor of implementing this concept. I do not have any recommended changes at this time.

Sincerely,

Trevor M. Beauregard
Director

# City of Gardner

**Department of Inspectional Services**
**115 Pleasant Street, Room 101**
**Gardner, MA 01440**
Tel. (978) 630-4007 Fax: (978) 632-3313


May 9, 2022

RE: Pleasant St. traffic restriction

Dear Mr. Mayor,

I am writing in regard to your prosed traffic restriction on Pleasant St. I am in favor of the proposal and think that area would better serve the community as an outdoor seating area open to the public. I believe the increased foot traffic would only be beneficial to the downtown businesses and far outweigh the loss of parking spaces.

Do not hesitate to contact me should you need any further assistance.


Roland Jean
Building Commissioner/Zoning Enforcement Officer
City Hall Annex
115 Pleasant St. RM 101
Gardner, MA 01440
(978) 630 4007
rjean@gardner-ma.gov


**Mission Statement**
To promote the safe and compatible development of the community through fair and consistent enforcement of building codes and zoning ordinances

May 4, 2022

Hon. Elizabeth J. Kazinskas, Council President
And City Councilors
Gardner City Hall, Rm 121
95 Pleasant St
Gardner, MA 01440

RE: Pleasant Street Outdoor Seating Pilot Initiative

Dear Madam President and Councilors,

As the business owners who would be impacted by the Mayor's outdoor seating initiative proposal on Pleasant Street, we are writing to inform you that we have no objection to this move and believe it could help in determining ways to better market the downtown in the future.

The temporary closure of Pleasant Street from Main Street to Mayor George Sweeny Park and the installation of outdoor seating amenities in the street is something that has been suggested in Gardner before, and as a one-year pilot program, could be useful in determining the best way to move forward.

Thank you for your consideration of this project.

Respectfully,

| | | |
|---|---|---|
| Jessica McKinnon | House of Peace and Education | 29 Pleasant St |
| Name | Business | Address |
| Chrysoula Christodoulou | PARKER HOUSE | 17 Pleasant St Gardner |
| Name | Business | Address |
| Arturo Escereno | Taco Rey Caliente | 7 Pleasant St. Gardner |
| Name | Business | Address |
| ALVARO BUNO | Prestige Barber Shop | 9 Pleasant St. Gardner |
| Name | Business | Address |
| | Vibe Studio | 33 Pleasant St Gardner |
| Name | Business | Address |
| John Tsoukalis | Turks Barber Shop | 43 Pleasant St. |
| Name | Business | Address |

COLLECTOR LICENSE APPLICATION FEE - $30.00
DEALER LICENSE APPLICATION FEE - $100.00

10678

# CITY OF GARDNER
## MASSACHUSETTS 01440

95 PLEASANT STREET – ROOM 121
TELEPHONE (978) 630-4058
FACSIMILE (978) 630-2589

RECEIVED
2022 MAY -3 AM 10:09
CITY CLERK'S OFFICE
GARDNER MA
DO NOT WRITE IN THIS BOX

## APPLICATION FOR LICENSE TO COLLECT OR DEAL IN SECOND HAND ARTICLES

### APPLICANT INFORMATION

Applicant / Licensee Name: Hopeful Boutique / House of Peace and Education

Applicant / Licensee Address: 29 Pleasant St Gardner

Applicant / Licensee phone number(s): 978-630-4752 / 978-632-0400

Applicant / Licensee E-mail: jmckinnon@hopegardner.org

Social Security number: _____ **OR** Business FID number 04-3300490

### ESTABLISHMENT INFORMATION

Establishment Name: Hopeful Boutique

Establishment address: 29 Pleasant St Gardner

Establishment Phone: 978-630-4752 / 978-632-0400

On-Site manager / contact person: Jessica McKinnon

For which type of license(s) are you applying? Buy and Sell Second hand articles

***Check all that apply to this Application:***

☐ **SECONDHAND COLLECTOR** has the same meaning as the term "junk collector" in MGL c. 140, § 56.

☒ **SECONDHAND DEALER** has the same meaning as the term "junk dealer" and "keeper of a shop for the purchase, sale or barter of junk, old metals or secondhand articles" in MGL c. 140, § 54.

What types of articles will be purchased, stored, and/or sold? Womens professional Clothing

Where at the licensed address will the articles be stored, displayed, etc? 29 Pleasant St Gardner

Massachusetts Sales & Use Tax Registration number: SLS-1528068-005
*(Attach a copy of your Massachusetts Sales & Use Tax Registration Certificate)*

THE APPLICANT CERTIFIES THAT ALL STATE TAX RETURNS HAVE BEEN FILED AND ALL STATE AND LOCAL TAXES REQUIRED BY LAW HAVE BEEN PAID AND AGREES TO COMPLY WITH THE TERMS OF ITS LICENSE AND APPLICABLE LAW, AND ALL RULES AND REGULATIONS PROMULGATED THERETO. I FURTHER CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE AND ACCURATE AND ALSO AUTHORIZE THE LICENSING AUTHORITY OR ITS AGENTS TO CONDUCT WHATEVER INVESTIGATION IS NECESSARY TO VERIFY THE INFORMATION CONTAINED IN THIS APPLICATION.

I HAVE RECEIVED AND READ THE PROVISIONS OF MASSACHUSETTS GENERAL LAW CHAPTER 140, §§54-56, 202-205 AND CITY OF GARDNER ORDINANCE NO. 32 GOVERNING JUNK DEALERS AND DEALERS IN SECOND HAND ARTICLES:

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY.

Jessica McKinnon _____ DATE SIGNED 5/3/22

*INDIVIDUAL, PARTNER OR AUTHORIZED CORPORATE OFFICER OR APPLICANT*

**NOTICE:** THE FILING OF THIS APPLICATION CONFERS NO RIGHTS ON THE PART OF THE APPLICANT TO UNDERTAKE ANY ACTIVITIES UNTIL THE LICENSE HAS BEEN GRANTED. THE ISSUANCE OF A LICENSE UNDER THIS SECTION OR SECTIONS IS SUBJECT TO THE APPLICANT'S COMPLIANCE WITH ALL OTHER APPLICABLE FEDERAL, STATE OR LOCAL STATUTES, ORDINANCES, BYLAWS, RULES OR REGULATIONS. THE LICENSING AUTHORITY RESERVES THE RIGHT TO REQUEST ANY ADDITIONAL INFORMATION IT REASONABLY DEEMS APPROPRIATE FOR THE PURPOSE OF DETERMINING THE TERMS AND CONDITIONS OF THE LICENSE AND ITS DECISION TO ISSUE A LICENSE. THE PROVISIONS OF G.L. C.152 MAY REQUIRE THE FILING OF A WORKERS' COMPENSATION INSURANCE AFFIDAVIT WITH THIS APPLICATION. FAILURE TO FILE THE AFFIDAVIT, ALONG WITH ANY OTHER REQUIRED INFORMATION AND/OR DOCUMENTATION, SHALL BE SUFFICIENT CAUSE FOR THE DENIAL OF THE LICENSE APPLICATION.

**LICENSE APPLICATION PROCESSING FEE MUST BE SUBMITTED WITH THIS FORM. MAKE CHECK PAYABLE TO *CITY OF GARDNER*. MAIL APPLICATION FORM, WORKERS' COMPENSATION AFFIDAVIT AND CHECK TO: *CITY CLERK, 95 PLEASANT STREET, ROOM 121, GARDNER, MA 01440-2690.***

## JUNK DEALERS AND DEALERS IN SECOND HAND ARTICLES LICENSES EXPIRE ON APRIL 30TH ANNUALLY.

# STATE TAX CERTIFICATION AFFIDAVIT

Individual Social Security # _____ State Identification Number _____ Federal Identification Number 04-3300490

Company: House of Peace and Education

P.O. Box (if any): _____ Street Address Only: 29 Pleasant St

City/State/Zip Code: Gardner MA 01440

Telephone Number: 978 630 4752 Fax Number: 978 632 8024

List address(es) of all other property owned by company in Gardner: n/a

*State whether the applicant is a:*

Corporation X

Individual _____ Name of Individual: _____

Partnership _____ Names of all Partners: _____

Limited Liability Company _____ Names of all Managers: _____

Limited Liability Partnership _____ Names of Partners: _____

Limited Partnership _____ Names of all General Partners: _____

You must complete the following certifications and have the signature(s) notarized on the lines below. Any certification that does not apply to you, write N/A in the blanks provided. Each section must be signed by an authorized agent of the entity and the FORM MUST BE NOTARIZED.

# FEDERAL TAX CERTIFICATION AFFIDAVIT

I, Jessica McKinnon (authorized agent) certify under the pains and penalties of perjury that Jessica McKinnon (applicant) to my best knowledge and belief, has/have complied with all **United States Federal taxes** required by law.

Jessica McKinnon _____ Date: 5/3/2022

Applicant Authorized Person's Signature

---

COMMONWEALTH OF MASSACHUSETTS WORCESTER COUNTY

On this 3 day of May, 2022, before me, the undersigned notary public, personally appeared Jessica McKinnon, proved to me through satisfactory evidence of identification, which was Drivers license, to be the person(s) whose name is signed on the preceding and acknowledged to me that he/she signed it voluntarily for its stated purpose.

_____
Signature of Notary Public

(SEAL)

JOHN A. OLIVARI
Notary Public
COMMONWEALTH OF MASSACHUSETTS
My Commission Expires
SEPTEMBER 23, 2027

9/23/2027
Commission Expires

nationalgrid

May 2, 2022

City of Gardner

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID and VERIZON, covering joint NATIONAL GRID-VERIZON pole location(s)

If you have any questions regarding this permit please contact:

Please notify National Grid's Vincent LoGuidice of the hearing date / time.
If this petition meets with your approval, please return an executed copy to each of the above named Companies.

National Grid Contact: Vincent LoGuidice; 1101 Turnpike Street; North Andover, MA 01845. Phone 978-725-1392.

Very truly yours,

Pat Cody

Patrick Cody
Supervisor, Distribution Design

Enclosures

Questions contact – Nick Huff 518-453-3922

**PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS**

North Andover, Massachusetts

To the City Council
Of Gardner, Massachusetts

Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Cross St - National Grid to install 1 JO Pole on Cross St beginning at a point approximately 45 feet west of the centerline of the intersection of Sherman St. Install Stub Pole 5-84 Cross Street, across from existing Pole 5 Cross St, at the intersection of Sherman St.

Location approximately as shown on plan attached

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Cross St - Gardner - Massachusetts.

**No. 30553890** April 5, 2022

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Massachusetts Electric Company d/b/a National Grid
BY Pat Cody
Engineering Department

VERIZON NEW ENGLAND, INC.
BY _____
Manager / Right of Way

**ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS**
To the City Council - Gardner, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED: that Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 5th day of April, 2022.
All construction under this order shall be in accordance with the following conditions:
Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Cross St - Gardner - Massachusetts.
**No. 30553890** Dated April 5, 2022. Filed with this order
There may be attached to said poles by Massachusetts Electric Company d/b/a National Grid and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

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:

Cross St - National Grid to install 1 JO Pole on Cross St beginning at a point approximately 45 feet west of the centerline of the intersection of Sherman St. Install Stub Pole 5-84 Cross Street, across from existing Pole 5 Cross St, at the intersection of Sherman St.

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the
of the City/Town of , Massachusetts held on the day of 20 .

City/Town Clerk.
Massachusetts 20 .

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
City/Town Clerk

I hereby certify that on 20 , at o'clock, M
at a public hearing was held on the petition of
Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND, INC.

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....
.....
.....
.....
Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the of the City of Massachusetts, on the day of 20 , and recorded with the records of location orders of the said City, Book , Page . This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:
City/Town Clerk

**ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS**
To the City Council - Gardner, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED: that Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 5th day of April, 2022.
All construction under this order shall be in accordance with the following conditions:
Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Cross St - Gardner - Massachusetts.
**No. 30553890** Dated April 5, 2022. Filed with this order
There may be attached to said poles by Massachusetts Electric Company d/b/a National Grid and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

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:

Cross St - National Grid to install 1 JO Pole on Cross St beginning at a point approximately 45 feet west of the centerline of the intersection of Sherman St. Install Stub Pole 5-84 Cross Street, across from existing Pole 5 Cross St, at the intersection of Sherman St.

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the
of the City/Town of , Massachusetts held on the day of 20 .

City/Town Clerk.
Massachusetts 20 .

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
City/Town Clerk

I hereby certify that on 20 , at o'clock, M
at a public hearing was held on the petition of
Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND, INC.

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....
.....
.....
.....

Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the of the City of Massachusetts, on the day of 20 , and recorded with the records of location orders of the said City, Book , Page . This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:
City/Town Clerk

INSTALL NEW POLE 5-84, ~40' FROM EXISTING POLE 5 CROSS STREET, NEAR THE INTERSECTION OF SHERMAN STREET
194 CENTRAL ST
Pole 5-84
40'
CROSS ST
Pole 5
SHERMAN ST
226 CROSS ST
218 CROSS ST
PEABODY ST
Existing J.O. Pole
Install J.O. Pole
CHA
nationalgrid
WR 30553890
INSTALL POLE 5-84 CROSS ST
GARDNER, MA
SCALE
NTS
DRAWN BY
NWH
APPROVED BY
DATE
03-25-22

nationalgrid

May 2, 2022

City of Gardner

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID covering the installation of underground facilities.

If you have any questions regarding this permit please contact:

If this petition meets with your approval, please return an executed copy to:

National Grid Contact: Vincent LoGuidice; 1101 Turnpike Street; North Andover, MA 01845

Very truly yours,

Pat Cody

Patrick Cody
Supervisor, Distribution Design

Enclosures

Questions contact – Daniel Lopez 774-235-2603

Petition of the NATIONAL GRID
Of NORTH ANDOVER, MASSACHUSETTS
For Electric conduit Location:

To the City Council of Gardner, Massachusetts

Respectfully represents the NATIONAL GRID of North Andover, Massachusetts, that it desires to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways hereinafter named.

Wherefore it prays that after due notice and hearing as provided by law, it be granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked – Timpany Blvd - Gardner – Massachusetts.

The following are the streets and highways referred to: Plan number # 30315434
Timpany Blvd - National Grid to install 269.5' feet northwest of the centerline of the intersection of Donlan St & Timpany Blvd and continuing approximately 411 feet in a south direction. Install ~411' of 1-2" conduit from HH 3-80 to HH 6-80 on Timpany Blvd as shown in the plans. Install heavy duty handholes HH 3-80, HH 5-80, and HH 6-80 on Timpany Blvd.

Location approximately as shown on plan attached

NATIONAL GRID
BY Pat Cody
Engineering Department

Dated: May 2, 2022

ORDERED:

Notice having been given and public hearing held, as provided by law, that the NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 2nd day of May, 2022.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked – Timpany Blvd - Gardner – Massachusetts. Plan number # 30315434.

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

Timpany Blvd - National Grid to install 269.5' feet northwest of the centerline of the intersection of Donlan St & Timpany Blvd and continuing approximately 411 feet in a south direction. Install ~411' of 1-2" conduit from HH 3-80 to HH 6-80 on Timpany Blvd as shown in the plans. Install heavy duty handholes HH 3-80, HH 5-80, and HH 6-80 on Timpany Blvd.

I hereby certify that the foregoing order was adopted at a meeting of the .....
.....
....., held on the ..... day of ....., 20 .....

....., ....., 20 .....

Received and entered in the records of location orders of the City/Town of
Book ..... Page .....

Attest:
.....

..... hereby certify that on .....20....., at ..... o'clock, ....M at ....., a public hearing was held on the petition of NATIONAL GRID for permission to construct the underground electric conduits described in the order herewith recorded, and that I mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to construct the underground electric conduits under said order. And that thereupon said order was duly adopted.

.....

ORDERED:

Notice having been given and public hearing held, as provided by law, that the NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 2nd day of May, 2022.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked – Timpany Blvd - Gardner – Massachusetts. Plan number # 30315434.

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

Timpany Blvd - National Grid to install 269.5' feet northwest of the centerline of the intersection of Donlan St & Timpany Blvd and continuing approximately 411 feet in a south direction. Install ~411' of 1-2" conduit from HH 3-80 to HH 6-80 on Timpany Blvd as shown in the plans. Install heavy duty handholes HH 3-80, HH 5-80, and HH 6-80 on Timpany Blvd.

I hereby certify that the foregoing order was adopted at a meeting of the .....
.....
....., held on the ..... day of ....., 20 .....

....., ....., 20 .....

Received and entered in the records of location orders of the City/Town of
Book ..... Page .....

Attest:
.....

..... hereby certify that on .....20....., at ..... o'clock, ....M at ....., a public hearing was held on the petition of NATIONAL GRID for permission to construct the underground electric conduits described in the order herewith recorded, and that I mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to construct the underground electric conduits under said order. And that thereupon said order was duly adopted.

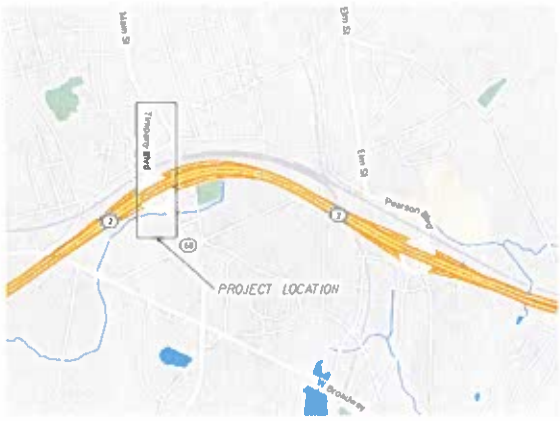
.....

# DISTRIBUTION CIVIL DRAWINGS

## TIMPANY BLVD

## GARDNER, MA

| DRAWING LIST | |
|---|---|
| DRAWING NO. | CONTENT |
| G-0 | COVER SHEET |
| G-1 | GENERAL NOTES |
| PP-1 - PP-3 | LAYOUT PLAN |
| DET-1 | HANDHOLE CARDS |
| DET-2 | HANDHOLE/CONDUIT TRENCH DETAILS |




PROJECT SCOPE:

NATIONAL GRID TO INSTALL APPROXIMATELY 1000 OF #6 DUPLEX SCU XLPE CONDUCTOR AND 2" CONDUIT IN A NEW HANDHOLE AND DUCT SYSTEM FOR STREETLIGHTS WITHIN THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION AND MUNICIPAL PUBLIC RIGHT OF WAY KNOWN AS TIMPANY BOULEVARD (STATE ROUTE 68) IN GARDNER, MASSACHUSETTS. INCLUDED IN THIS WORK IS THE REMOVAL OF APPROXIMATELY 128' OF OH SECONDARY CONDUCTOR, (1) STREETLIGHT POLE AND THE RELOCATION OF (1) STREETLIGHT POLE.
THE PROJECT IS ALSO TO INCLUDE THE INSTALLATION OF (7) HEAVY DUTY HANDHOLES AND THE REPLACEMENT OF (3) STREETLIGHT GATE/COVERS.


DESIGNER: DANIEL LOPEZ VELEZ
TRC
774-235-2603


VOLTAGE: 13.8KV (600AMP)

KNOWN HAZARDS: NONE

TRC 134 Grove St. Franklin, MA 02038

PROJECT NO 233017

| REV | DESCRIPTION | DATE | DES | CHK | APP |
|---|---|---|---|---|---|
| | | | | | |
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| | | | | | |
| | | | | | |

nationalgrid

GARDNER STREET LIGHTS CIVIL
COVER SHEET

TRC G-0 REV 0

WR#30315434

## GENERAL NOTES:

1. CONTRACTOR TO PROVIDE AS-BUILT INFORMATION 10 DAYS AFTER COMPLETION OF CONDUIT INSTALLATION WORK.

2. THE LOCATIONS OF UNDERGROUND STRUCTURES SHOWN HEREON ARE DEPICTED ACCORDING TO THE BEST AVAILABLE INFORMATION THEY ARE NOT GUARANTEED TO BE CORRECT OR COMPLETE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO CONFIRM ALL CONDITIONS IN THE FIELD AND MAKE ADJUSTMENTS AS REQUIRED TO ACCOMMODATE THE WORK BY GETTING APPROVAL FROM NATIONAL GRID CONSTRUCTION MANAGEMENT FIRST. IT IS ASSUMED ALL PREMISES HAVE WATER, GAS, TEL, ELEC, SEWER, ETC. LATERAL CROSSINGS WHICH SHOULD BE INCLUDED IN THE BASE BID.

3. ANY QUESTIONS REGARDING THE CIVIL ENGINEERING DESIGN OF THESE CONSTRUCTION PLANS SHOULD BE REFERRED TO THE DISTRIBUTION ENGINEER DANIEL SOPEY 774-235-2603 OR DAVID TEYON AT 508 290 1583.

4. DO NOT DEVIATE FROM THESE PLANS WITHOUT FIRST CONTACTING NATIONAL GRID CIVIL CONSTRUCTION SUPERVISOR.

   - TEYON DAVE 781-426-5912

5. ALL UNDERGROUND CONSTRUCTION SHALL BE INSPECTED AND APPROVED BY NATIONAL GRID PERSONAL PRIOR TO CONCRETE ENCASEMENT AND BACKFILL. CONTRACTOR SHALL HANDREL, PROVE, AND INSTALL MULE TAPE IN ALL CONDUITS PER NATIONAL GRID CONSTRUCTION STANDARDS UNDER SUPERVISION OF NATIONAL GRID CONSTRUCTION SUPERVISOR.

6. CONTRACTOR TO ARRANGE TO MARK ALL FOREIGN UTILITIES VERIFY THEIR LOCATIONS IN THE FIELD PRIOR TO START OF EXCAVATION WORK BY CONTACTING DIG SAFE AT "811" OR DIGSAFE, NOT ALL UTILITY SERVICES TO PROPERTIES ARE SHOWN ON THESE PLANS. REFER TO NOTE 2 ABOVE

7. PROTECT ALL MUNICIPAL, STATE, AND FEDERAL SURVEY CONTROL MONUMENTS AND BENCH MARKS, CONTRACTOR TO CONTACT RESPECTIVE MUNICIPAL ENGINEERING DEPARTMENTS FOR TYPES AND LOCATIONS BEFORE STARTING WORK AS REQUIRED.

8. PROTECT ALL PLANTS AND TREES AND THEIR ROOT SYSTEMS FROM MECHANICAL AND ENVIRONMENTAL DAMAGE DURING EXCAVATION. BACKFILL ROOT AREAS WITH SOIL HAVING TEXTURE AND FERTILITY TO SUSTAIN PLANT LIFE. CONTRACTOR TO REMOVE ALL ROOTS OF DEAD TREE STUMPS FROM TRENCH PRIOR TO PLACING CONDUIT. CONTRACTOR IS RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF NECESSARY EROSION CONTROL (SILT SACKS, HAY BALES, CHECK DAMS, ETC) APPROVED BY THE STATE, CITY/TOWN AND QUONSET DEVELOPMENT CORPORATION AS REQUIRED FOR THE DURATION OF THE PROJECT.

9. THE FOLLOWING MINIMUM CLEARANCES SHALL BE MAINTAINED UNLESS OTHERWISE NOTED:

| UTILITY | CROSSING | PARALLEL |
|---|---|---|
| GAS MAIN | 12" | 12" |
| GAS SERVICE | 12" | 12" |
| WATER MAIN | 12" | 12" |
| WATER SERVICE | 12" | 12" |
| TELEPHONE/COMMUNICATION FACILITIES | 12" | 12" |
| STORM & SANITARY SEWERS | 12" | 12" |
| RAIL ROAD CROSSINGS | 90° | 90° |

PLEASE NOTE, ANY DEVIATIONS FROM THESE MINIMUM CLEARANCES MUST BE REVIEWED AND APPROVED BY NATIONAL GRID & TRC.

UTILITY SERVICES AND LATERALS TO BUILDINGS ARE NOT SHOWN ON THESE PLANS. CONTRACTOR TO VERIFY THEIR LOCATIONS IN THE FIELD AND SUPPORT, PROTECT, MAINTAIN, AND WORK AROUND THEM AS REQUIRED IN ORDER TO COMPLETE THE PROPOSED WORK.

10. ALL CONTRACTORS SHALL COMPLY WITH MINIMUM WORKING CLEARANCES FROM ALL ENERGIZED OVERHEAD EQUIPMENT AND CONDUCTORS PER OSHA REGULATIONS 1910.333. IF MINIMUM WORKING CLEARANCES CAN NOT BE MET, CONTRACTOR MUST CONTACT NATIONAL GRID TO EVALUATE ALTERNATIVE MEASURES. THESE MEASURES MAY INCUR ADDITIONAL COSTS.

11. CONDUIT TO BE PLACED AT MINIMUM 30" BELOW ELEVATION OF NEAREST PORTION OF ROAD PAVEMENT UNLESS OTHERWISE NOTED. MANHOLE ROOF TO HAVE A MINIMUM 18" OF COVER FROM FINISH GRADE UNLESS OTHERWISE NOTED.

12. ALL WORK SHALL COMPLY WITH ALL APPLICABLE FEDERAL, STATE, AND MUNICIPAL CODES, AS WELL AS THE REQUIREMENTS OF THE NATIONAL ELECTRIC SAFETY CODE, OSHA REGULATIONS AND NATIONAL GRID CONSTRUCTION STANDARDS/REQUIREMENTS.

13. AREAS WHERE EXCAVATION IS IN ROCK LEDGE, PROVIDE A SIX (6) INCH MINIMUM SELECT FILL CUSHION AROUND CONDUITS AND TWELVE (12) INCH CUSHION AROUND MANHOLE.

14. CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL REGULATIONS REGARDING REMOVAL AND/OR DISPOSAL OF ANY AND ALL EQUIPMENT AND MATERIALS.

15. CONTRACTOR SHALL MAINTAIN A FULL SIZE SET OF SCALED DRAWINGS (ODOR OF ALL PRINTS) ON SITE AT ALL TIMES DURING THE WORK.

16. CONTRACTOR TO RECORD AND DOCUMENT A SINGLE, MULTI-PAGE .PDF PHOTOLOG OF THE ENTIRE WORK AREA. CONTRACTOR TO PROVIDE NATIONAL GRID PROJECT MANAGER A COPY OF THE PRE-CONSTRUCTION PHOTOLOG ALONG WITH A POST-CONSTRUCTION PHOTOLOG OF THE ENTIRE WORK AREA UPON COMPLETION OF ALL CIVIL WORK IN THE FIELD.

17. REFER TO ALL NATIONAL GRID CIVIL CONSTRUCTION SPECIFICATIONS INCLUDED IN THE BID DOCUMENTS FOR ADDITIONAL INFORMATION REGARDING MANHOLE AND DUCT BANK INSTALLATION

PLEASE NOTE;
THE 12" MINIMUM CLEARANCES FROM OTHER UTILITIES SHALL BE MAINTAINED WHEREVER POSSIBLE. IF THE 12" MINIMUM CLEARANCE CANNOT BE ACHIEVED IN THE FIELD, CONTRACTOR TO USE ACCEPTABLE ALTERNATIVE MEANS TO PROTECT THE OTHER UTILITIES AND/OR CONFIRM APPROVAL FROM THE UTILITY OWNER FOR LESS THAN MINIMUM CLEARANCE.

## DISTRIBUTION DRAWING INDEX

REFER TO DRAWINGS:

| CIVIL & PROFILE DRAWINGS | PROPOSED HANDHOLE DRAWINGS | DETAIL DRAWINGS |
|---|---|---|
| PP-1 | DET-1 | DET-1 |
| PP-2 | | DET-2 |
| PP-3 | | |

## ABBREVIATIONS

NOTE: NOT ALL ABBREVIATIONS LISTED BELOW ARE USED FOR THIS PROJECT

| | | | |
|---|---|---|---|
| # | NUMBER | HV | HIGH VOLTAGE |
| & | AND | HW | HEATER |
| @ | AT | HZ | HERTZ |
| > | GREATER THAN | HVA | KILOVOLT AMPERE |
| < | LESS THAN | L | LENGTH |
| ø | DIAMETER | LF | LINEAR FEET |
| Δ | INCREASE | LV | LOW VOLTAGE |
| ABAN | ABANDONED | M | METER |
| ABAND | ABANDONED | MAN | MANHOLE |
| AC | AIR CONDITIONER | MH | MANHOLE |
| AC | ALTERNATING CURRENT | MM | MILLIMETER |
| APPROX. | APPROXIMATE | MISC | MISCELLANEOUS |
| BF | BOTTOM OF | MJ | MECHANICAL JOINT |
| BIT | BITUMINOUS | MW | MONITORING WELL |
| BLDG | BUILDING | N | NORTH |
| BVCE | BEGIN VERTICAL CURVE ELEVATION | N/F | NOW OR FORMERLY |
| BVCS | BEGIN VERTICAL CURVE STATION | NGVD | NATIONAL GEODETIC VERTICAL DATUM |
| C/C | CENTER TO CENTER | NIOSH | NATIONAL INSTITUTE OF OCCUPATIONAL SAFETY AND HEALTH |
| CB | CATCH BASIN | PC | POINT OF CURVATURE |
| CI | CAST IRON | PCB | POLYCHLORINATED BIPHENYL |
| ℄ | CENTERLINE | PE | POLYETHYLENE |
| CLR | CLEAR | PILC | PAPER IN LEAD COVERED CABLE |
| CMP | CORRUGATED METAL PIPE | PIV | POST INDICATOR VALVE |
| CMPA | CORRUGATED METAL PIPE ARCH | PROP | PROPOSED |
| CMPP | COMPACT CABLE | PT | POINT, POINT OF TANGENCY |
| COM | COMMUNICATIONS | PVC | POLYVINYL CHLORIDE |
| CONC | CONCRETE | PVI | POINT OF VERTICAL INTERSECTION |
| CP | CONTROL POINT | R | RADIUS |
| CS | CARBON STEEL | RCP | REINFORCED CONCRETE PIPE |
| CU | COPPER | REQ'D | REQUIRED |
| CW | CLEAN WATER | RET | RETAINING |
| D | DIAMETER | RR | RAIL ROAD |
| DC | DIRECT CURRENT | S | SLOPE |
| DI | DUCTILE IRON | SCADA | SUPERVISORY CONTROL AND DATA ACQUISITION |
| DIA | DIAMETER | SCH | SCHEDULE |
| DMH | DRAIN MANHOLE | SD | STORM DRAIN |
| DWG | DRAWING | SF | SQUARE FEET |
| E | EAST | SMH | SANITARY MANHOLE |
| EL | ELEVATION | SQ | SQUARE |
| ELEC | ELECTRIC | SS | STAINLESS STEEL |
| ELEV | ELEVATION | STA | STATION |
| EMH | ELECTRIC MANHOLE | STL | STEEL |
| EOP | EDGE OF PAVEMENT | STORM | STORMWATER |
| EUE | EXISTING UNDERGROUND ELECTRIC | T&B | TOP AND BOTTOM |
| EUT | EXISTING UNDERGROUND TELEPHONE | T.I. | TOP OF |
| EVCE | END VERTICAL CURVE ELEVATION | TEL | TELEPHONE |
| EVCS | END VERTICAL CURVE STATION | TV | TELEVISION |
| EW | EACH WAY | TYP | TYPICAL |
| EX. EXIST | EXISTING | UE | UNDERGROUND ELECTRIC |
| FFE | FINISH FLOOR ELEVATION | UG | UNDERGROUND |
| FM | FORCE MAIN | UNO | UNLESS NOTED OTHERWISE |
| FO | FIBER OPTIC | V | VOLT |
| GALV | GALVANIZED | VAC | VOLT AMPERE REACTIVE |
| GEN | GENERATOR | VC | VERTICAL CURVE |
| GRAN | GRANITE | VCP | VITREOUS CLAY PIPE |
| HDD | HORIZONTAL DIRECTIONAL DRILLING | VERT | VERTICAL |
| HDPE | HIGH DENSITY POLYETHYLENE | W | WATER |
| HH | HANDHOLE | W | WIDE |
| HDHH | HEAVY DUTY HANDHOLE | | |

## LEGEND

CURB
- CB — CATCH BASIN
- DMH — DRAIN MANHOLE
- SMH — SEWER MANHOLE
- CMH — COMBINED SEWER/DRAIN MANHOLE
- EMH — ELECTRIC MANHOLE
- OHE — OVERHEAD ELECTRIC LINE
- LP — LIGHT POLE
- GAS — GAS LINE/GAS
- RET GAS — RETIRED GAS LINE
- HYD — HYDRANT
- W — WATER MAIN PRESSURE/SIZE
- W — WATER LATERAL PRESSURE/SIZE
- ABAND W — ABANDONED WATER LINE
- TMH — TELEPHONE MANHOLE
- T — TELEPHONE LINE
- CC — CONCRETE CURB
- BCB — BITUMINOUS CONCRETE CURB
- VCC — VERTICAL CONCRETE CURB
- CLF — CHAIN LINK FENCE
- WSF — WOOD STOCKADE FENCE
- HRR — GUARDRAIL
- MRF — METAL RAILING FENCE
- EOG — EDGE OF GRAVEL
- APPROX RSA — APPROXIMATE STREET LINE
- "WHB" — WORCESTER HEAVY BOUND
- SB/DH — STONE BOUND/DRILL HOLE
- DH — DRILL HOLE
- IP — IRON PIPE/PIN
- FND — FOUND
- BLDG — BUILDING
- PARCEL NO. — PARCEL ADDRESS
- NORTHING/EASTING POINT N: 2951736.67 E: 346891.86 — NORTHING/EASTING POINT BY APPROXIMATE STATE PLANE COORDINATE
- BIT CONC — BITUMINOUS CONCRETE
- BF — BY RECORD
- BOLLARD
- BRW — BRICK RETAINING WALL
- CBRW — CONCRETE BLOCK RETAINING WALL
- CRW — CONCRETE RETAINING WALL
- CS — CONCRETE STAIRS
- COB — COBBLESTONE EDGING
- PROPOSED HEADOUT MANHOLE
- EXISTING STREETLIGHT
- PROPOSED STREETLIGHT

TRC
524 Grove St
Franklin, MA 02038

PROJECT NO 233017

| REV | DESCRIPTION | DATE | DES | CHK | APP |
|---|---|---|---|---|---|
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nationalgrid

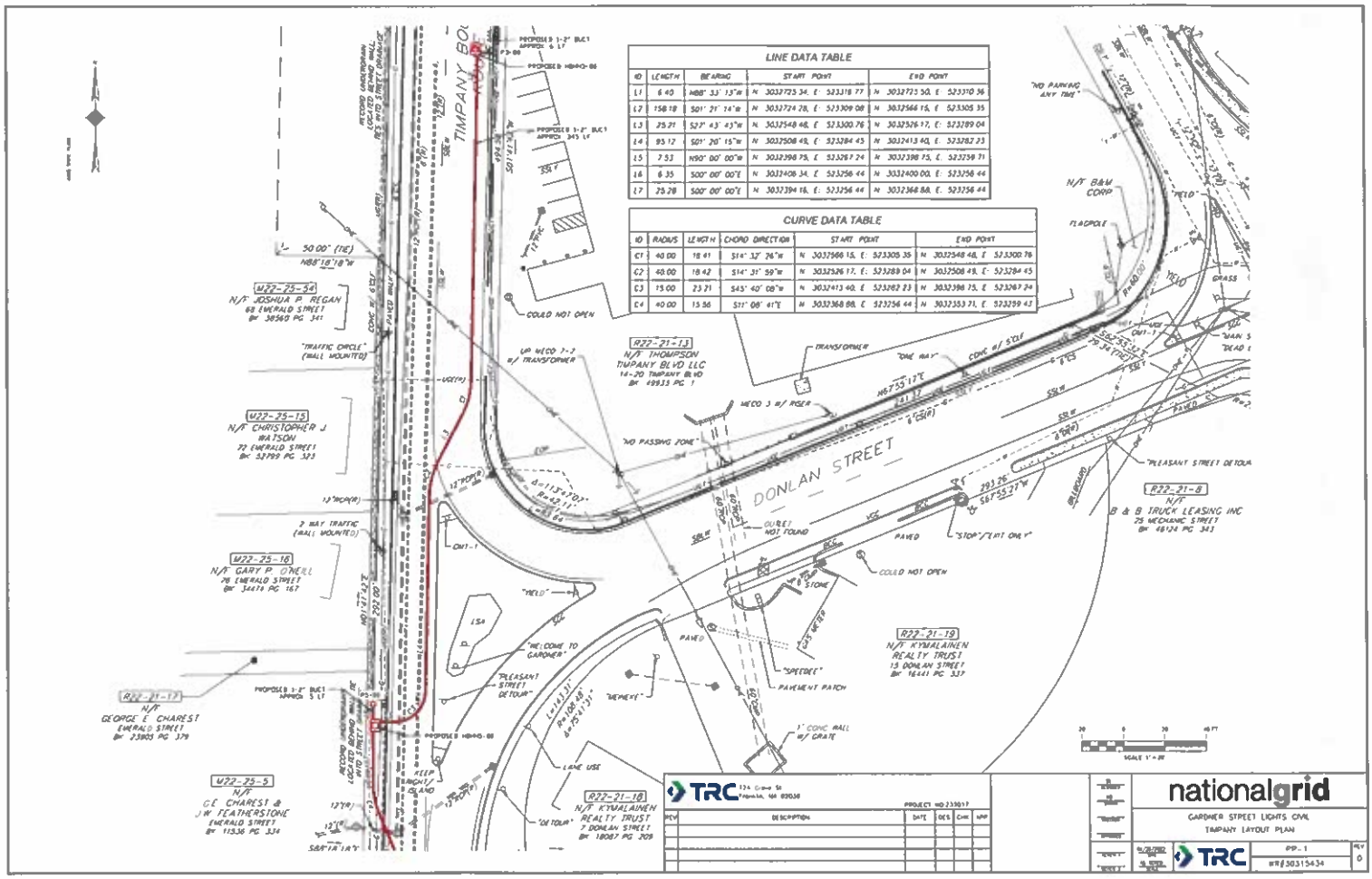
GARDNER STREET LIGHTS CIVIL
GENERAL NOTES

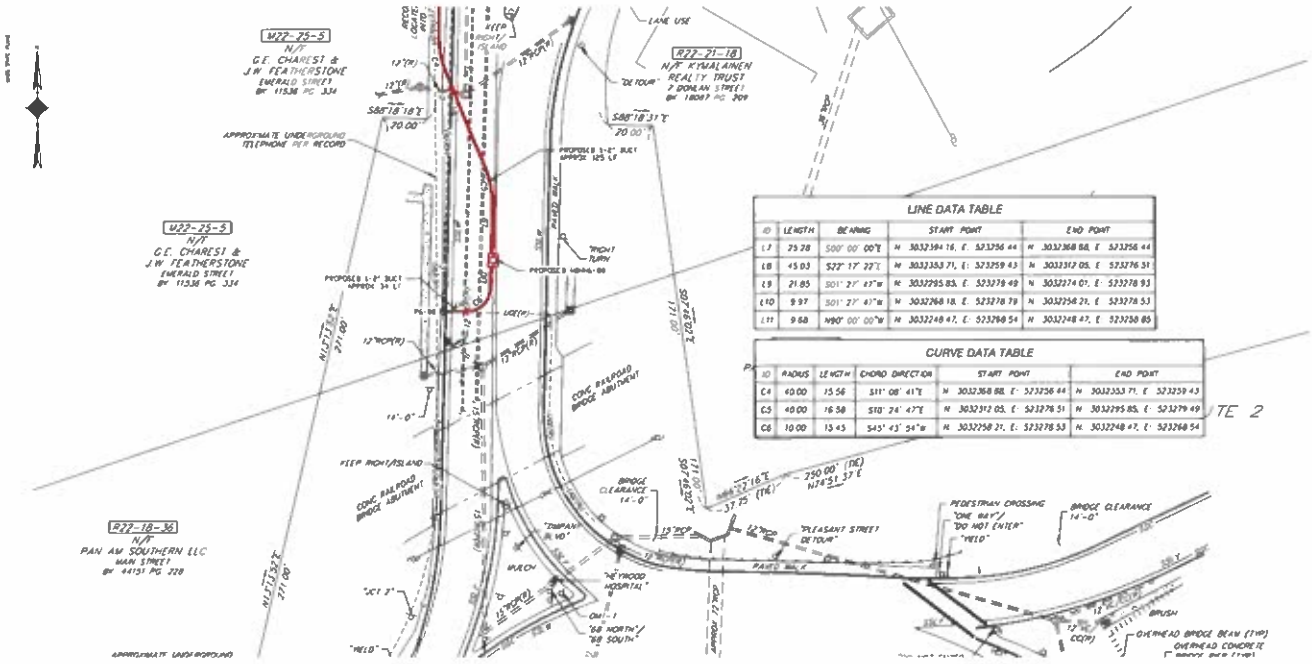
TRC

G-1

WR# 30315434

REV 0


LINE DATA TABLE
ID | LENGTH | BEARING | START POINT | END POINT
L1 | 6.40 | N88° 33' 15"W | N 3032725.34, E 523318.77 | N 3032725.50, E 523310.36
L2 | 158.18 | S01° 21' 14"W | N 3032724.28, E 523309.08 | N 3032566.15, E 523305.35
L3 | 25.21 | S27° 43' 43"W | N 3032548.48, E 523300.76 | N 3032526.17, E 523289.04
L4 | 95.12 | S01° 20' 15"W | N 3032508.49, E 523284.45 | N 3032413.40, E 523282.23
L5 | 7.53 | N90° 00' 00"W | N 3032398.75, E 523267.24 | N 3032398.75, E 523259.71
L6 | 6.35 | S00° 00' 00"E | N 3032408.34, E 523256.44 | N 3032400.00, E 523256.44
L7 | 25.28 | S00° 00' 00"E | N 3032394.16, E 523256.44 | N 3032368.88, E 523256.44
CURVE DATA TABLE
ID | RADIUS | LENGTH | CHORD DIRECTION | START POINT | END POINT
C1 | 40.00 | 18.41 | S14° 33' 26"W | N 3032566.15, E 523305.35 | N 3032548.48, E 523300.76
C2 | 40.00 | 18.42 | S14° 31' 59"W | N 3032526.17, E 523289.04 | N 3032508.49, E 523284.45
C3 | 15.00 | 23.21 | S45° 40' 08"W | N 3032413.40, E 523282.23 | N 3032398.75, E 523267.24
C4 | 40.00 | 15.56 | S11° 08' 41"E | N 3032368.88, E 523256.44 | N 3032353.71, E 523259.43
TIMPANY BOULEVARD
DONLAN STREET
U22-25-54 N/F JOSHUA P. REGAN 68 EMERALD STREET Bk 38560 PG 341
U22-25-15 N/F CHRISTOPHER J. WATSON 72 EMERALD STREET Bk 52799 PG 323
U22-25-16 N/F GARY P. O'NEIL 76 EMERALD STREET Bk 34474 PG 167
U22-25-5 N/F GE CHAREST & J.W. FEATHERSTONE EMERALD STREET Bk 11536 PG 334
R22-21-17 N/F GEORGE E. CHAREST EMERALD STREET Bk 23805 PG 379
R22-21-13 N/F THOMPSON TIMPANY BLVD LLC 14-20 TIMPANY BLVD Bk 49933 PG 1
R22-21-18 N/F KYMALAINEN REALTY TRUST 7 DONLAN STREET Bk 18087 PG 309
R22-21-19 N/F KYMALAINEN REALTY TRUST 15 DONLAN STREET Bk 16441 PG 337
R22-21-8 N/F B & B TRUCK LEASING INC 75 MECHANIC STREET Bk 48124 PG 343
"NO PARKING ANY TIME"
"NO PASSING ZONE"
"ONE WAY"
"STOP"/"EXIT ONLY"
"YIELD"
"WELCOME TO GARDNER"
"PLEASANT STREET DETOUR"
"SPEEDEE"
"DETOUR"
"DETOUR"
"PAVEMENT PATCH"
PROPOSED 3-2" DUCT APPROX. 6 LF
PROPOSED HHH0-08
PROPOSED 3-6" DUCT APPROX. 345 LF
PROPOSED 3-6" DUCT APPROX. 5 LF
PROPOSED HHH0-08
EXISTING UNDERGROUND CABLES (LOCATED BEHIND WALL BY NYD STREET GARAGE)
UP WECO 7-2 W/ TRANSFORMER
WECO 3 W/ POLE 8
TRANSFORMER
CONC W/ STOP
CONC W/ "EXIT"
CURB NOT FOUND
COULD NOT OPEN
1' CONC WALL W/ CRATE
LANE LINE
KEEP RIGHT
PAVED
GRASS
FLAGPOLE
MAIN ST
DEAD E
PLEASANT STREET DETOUR
TRC
124 Grove St
Franklin, MA 02038
PROJECT NO 233017
REV | DESCRIPTION | DATE | DES | CHK | APP
nationalgrid
GARDNER STREET LIGHTS CIVIL
TIMPANY LAYOUT PLAN
PP-1
WR#30315434
REV 0
SCALE 1" = 20'




**LINE DATA TABLE**

| ID | LENGTH | BEARING | START POINT | END POINT |
|---|---|---|---|---|
| L7 | 25.28 | S00° 00' 00"E | N 3032394.16, E: 523256.44 | N 3032368.88, E: 523256.44 |
| L8 | 45.03 | S22° 17' 22"E | N 3032353.71, E: 523259.43 | N 3032317.05, E: 523276.51 |
| L9 | 21.85 | S01° 27' 47"W | N 3032295.85, E: 523279.49 | N 3032274.01, E: 523278.93 |
| L10 | 9.97 | S01° 27' 47"W | N 3032268.18, E: 523278.79 | N 3032258.21, E: 523278.53 |
| L11 | 9.88 | N90° 00' 00"W | N 3032248.47, E: 523268.54 | N 3032248.47, E: 523258.85 |

**CURVE DATA TABLE**

| ID | RADIUS | LENGTH | CHORD DIRECTION | START POINT | END POINT |
|---|---|---|---|---|---|
| C4 | 40.00 | 15.56 | S11° 08' 41"E | N 3032368.88, E: 523256.44 | N 3032353.71, E: 523259.43 |
| C5 | 40.00 | 16.58 | S10° 24' 47"E | N 3032312.05, E: 523278.51 | N 3032295.85, E: 523279.49 |
| C6 | 10.00 | 13.45 | S45° 43' 54"W | N 3032258.21, E: 523278.53 | N 3032248.47, E: 523268.54 |

SCALE 1" = 20'

TRC 929 Grove St Framingham, MA 01730

PROJECT NO 233017

| REV | DESCRIPTION | DATE | DES | DRN | APP |
|---|---|---|---|---|---|
| | | | | | |

nationalgrid

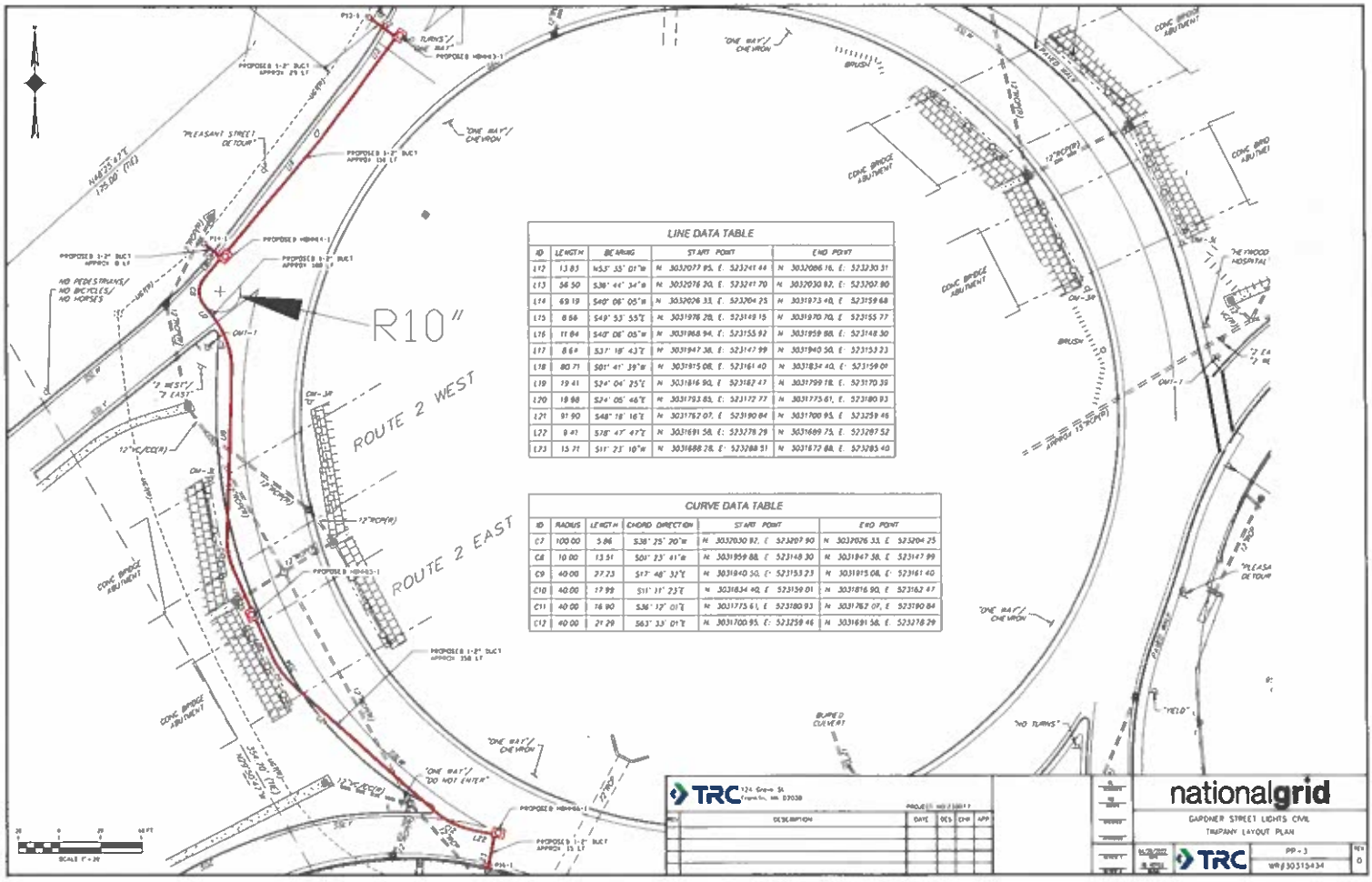
GARDNER STREET LIGHTS CIVIL
TIMPANY LAYOUT PLAN

TRC

PP-1

WR# 30315434

REV 0




LINE DATA TABLE

| ID | LENGTH | BEARING | START POINT | END POINT |
|---|---|---|---|---|
| L12 | 13.83 | N53° 33' 01"W | N 3037077.95, E: 523241.44 | N 3037086.16, E: 523230.31 |
| L13 | 56.50 | S38° 44' 34"W | N 3037076.70, E: 523211.70 | N 3037030.82, E: 523207.80 |
| L14 | 69.19 | S40° 06' 05"W | N 3037026.33, E: 523204.25 | N 3031973.40, E: 523159.68 |
| L15 | 8.56 | S49° 53' 55"E | N 3031978.28, E: 523149.15 | N 3031970.70, E: 523155.77 |
| L16 | 11.84 | S40° 06' 05"W | N 3031968.94, E: 523153.93 | N 3031959.88, E: 523148.30 |
| L17 | 8.64 | S37° 18' 43"E | N 3031947.38, E: 523147.99 | N 3031940.50, E: 523153.23 |
| L18 | 80.71 | S01° 41' 39"W | N 3031875.08, E: 523161.40 | N 3031834.40, E: 523159.09 |
| L19 | 19.41 | S24° 04' 25"E | N 3031816.90, E: 523182.47 | N 3031799.18, E: 523170.38 |
| L20 | 19.98 | S24° 05' 46"E | N 3031793.83, E: 523177.77 | N 3031775.61, E: 523180.93 |
| L21 | 91.90 | S48° 18' 16"E | N 3031767.07, E: 523190.84 | N 3031700.95, E: 523259.46 |
| L22 | 9.41 | S38° 47' 47"E | N 3031691.58, E: 523278.29 | N 3031689.75, E: 523287.52 |
| L23 | 15.71 | S11° 23' 10"W | N 3031688.28, E: 523288.51 | N 3031673.88, E: 523285.40 |

CURVE DATA TABLE

| ID | RADIUS | LENGTH | CHORD DIRECTION | START POINT | END POINT |
|---|---|---|---|---|---|
| C7 | 100.00 | 5.86 | S38° 25' 20"W | N 3037030.82, E: 523207.90 | N 3037026.33, E: 523204.25 |
| C8 | 10.00 | 13.51 | S01° 23' 41"W | N 3031959.88, E: 523148.30 | N 3031947.38, E: 523147.99 |
| C9 | 40.00 | 27.23 | S17° 48' 32"E | N 3031940.50, E: 523153.23 | N 3031915.08, E: 523161.40 |
| C10 | 40.00 | 17.99 | S11° 31' 23"E | N 3031834.40, E: 523159.01 | N 3031816.90, E: 523162.47 |
| C11 | 40.00 | 16.90 | S36° 12' 01"E | N 3031775.61, E: 523180.93 | N 3031767.07, E: 523190.84 |
| C12 | 40.00 | 21.29 | S63° 33' 01"E | N 3031700.95, E: 523259.46 | N 3031691.58, E: 523278.29 |

TRC 124 Grove St. Franklin, MA 02038

| DESCRIPTION | DATE | DES | CHK | APP |
|---|---|---|---|---|
| | | | | |

nationalgrid

GARDNER STREET LIGHTS CIVIL

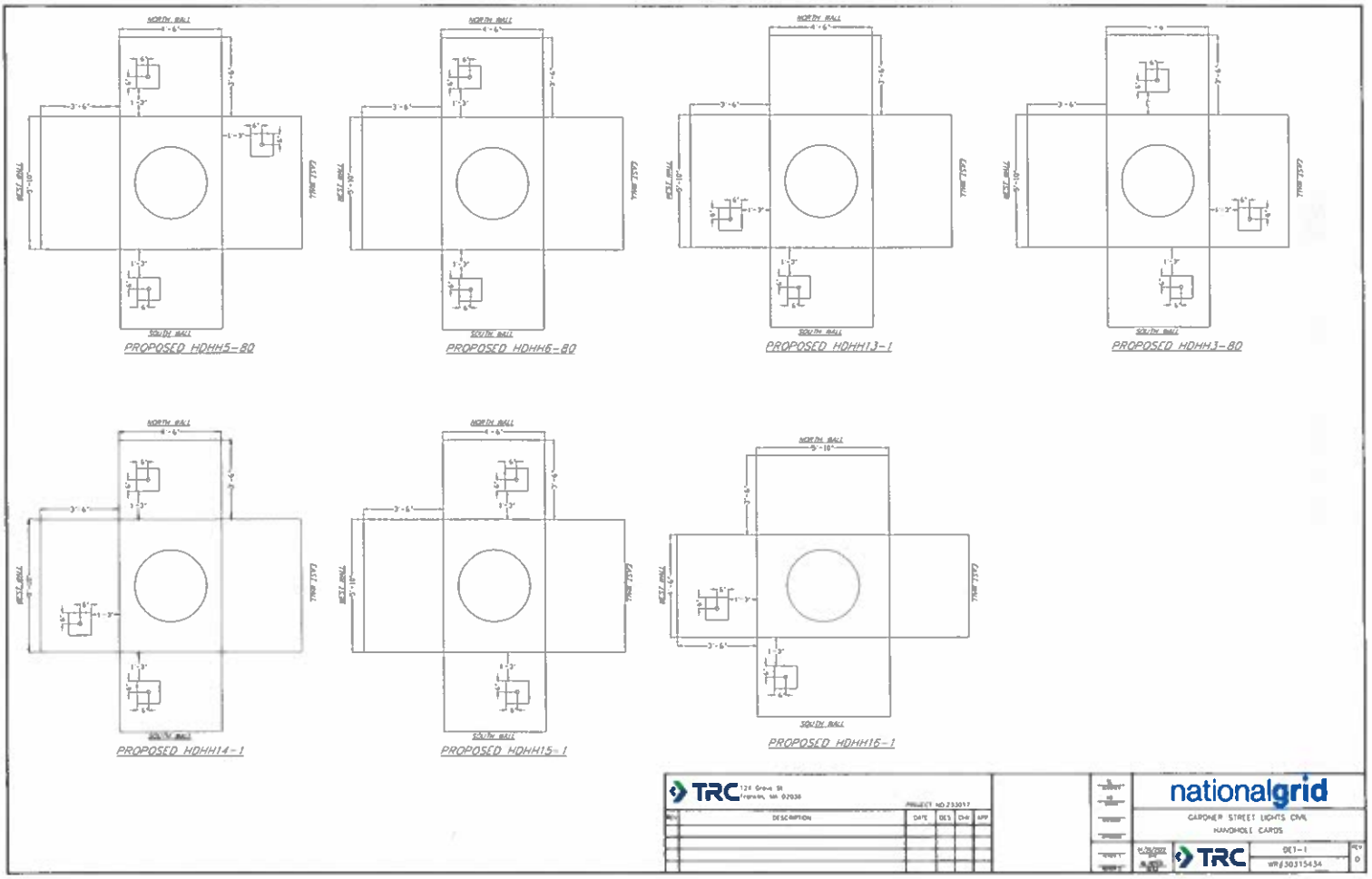
TRAFFANY LAYOUT PLAN

TRC

PP - 3

WR#30515434

REV 0




TRC 124 Grove St Franklin, MA 02038

PROJECT NO 233017

| NO. | DESCRIPTION | DATE | DES | CHK | APP |
|---|---|---|---|---|---|
| | | | | | |

nationalgrid

GARDNER STREET LIGHTS CIVIL

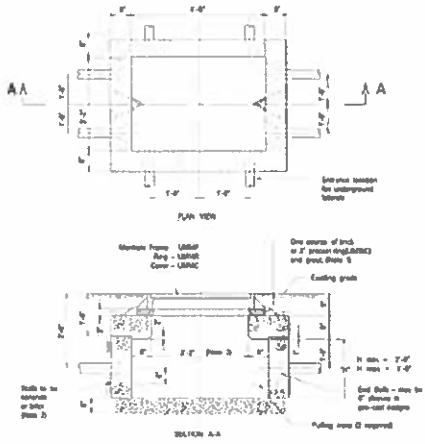
MANHOLE CARDS

TRC

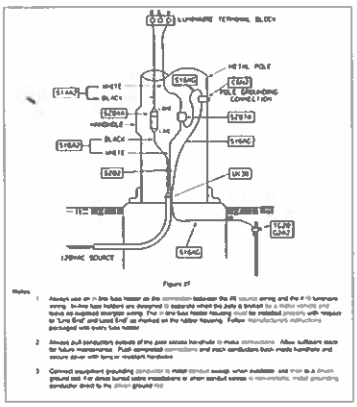
DE1-1

WR# 30315434

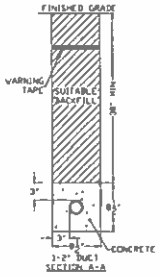
REV 0




HEAVY DUTY HANDHOLE DETAIL




TYPICAL STREET LIGHT WIRING DETAIL




TYPICAL CONDUIT TRENCH DETAIL

| TRC 124 Grove St Framingham, MA 02830 | PROJECT NO 233017 | | | | |
|---|---|---|---|---|---|
| REV | DESCRIPTION | DATE | DES | CHK | APP |
| | | | | | |
| | | | | | |
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| | | | | | |

nationalgrid

GARDNER STREET LIGHTS CIVIL

HANDHOLE/CONDUIT TRENCH DETAILS

TRC

DET-2

WR# 30315434

REV 0

nationalgrid

May 10, 2022

City of Gardner

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID covering the installation of underground facilities.

If you have any questions regarding this permit please contact:

If this petition meets with your approval, please return an executed copy to:

National Grid Contact: Vincent LoGuidice; 1101 Turnpike Street; North Andover, MA 01845

Very truly yours,

Pat Cody

Patrick Cody
Supervisor, Distribution Design

Enclosures

Questions contact – Daniel Lopez 774-235-2603

Petition of the NATIONAL GRID
Of NORTH ANDOVER, MASSACHUSETTS
For Electric conduit Location:

To the City Council of Gardner, Massachusetts

Respectfully represents the NATIONAL GRID of North Andover, Massachusetts, that it desires to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways hereinafter named.

Wherefore it prays that after due notice and hearing as provided by law, it be granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked – Pearson Blvd - Gardner – Massachusetts.

The following are the streets and highways referred to: Plan number # 30316304.
Pearson Blvd - National Grid to install beginning at a point approximately 588 feet southeast of the centerline of the intersection of Elm St and Pearson Blvd and continuing approximately 128 feet in a southeast direction. Install ~149' of 1-2" conduit from P4-80 to P5 on Pearson Blvd as shown in the plans. Install heavy duty hand holes HH4-80 and HH5 on Pearson Blvd as shown in the plans.

Location approximately as shown on plan attached

NATIONAL GRID
BY Pat Cody
Engineering Department

Dated: May 10, 2022

ORDERED:

Notice having been given and public hearing held, as provided by law, that the NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 10th day of May, 2022.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked – Pearson Blvd - Gardner – Massachusetts. Plan number # 30316304.

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

Pearson Blvd - National Grid to install beginning at a point approximately 588 feet southeast of the centerline of the intersection of Elm St and Pearson Blvd and continuing approximately 128 feet in a southeast direction. Install ~149' of 1-2" conduit from P4-80 to P5 on Pearson Blvd as shown in the plans. Install heavy duty hand holes HH4-80 and HH5 on Pearson Blvd as shown in the plans.

I hereby certify that the foregoing order was adopted at a meeting of the .....
.....
....., held on the ..... day of ....., 20 .....

....., ....., 20 .....

Received and entered in the records of location orders of the City/Town of
Book ..... Page .....
Attest:
.....

..... hereby certify that on .....20....., at ..... o'clock, ....M at ....., a public hearing was held on the petition of NATIONAL GRID for permission to construct the underground electric conduits described in the order herewith recorded, and that I mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to construct the underground electric conduits under said order. And that thereupon said order was duly adopted.

.....

.....

.....

ORDERED:

Notice having been given and public hearing held, as provided by law, that the NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 10th day of May, 2022.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked – Pearson Blvd - Gardner – Massachusetts. Plan number # 30316304.

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

Pearson Blvd - National Grid to install beginning at a point approximately 588 feet southeast of the centerline of the intersection of Elm St and Pearson Blvd and continuing approximately 128 feet in a southeast direction. Install ~149' of 1-2" conduit from P4-80 to P5 on Pearson Blvd as shown in the plans. Install heavy duty hand holes HH4-80 and HH5 on Pearson Blvd as shown in the plans.

I hereby certify that the foregoing order was adopted at a meeting of the .....
.....
....., held on the ..... day of ....., 20 .....

....., ....., 20 .....

Received and entered in the records of location orders of the City/Town of
Book ..... Page .....
Attest:
.....

..... hereby certify that on .....20....., at ..... o'clock, ....M at ....., a public hearing was held on the petition of NATIONAL GRID for permission to construct the underground electric conduits described in the order herewith recorded, and that I mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to construct the underground electric conduits under said order. And that thereupon said order was duly adopted.

.....

.....

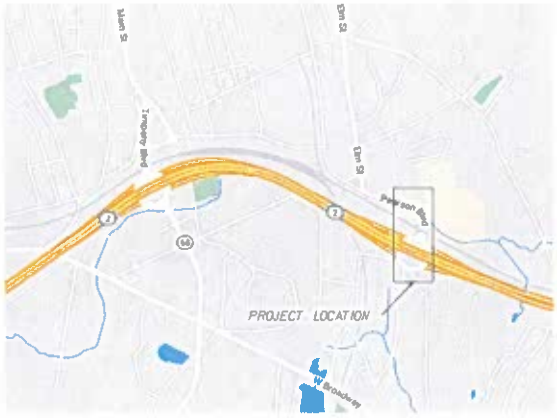
.....

# DISTRIBUTION CIVIL DRAWINGS

## PEARSON BLVD

## GARDNER, MA

| DRAWING LIST | |
|---|---|
| DRAWING NO. | CONTENT |
| G-0 | COVER SHEET |
| G-1 | GENERAL NOTES |
| PP-1 - PP-3 | LAYOUT PLAN |
| DET-1 | HANDHOLE CARDS |
| DET-2 | HANDHOLE/CONDUIT TRENCH DETAILS |




PROJECT SCOPE:

NATIONAL GRID TO INSTALL APPROXIMATELY 772' OF #6 DUPLEX SCU XLPE CONDUCTOR AND 2" CONDUIT IN A NEW HANDHOLE AND DUCT SYSTEM FOR STREETLIGHTS WITHIN THE THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION AND MUNICIPAL PUBLIC RIGHT OF WAY KNOWN AS PEARSON BOULEVARD IN GARDNER, MASSACHUSETTS. INCLUDED IN THIS WORK IS THE REMOVAL OF APPROXIMATELY 128' OF OH SECONDARY CONDUCTOR, AND THE REPLACEMENT & RELOCATION OF (4) STREETLIGHT POLES.
THE PROJECT IS ALSO TO INCLUDE THE INSTALLATION OF (8) HEAVY DUTY HANDHOLES AND THE REPLACEMENT OF (1) STREETLIGHT GATE/COVER.

DESIGNER: DANIEL LOPEZ VELEZ
TRC
774-235-2603

VOLTAGE: 13.8KV 1602W21

KNOWN HAZARDS: NONE

TRC 21 Grove St Peabody, MA 01960 PROJECT NO: 233017

| REV | DESCRIPTION | DATE | DES | CHK | APP |
|---|---|---|---|---|---|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

nationalgrid

GARDNER STREET LIGHT CAPL
COVER SHEET

| | | | |
|---|---|---|---|
| 5/24/2022 | TRC | G-0 | REV 0 |
| AS NOTED | | WR#30316304 | |

## GENERAL NOTES:

1. CONTRACTOR TO PROVIDE AS-BUILT INFORMATION 10 DAYS AFTER COMPLETION OF CONDUIT INSTALLATION WORK.
2. THE LOCATIONS OF UNDERGROUND STRUCTURES SHOWN HEREIN ARE DEPICTED ACCORDING TO THE BEST AVAILABLE INFORMATION. THEY ARE NOT GUARANTEED TO BE CORRECT OR COMPLETE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO CONFIRM ALL CONDITIONS IN THE FIELD AND MAKE ADJUSTMENTS AS REQUIRED TO ACCOMMODATE THE WORK BY GETTING APPROVAL FROM NATIONAL GRID CONSTRUCTION MANAGEMENT FIRST. IT IS ASSUMED ALL PREMISES HAVE WATER, GAS, TEL, ELEC, SEWER, ETC. LATERAL CROSSINGS WHICH SHOULD BE INCLUDED IN THE BASE BID.
3. ANY QUESTIONS REGARDING THE CIVIL ENGINEERING DESIGN OF THESE CONSTRUCTION PLANS SHOULD BE REFERRED TO THE DISTRIBUTION ENGINEER DANIEL LOPEZ 774-233-2003 OR DAVID TERRY AT 508-890-5123.
4. DO NOT DEVIATE FROM THESE PLANS WITHOUT FIRST CONTACTING NATIONAL GRID CIVIL CONSTRUCTION SUPERVISION.
   - TEYON DAVE 781-426-5982
5. ALL UNDERGROUND CONSTRUCTION SHALL BE INSPECTED AND APPROVED BY NATIONAL GRID PERSONAL PRIOR TO CONCRETE ENCASEMENT AND BACKFILL. CONTRACTOR SHALL HANDRAIL, PROVE, AND INSTALL BLUE TAPE IN ALL CONDUITS PER NATIONAL GRID CONSTRUCTION STANDARDS UNDER SUPERVISION OF NATIONAL GRID CONSTRUCTION SUPERVISOR.
6. CONTRACTOR TO ARRANGE TO HAVE ALL FOREIGN UTILITIES VERIFY THEIR LOCATIONS IN THE FIELD PRIOR TO START OF EXCAVATION WORK BY CONTACTING DIG SAFE AT "811". NOTE: DIG SAFE, NOT ALL UTILITY SERVICES TO PROPERTIES ARE SHOWN ON THESE PLANS. REFER TO NOTE 2 ABOVE.
7. PROTECT ALL MUNICIPAL, STATE, AND FEDERAL SURVEY CONTROL MONUMENTS AND BENCH MARKS. CONTRACTOR TO CONTACT RESPECTIVE MUNICIPAL ENGINEERING DEPARTMENTS FOR TYPES AND LOCATIONS BEFORE STARTING WORK AS REQUIRED.
8. PROTECT ALL PLANTS AND TREES AND THEIR ROOT SYSTEMS FROM MECHANICAL AND ENVIRONMENTAL DAMAGE DURING EXCAVATION. BACKFILL ROOT AREAS WITH SOIL HAVING TEXTURE AND FERTILITY TO SUSTAIN PLANT LIFE. CONTRACTOR TO REMOVE ALL ROOTS OF DEAD TREE STUMPS FROM TRENCH PRIOR TO PLACING CONDUIT. CONTRACTOR IS RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF NECESSARY EROSION CONTROL (SILT SACKS, HAY BALES, CHECK DAMS, ETC.) APPROVED BY THE STATE, CITY/TOWN, AND QUONSET DEVELOPMENT CORPORATION AS REQUIRED FOR THE DURATION OF THE PROJECT.
9. THE FOLLOWING MINIMUM CLEARANCES SHALL BE MAINTAINED UNLESS OTHERWISE NOTED.

| UTILITY | CROSSING | PARALLEL |
|---|---|---|
| GAS MAIN | 12" | 12" |
| GAS SERVICE | 12" | 12" |
| WATER MAIN | 12" | 12" |
| WATER SERVICE | 12" | 12" |
| TELEPHONE/COMMUNICATION FACILITIES | 12" | 12" |
| STORM & SANITARY SEWERS | 12" | 12" |
| RAIL ROAD CROSSINGS | 50' | 50' |

PLEASE NOTE, ANY DEVIATIONS FROM THESE MINIMUM CLEARANCES MUST BE REVIEWED AND APPROVED BY NATIONAL GRID & TRC.

UTILITY SERVICES AND LATERALS TO BUILDINGS ARE NOT SHOWN ON THESE PLANS. CONTRACTOR TO VERIFY THEIR LOCATIONS IN THE FIELD AND SUPPORT, PROTECT, MAINTAIN, AND WORK AROUND THEM AS REQUIRED IN ORDER TO COMPLETE THE PROPOSED WORK.

10. ALL CONTRACTORS SHALL COMPLY WITH MINIMUM WORKING CLEARANCES FROM ALL ENERGIZED OVERHEAD EQUIPMENT AND CONDUCTORS PER OSHA REGULATIONS 1910.333. IF MINIMUM WORKING CLEARANCES CAN NOT BE MET, CONTRACTOR MUST CONTACT NATIONAL GRID TO EVALUATE ALTERNATIVE MEASURES. THESE MEASURES MAY INCUR ADDITIONAL COSTS.
11. CONDUIT TO BE PLACED AT MINIMUM 30" BELOW ELEVATION OF NEAREST PORTION OF ROAD PAVEMENT UNLESS OTHERWISE NOTED. MANHOLE ROOF TO HAVE A MINIMUM 18" OF COVER FROM FINISH GRADE UNLESS OTHERWISE NOTED.
12. ALL WORK SHALL COMPLY WITH ALL APPLICABLE FEDERAL, STATE, AND MUNICIPAL CODES, AS WELL AS THE REQUIREMENTS OF THE NATIONAL ELECTRIC SAFETY CODE, OSHA REGULATIONS AND NATIONAL GRID CONSTRUCTION STANDARDS/REQUIREMENTS.
13. AREAS WHERE EXCAVATION IS IN ROCK LEDGE, PROVIDE A SIX (6) INCH MINIMUM SELECT FILL CUSHION AROUND CONDUITS AND TWELVE (12) INCH CUSHION AROUND MANHOLE.
14. CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL REGULATIONS REGARDING REMOVAL AND/OR DISPOSAL OF ANY AND ALL EQUIPMENT AND MATERIALS.
15. CONTRACTOR SHALL MAINTAIN A FULL SIZE SET OF SCALED DRAWINGS (ODOR OF ALL PRINTS) ON SITE AT ALL TIMES DURING THE WORK.
16. CONTRACTOR TO RECORD AND DOCUMENT A SINGLE WALK-PAGE .PDF PHOTOLOG OF THE ENTIRE WORK AREA. CONTRACTOR TO PROVIDE NATIONAL GRID PROJECT MANAGER A COPY OF THE PRE-CONSTRUCTION PHOTOLOG ALONG WITH A POST-CONSTRUCTION PHOTOLOG OF THE ENTIRE WORK AREA UPON COMPLETION OF ALL CIVIL WORK IN THE FIELD.
17. REFER TO ALL NATIONAL GRID CIVIL CONSTRUCTION SPECIFICATIONS INCLUDED IN THE BID DOCUMENTS FOR ADDITIONAL INFORMATION REGARDING MANHOLE AND DUCT BANK INSTALLATION.

PLEASE NOTE:
THE 12" MINIMUM CLEARANCES FROM OTHER UTILITIES SHALL BE MAINTAINED WHEREVER POSSIBLE. IF THE 12" MINIMUM CLEARANCE CANNOT BE ACHIEVED IN THE FIELD, CONTRACTOR TO USE ACCEPTABLE ALTERNATIVE MEANS TO PROTECT THE OTHER UTILITIES AND/OR CONFIRM APPROVAL FROM THE UTILITY OWNER FOR LESS THAN MINIMUM CLEARANCE.

## DISTRIBUTION DRAWING INDEX

REFER TO DRAWINGS

| CIVIL & PROFILE DRAWINGS | PROPOSED HANDHOLE DRAWINGS | DETAIL DRAWINGS |
|---|---|---|
| PP-1 | DET-1 | DET-1 |
| PP-2 | | DET-2 |
| PP-3 | | |

## ABBREVIATIONS

NOTE: NOT ALL ABBREVIATIONS LISTED BELOW ARE USED FOR THIS PROJECT

| | | | |
|---|---|---|---|
| # | NUMBER | HV | HIGH VOLTAGE |
| & | AND | IN | INCHES |
| @ | AT | KV | KILOVOLT |
| > | GREATER THAN | KVA | KILOVOLT AMPERE |
| < | LESS THAN | L | LENGTH |
| ø | DIAMETER | LF | LINEAR FOOT |
| A | AMPERE | LV | LOW VOLTAGE |
| ABAN | ABANDONED | M | METER |
| ABAND | ABANDONED | MAN | MANHOLE |
| AC | AIR CONDITIONED | MH | MANHOLE |
| AC | ALTERNATING CURRENT | MIN | MINIMUM |
| APPROX APPR | APPROXIMATE | MISC | MISCELLANEOUS |
| BF | BOTTOM OF | MJ | MECHANICAL JOINT |
| BIT | BITUMINOUS | MW | MONITORING WELL |
| BLDG | BUILDING | N | NORTH |
| BMCE | BEGIN VERTICAL CURVE ELEVATION | N/F | NOW OR FORMERLY |
| BMCS | BEGIN VERTICAL CURVE STATION | NAVD | NATIONAL GEODETIC VERTICAL DATUM |
| C/C | CENTER TO CENTER | NIOSH | NATIONAL INSTITUTE OF OCCUPATIONAL SAFETY AND HEALTH |
| CB | CATCH BASIN | NC | POINT OF CURVATURE |
| CI | CAST IRON | PCB | POLYCHLORINATED BIPHENYL |
| ℄ | CENTERLINE | PE | POLYETHYLENE |
| CLR | CLEAR | PILC | PAPER IN LEAD COVERED CABLE |
| CMP | CORRUGATED METAL PIPE | PIV | POST INDICATOR VALVE |
| CMPA | CORRUGATED METAL PIPE ARCH | PROP | PROPOSED |
| CMPT | COMPACT CABLE | PT | POINT, POINT OF TANGENCY |
| COM | COMMUNICATIONS | PVC | POLYVINYL CHLORIDE |
| CONC | CONCRETE | PVI | POINT OF VERTICAL INTERSECTION |
| CP | CONTROL POINT | R | RADIUS |
| CS | CARBON STEEL | RCP | REINFORCED CONCRETE PIPE |
| CU | COPPER | REQ'D | REQUIRED |
| CW | CLEAN WATER | RET | RETAINING |
| D | DIAMETER | RR | RAIL ROAD |
| DC | DIRECT CURRENT | S | SLOPE |
| DI | DUCTILE IRON | SCADA | SUPERVISORY CONTROL AND DATA ACQUISITION |
| DIA | DIAMETER | SCH | SCHEDULE |
| DMH | DRAIN MANHOLE | SD | STORM DRAIN |
| DWG | DRAWING | SF | SQUARE FEET |
| E | EAST | SMH | SANITARY MANHOLE |
| EL | ELEVATION | SQ | SQUARE |
| ELEC | ELECTRIC | SS | STAINLESS STEEL |
| ELEV | ELEVATION | STA | STATION |
| EMH | ELECTRIC MANHOLE | STL | STEEL |
| EOP | EDGE OF PAVEMENT | STORM | STORMWATER |
| EUE | EXISTING UNDERGROUND ELECTRIC | T&B | TOP AND BOTTOM |
| EVT | EXISTING UNDERGROUND TELEPHONE | T/ | TOP OF |
| EVCE | END VERTICAL CURVE ELEVATION | TEL | TELEPHONE |
| EVCS | END VERTICAL CURVE STATION | TV | TELEVISION |
| EW | EACH WAY | TYP | TYPICAL |
| EX. (EXIST) | EXISTING | UE | UNDERGROUND ELECTRIC |
| FFE | FINISH FLOOR ELEVATION | UG | UNDERGROUND |
| FM | FORCE MAIN | UNO | UNLESS NOTED OTHERWISE |
| FO | FIBER OPTIC | V | VOLT |
| GALV | GALVANIZED | VA | VOLT AMPERE REACTIVE |
| GEN | GENERATOR | VC | VERTICAL CURVE |
| GRAV | GRAVITY | VCP | VITREOUS CLAY PIPE |
| HDD | HORIZONTAL DIRECTIONAL DRILLING | VERT | VERTICAL |
| HDPE | HIGH DENSITY POLYETHYLENE | VP | VAULT PIT |
| HH | HANDHOLE | W | WATER |
| HDMH | HEAVY DUTY MANHOLE | | |

## LEGEND

- CB/CBDI — CATCH BASIN CURB INLET
- CB/CI — CATCH BASIN
- 10" SDMH Ø 48" — DRAIN LINE/MANHOLE
- 12" SAN S MH — SEWER LINE/MANHOLE
- 12" COMB MH — COMBINED SEWER/DRAIN MANHOLE
- ENMH — ELECTRIC LINE/MANHOLE
- E — ELECTRIC LINE
- LP — LIGHT POLE
- GAS — GAS LINE/GATE
- RETIRED GAS LINE
- W8"/W12" — WATERMAIN
- WV — WATER LINE/VALVE
- WPRV — WATER LINE/PRESSURE REDUCING VALVE
- ABANDONED WATER LINE
- TMH — TELEPHONE LINE/MANHOLE
- T — TELEPHONE LINE
- CC — CONCRETE CURB
- BCB — BITUMINOUS CONCRETE CURB
- VGC — VERTICAL GRANITE CURB
- CLF — CHAIN LINK FENCE
- WSF — WOOD STOCKADE FENCE
- MRAIL — HANDRAIL
- MRF — METAL RAILING FENCE
- EOG — EDGE OF GRAVEL
- APPROXIMATE STREET LINE
- "WHB" — WORCESTER HOUSE BOUND
- WB/DH — STONE BOUND/DRILL HOLE
- DH — DRILL HOLE
- IP — IRON PIPE/PIN
- FND — FOUND
- BUILDING
- PANEL ADDRESS
- CHAS SET1 N 2919726.47 E 304977.86 — SURVEY MONUMENT/REFERENCE POINT W/ APPROXIMATE STATE PLANE COORDINATE
- BIT CONC — BITUMINOUS CONCRETE
- BF RECORD
- BOLLARD
- BRW — BRICK RETAINING WALL
- CBRW — CONCRETE BLOCK RETAINING WALL
- CRW — CONCRETE RETAINING WALL
- CS — CONCRETE STAIRS
- COB — COBBLESTONE EDGING
- PROPOSED HEAVY DUTY MANHOLE
- EXISTING STREETLIGHT
- PROPOSED STREETLIGHT

| REV | DESCRIPTION | DATE | DES | CHK | APP |
|---|---|---|---|---|---|
| | | | | | |

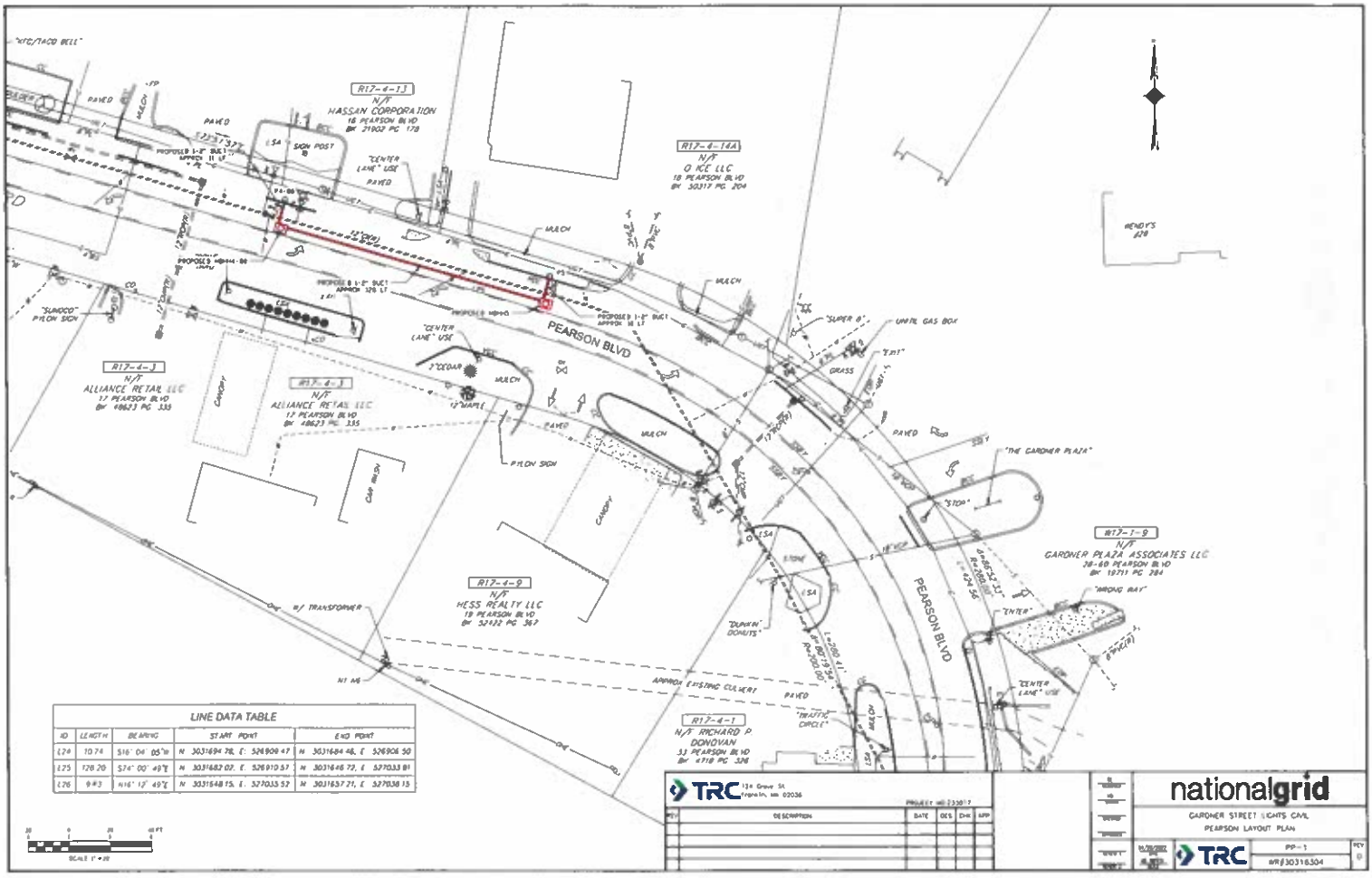
TRC — 124 Grove St, Franklin, MA 02038 — PROJECT NO: 233017

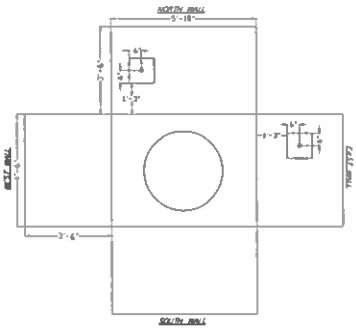
nationalgrid

GARDNER STREET LIGHTS CIVIL
GENERAL NOTES

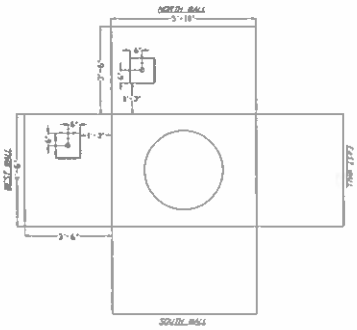
| DRAWN | CHECKED | APPROVED | SCALE | DATE |
|---|---|---|---|---|
| MJM | DJL | DJL | NTS | 10/26/2022 |

TRC — DRAWING NO. G-1 — WR# 30316304 — REV 0

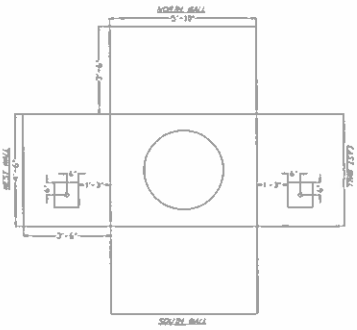

PEARSON BLVD
R17-4-13
N/F
HASSAN CORPORATION
18 PEARSON BLVD
BK 21902 PG 178
R17-4-14A
N/F
O ICE LLC
18 PEARSON BLVD
BK 30317 PG 304
R17-4-3
N/F
ALLIANCE RETAIL LLC
17 PEARSON BLVD
BK 48623 PG 335
R17-4-9
N/F
HESS REALTY LLC
19 PEARSON BLVD
BK 32432 PG 367
R17-4-1
N/F RICHARD P.
DONOVAN
33 PEARSON BLVD
BK 4718 PG 328
R17-1-9
N/F
GARDNER PLAZA ASSOCIATES LLC
38-60 PEARSON BLVD
BK 19711 PG 284
"KFC/TACO BELL"
"SUNOCO" PYLON SIGN
"DUNKIN' DONUTS"
"THE GARDNER PLAZA"
"WRONG WAY"
"TRAFFIC CIRCLE"
"SUPER 8"
UNITIL GAS BOX
PYLON SIGN
CANOPY
CAP MON
W/ TRANSFORMER
APPROX EXISTING CULVERT
PAVED
MULCH
GRASS
"STOP"
"ENTER"
"CENTER LANE" USE
LSA
SIGN POST
12" MAPLE
3" CEDAR
WENDY'S
LINE DATA TABLE
ID
LENGTH
BEARING
START POINT
END POINT
L74
10.74
S16° 04' 05"W
N 3031694.78, E 526909.47
N 3031684.48, E 526906.50
L75
178.20
S74° 00' 49"E
N 3031682.07, E 526910.57
N 3031646.73, E 527033.81
L76
9.43
N16° 12' 49"E
N 3031648.75, E 527033.52
N 3031637.21, E 527036.15
TRC
134 Grove St.
Franklin, MA 02038
DESCRIPTION
DATE
DES
DWN
APP
nationalgrid
GARDNER STREET LIGHTS CAVL
PEARSON LAYOUT PLAN
TRC
WR#30316304
PP-1




PROPOSED HDHH4-80




PROPOSED HDHH5

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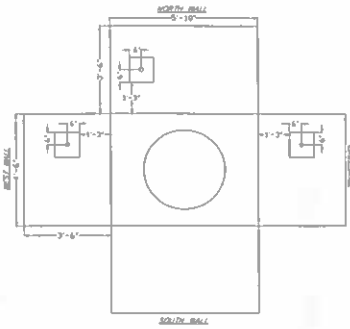
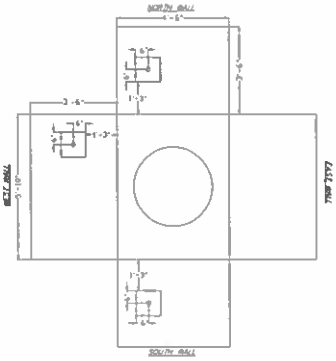
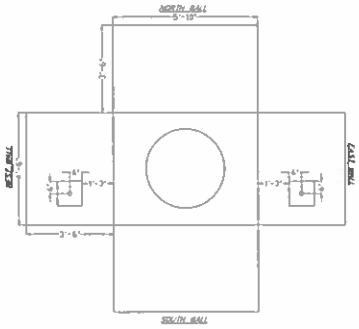


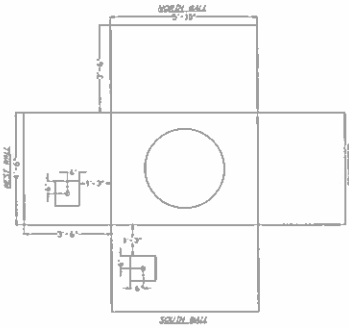

PROPOSED HDHH17-80



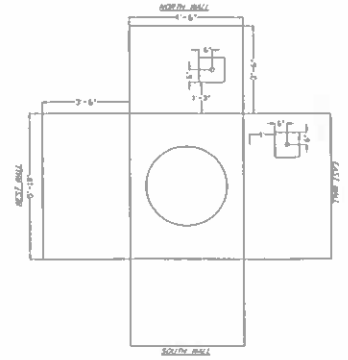

PROPOSED HDHH18-80




PROPOSED HDHH19-80




PROPOSED HDHH15-80




PROPOSED HDHH21-80

TRC

PROJECT NO 233017

| REV | DESCRIPTION | DATE | DES | CHK | APP |
|---|---|---|---|---|---|

nationalgrid

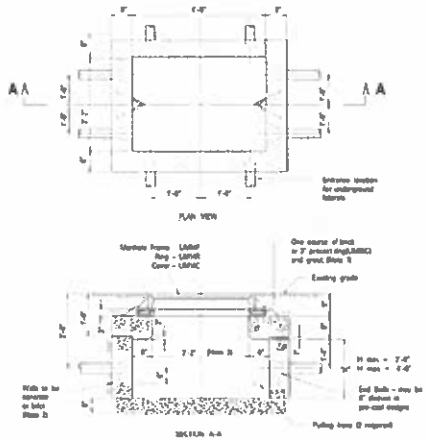
GARDNER STREET LIGHTS CIVIL
MANHOLE CARDS

TRC

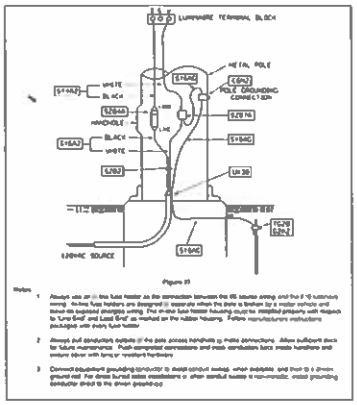
DET-1

WR# 30316304

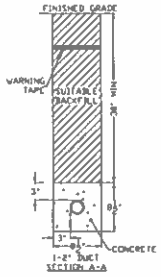
REV 0




HEAVY DUTY HANDHOLE DETAIL




TYPICAL STREET LIGHT WIRING DETAIL




TYPICAL CONDUIT TRENCH DETAIL

TRC 124 Grove St. Framingham, MA 02030

PROJECT NO. 233017

| REV | DESCRIPTION | DATE | DES | CHK | APP |
|---|---|---|---|---|---|
| | | | | | |

nationalgrid

GARDNER STREET LIGHTS CIVIL
HANDHOLE/CONDUIT TRENCH DETAILS

TRC

DET-2

WR # 30316304

nationalgrid

May 10, 2022

City of Gardner

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID covering the installation of underground facilities.

If you have any questions regarding this permit please contact:

If this petition meets with your approval, please return an executed copy to:

National Grid Contact: Vincent LoGuidice; 1101 Turnpike Street; North Andover, MA 01845

Very truly yours,

Pat Cody

Patrick Cody
Supervisor, Distribution Design

Enclosures

Questions contact – Daniel Lopez 774-235-2603

Petition of the NATIONAL GRID
Of NORTH ANDOVER, MASSACHUSETTS
For Electric conduit Location:

To the City Council of Gardner, Massachusetts

Respectfully represents the NATIONAL GRID of North Andover, Massachusetts, that it desires to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways hereinafter named.

Wherefore it prays that after due notice and hearing as provided by law, it be granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked – Pearson Blvd - Gardner – Massachusetts.

The following are the streets and highways referred to: Plan number # 30316304.
Pearson Blvd - National Grid to install beginning at a point approximately 176 feet northeast of the centerline of the intersection of Olney St and Pearson Blvd and continuing approximately 88 feet in a northeast direction. Install ~106' of 1-2" conduit from P21-80 to P15-80 on Pearson Blvd as shown in the plans. Install heavy duty hand holes HH21-80 and HH15-80 on Pearson Blvd as shown in the plans.

Location approximately as shown on plan attached

NATIONAL GRID
BY Pat Cody
Engineering Department

Dated: May 10, 2022

ORDERED:

Notice having been given and public hearing held, as provided by law, that the NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 10th day of May, 2022.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked – Pearson Blvd - Gardner – Massachusetts. Plan number # 30316304.

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

Pearson Blvd - National Grid to install beginning at a point approximately 176 feet northeast of the centerline of the intersection of Olney St and Pearson Blvd and continuing approximately 88 feet in a northeast direction. Install ~106' of 1-2" conduit from P21-80 to P15-80 on Pearson Blvd as shown in the plans. Install heavy duty hand holes HH21-80 and HH15-80 on Pearson Blvd as shown in the plans.

I hereby certify that the foregoing order was adopted at a meeting of the .....
.....
....., held on the ..... day of ....., 20 .....

....., ....., 20 .....

Received and entered in the records of location orders of the City/Town of
Book ..... Page .....
Attest:
.....

..... hereby certify that on .....20....., at ..... o'clock, ....M at ....., a public hearing was held on the petition of NATIONAL GRID for permission to construct the underground electric conduits described in the order herewith recorded, and that I mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to construct the underground electric conduits under said order. And that thereupon said order was duly adopted.

.....

.....

.....

ORDERED:

Notice having been given and public hearing held, as provided by law, that the NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 10th day of May, 2022.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked – Pearson Blvd - Gardner – Massachusetts. Plan number # 30316304.

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

Pearson Blvd - National Grid to install beginning at a point approximately 176 feet northeast of the centerline of the intersection of Olney St and Pearson Blvd and continuing approximately 88 feet in a northeast direction. Install ~106' of 1-2" conduit from P21-80 to P15-80 on Pearson Blvd as shown in the plans. Install heavy duty hand holes HH21-80 and HH15-80 on Pearson Blvd as shown in the plans.

I hereby certify that the foregoing order was adopted at a meeting of the .....
.....
....., held on the ..... day of ....., 20 .....

....., ....., 20 .....

Received and entered in the records of location orders of the City/Town of
Book ..... Page .....
Attest:
.....

..... hereby certify that on .....20....., at ..... o'clock, ....M at ....., a public hearing was held on the petition of NATIONAL GRID for permission to construct the underground electric conduits described in the order herewith recorded, and that I mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to construct the underground electric conduits under said order. And that thereupon said order was duly adopted.

.....

.....

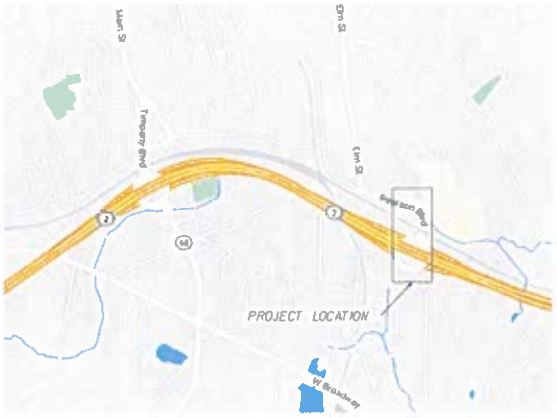
.....

# DISTRIBUTION CIVIL DRAWINGS

## PEARSON BLVD

## GARDNER, MA

| DRAWING LIST | |
|---|---|
| DRAWING NO. | CONTENT |
| G-0 | COVER SHEET |
| G-1 | GENERAL NOTES |
| PP-1 - PP-3 | LAYOUT PLAN |
| DET-1 | HANDHOLE CARDS |
| DET-2 | HANDHOLE/CONDUIT TRENCH DETAILS |




PROJECT SCOPE:

NATIONAL GRID TO INSTALL APPROXIMATELY 772' OF #6 DUPLEX SOLIDUCTOR AND 2" CONDUIT IN A NEW HANDHOLE AND DUCT SYSTEM FOR STREETLIGHTS WITHIN THE THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION AND MUNICIPAL PUBLIC RIGHT OF WAY KNOWN AS PEARSON BOULEVARD IN GARDNER, MASSACHUSETTS. INCLUDED IN THIS WORK IS THE REMOVAL OF APPROXIMATELY 128' OF OH SECONDARY CONDUCTOR, AND THE REPLACEMENT & RELOCATION OF (4) STREETLIGHT POLES.
THE PROJECT IS ALSO TO INCLUDE THE INSTALLATION OF (8) HEAVY DUTY HANDHOLES AND THE REPLACEMENT OF (1) STREETLIGHT GATE/COVER.

DESIGNER: DANIEL LOPEZ VELEZ
TRC
774.235.2803

VOLTAGE: 13.8KV (60Z42)

KNOWN HAZARDS: NONE

TRC 21 Grove St Tewksbury, MA 01876 PROJECT NO: 233817

| REV | DESCRIPTION | DATE | DES | CHK | APP |
|---|---|---|---|---|---|
| | | | | | |

nationalgrid

GARDNER STREET LIGHT CIVIL
COVER SHEET

TRC G-0 REV 0 WR # 50316304

## GENERAL NOTES:

1. CONTRACTOR TO PROVIDE AS-BUILT INFORMATION 10 DAYS AFTER COMPLETION OF CONDUIT INSTALLATION WORK
2. THE LOCATIONS OF UNDERGROUND STRUCTURES SHOWN HEREIN ARE DEPICTED ACCORDING TO THE BEST AVAILABLE INFORMATION. THEY ARE NOT GUARANTEED TO BE CORRECT OR COMPLETE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO CONFIRM ALL CONDITIONS IN THE FIELD AND MAKE ADJUSTMENTS AS REQUIRED TO ACCOMMODATE THE WORK BY GETTING APPROVAL FROM NATIONAL GRID CONSTRUCTION MANAGEMENT FIRST. IT IS ASSUMED ALL PREMISES HAVE WATER, GAS, TEL, ELEC, SEWER, ETC. LATERAL CROSSINGS WHICH SHOULD BE INCLUDED IN THE BASE BID.
3. ANY QUESTIONS REGARDING THE CIVIL ENGINEERING DESIGN OF THESE CONSTRUCTION PLANS SHOULD BE REFERRED TO THE DISTRIBUTION ENGINEER DANIEL LOPEZ 774-233-2603 OR DAVID TERK AT 508-298-1523.
4. DO NOT DEVIATE FROM THESE PLANS WITHOUT FIRST CONTACTING NATIONAL GRID CIVIL CONSTRUCTION SUPERVISOR
   - TEYON DAVE 781-426-5012
5. ALL UNDERGROUND CONSTRUCTION SHALL BE INSPECTED AND APPROVED BY NATIONAL GRID PERSONAL PRIOR TO CONCRETE ENCASEMENT AND BACKFILL. CONTRACTOR SHALL HANDREL, PROBE, AND INSTALL MULE TAPE IN ALL CONDUITS PER NATIONAL GRID CONSTRUCTION STANDARDS UNDER SUPERVISION OF NATIONAL GRID CONSTRUCTION SUPERVISOR.
6. CONTRACTOR TO ARRANGE TO HAVE ALL FOREIGN UTILITIES VERIFY THEIR LOCATIONS IN THE FIELD PRIOR TO START OF EXCAVATION WORK BY CONTACTING DIG SAFE AT "811", HOBO DIG SAFE. NOT ALL UTILITY SERVICES TO PROPERTIES ARE SHOWN ON THESE PLANS. REFER TO NOTE 2 ABOVE.
7. PROTECT ALL MUNICIPAL, STATE, AND FEDERAL SURVEY CONTROL MONUMENTS AND BENCH MARKS. CONTRACTOR TO CONTACT RESPECTIVE MUNICIPAL ENGINEERING DEPARTMENTS FOR TYPES AND LOCATIONS BEFORE STARTING WORK AS REQUIRED.
8. PROTECT ALL PLANTS AND TREES AND THEIR ROOT SYSTEMS FROM MECHANICAL AND ENVIRONMENTAL DAMAGE DURING EXCAVATION. BACKFILL ROOT AREAS WITH SOIL HAVING TEXTURE AND FERTILITY TO SUSTAIN PLANT LIFE. CONTRACTOR TO REMOVE ALL ROOTS OF DEAD TREE STUMPS FROM TRENCH PRIOR TO PLACING CONDUIT. CONTRACTOR IS RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF NECESSARY EROSION CONTROL (SILT SACKS, HAY BALES, CHECK DAMS, ETC.) APPROVED BY THE STATE, CITY/TOWN, AND QUONSET DEVELOPMENT CORPORATION AS REQUIRED FOR THE DURATION OF THE PROJECT.
9. THE FOLLOWING MINIMUM CLEARANCES SHALL BE MAINTAINED UNLESS OTHERWISE NOTED.

| UTILITY | CROSSING | PARALLEL |
|---|---|---|
| GAS MAIN | 12" | 12" |
| GAS SERVICE | 12" | 12" |
| WATER MAIN | 12" | 12" |
| WATER SERVICE | 12" | 12" |
| TELEPHONE/COMMUNICATION FACILITIES | 12" | 12" |
| STORM & SANITARY SEWERS | 12" | 12" |
| RAIL ROAD CROSSINGS | 50' | 50' |

   PLEASE NOTE, ANY DEVIATIONS FROM THESE MINIMUM CLEARANCES MUST BE REVIEWED AND APPROVED BY NATIONAL GRID & TRC.

   UTILITY SERVICES AND LATERALS TO BUILDINGS ARE NOT SHOWN ON THESE PLANS. CONTRACTOR TO VERIFY THEIR LOCATIONS IN THE FIELD AND SUPPORT, PROTECT, MAINTAIN, AND WORK AROUND THEM AS REQUIRED IN ORDER TO COMPLETE THE PROPOSED WORK.
10. ALL CONTRACTORS SHALL COMPLY WITH MINIMUM WORKING CLEARANCES FROM ALL ENERGIZED OVERHEAD EQUIPMENT AND CONDUCTORS PER OSHA REGULATIONS 1910.333. IF MINIMUM WORKING CLEARANCES CAN NOT BE MET, CONTRACTOR MUST CONTACT NATIONAL GRID TO EVALUATE ALTERNATIVE MEASURES. THESE MEASURES MAY INCUR ADDITIONAL COSTS.
11. CONDUIT TO BE PLACED AT MINIMUM 30" BELOW ELEVATION OF NEAREST PORTION OF ROAD PAVEMENT UNLESS OTHERWISE NOTED. MANHOLE ROOF TO HAVE A MINIMUM 18" OF COVER FROM FINISH GRADE UNLESS OTHERWISE NOTED.
12. ALL WORK SHALL COMPLY WITH ALL APPLICABLE FEDERAL, STATE, AND MUNICIPAL CODES, AS WELL AS THE REQUIREMENTS OF THE NATIONAL ELECTRIC SAFETY CODE, OSHA REGULATIONS AND NATIONAL GRID CONSTRUCTION STANDARDS/REQUIREMENTS.
13. AREAS WHERE EXCAVATION IS IN ROCK LEDGE, PROVIDE A SIX (6) INCH MINIMUM SELECT FILL CUSHION AROUND CONDUITS AND TWELVE (12) INCH CUSHION AROUND MANHOLE.
14. CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL REGULATIONS REGARDING REMOVAL AND/OR DISPOSAL OF ANY AND ALL EQUIPMENT AND MATERIALS.
15. CONTRACTOR SHALL MAINTAIN A FULL SIZE SET OF SCALED DRAWINGS (ROLL OF ALL PLANS) ON SITE AT ALL TIMES DURING THE WORK.
16. CONTRACTOR TO RECORD AND DOCUMENT A SINGLE, MULTI-PAGE .PDF PHOTOLOG OF THE ENTIRE WORK AREA. CONTRACTOR TO PROVIDE NATIONAL GRID PROJECT MANAGER A COPY OF THE PRE-CONSTRUCTION PHOTOLOG ALONG WITH A POST-CONSTRUCTION PHOTOLOG OF THE ENTIRE WORK AREA UPON COMPLETION OF ALL CIVIL WORK IN THE FIELD.
17. REFER TO ALL NATIONAL GRID CIVIL CONSTRUCTION SPECIFICATIONS INCLUDED IN THE BID DOCUMENTS FOR ADDITIONAL INFORMATION REGARDING MANHOLE AND DUCT BANK INSTALLATION

PLEASE NOTE:
THE 12" MINIMUM CLEARANCES FROM OTHER UTILITIES SHALL BE MAINTAINED WHEREVER POSSIBLE. IF THE 12" MINIMUM CLEARANCE CANNOT BE ACHIEVED IN THE FIELD, CONTRACTOR TO USE ACCEPTABLE ALTERNATIVE MEANS TO PROTECT THE OTHER UTILITIES AND/OR OBTAIN APPROVAL FROM THE UTILITY OWNER FOR LESS THAN MINIMUM CLEARANCE.

## DISTRIBUTION DRAWING INDEX

REFER TO DRAWINGS:

| CIVIL & PROFILE DRAWINGS | PROPOSED MANHOLE DRAWINGS | DETAIL DRAWINGS |
|---|---|---|
| PP-1 | DET-1 | DET-3 |
| PP-2 | | DET-2 |
| PP-3 | | |

## ABBREVIATIONS

NOTE: NOT ALL ABBREVIATIONS LISTED BELOW ARE USED FOR THIS PROJECT

| | | | |
|---|---|---|---|
| # | NUMBER | HV | HIGH VOLTAGE |
| & | AND | HW | HIGHWAY |
| @ | AT | HY | HYDRANT |
| > | GREATER THAN | HYD | HYDRAULIC |
| < | LESS THAN | I | LENGTH |
| ø | DIAMETER | LF | LINEAR FEET |
| A | AMPERE | LV | LOW VOLTAGE |
| ABAN | ABANDONED | M | METER |
| ABAND | ABANDONED | MAX | MAXIMUM |
| AC | AIR CONDITIONER | MH | MANHOLE |
| AC | ALTERNATING CURRENT | MIN | MINIMUM |
| APPROX. | APPROXIMATE | MISC | MISCELLANEOUS |
| BF | BOTTOM OF | MJ | MECHANICAL JOINT |
| BIT | BITUMINOUS | MW | MONITORING WELL |
| BLDG | BUILDING | N | NORTH |
| BVCE | BEGIN VERTICAL CURVE ELEVATION | N/F | NOW OR FORMERLY |
| BVCS | BEGIN VERTICAL CURVE STATION | NAVD | NATIONAL GEODETIC VERTICAL DATUM |
| C/C | CENTER TO CENTER | NOSH | NATIONAL INSTITUTE OF OCCUPATIONAL SAFETY AND HEALTH |
| CB | CATCH BASIN | PC | POINT OF CURVATURE |
| CI | CAST IRON | PCB | POLYCHLORINATED BIPHENYL |
| ℄ | CENTERLINE | PE | POLYETHYLENE |
| CLR | CLEAR | PILC | PAPER IN LEAD COVERED CABLE |
| CMP | CORRUGATED METAL PIPE | PIV | POST INDICATOR VALVE |
| CMPA | CORRUGATED METAL PIPE ARCH | PROP | PROPOSED |
| CMPP | COMPACT CABLE | PT | POINT, POINT OF TANGENCY |
| COM | COMMUNICATIONS | PVC | POLYVINYL CHLORIDE |
| CONC | CONCRETE | PVI | POINT OF VERTICAL INTERSECTION |
| CP | CONTROL POINT | R | RADIUS |
| CS | CARBON STEEL | RCP | REINFORCED CONCRETE PIPE |
| CU | COPPER | REQD | REQUIRED |
| CW | CLEAR WATER | RET | RETAINING |
| D | DIAMETER | RR | RAIL ROAD |
| DC | DIRECT CURRENT | S | SLOPE |
| DI | DUCTILE IRON | SCADA | SUPERVISORY CONTROL AND DATA ACQUISITION |
| DIA | DIAMETER | SCH | SCHEDULE |
| DMH | DRAIN MANHOLE | SD | STORM DRAIN |
| DWG | DRAWING | SF | SQUARE FEET |
| E | EAST | SMH | SANITARY MANHOLE |
| EL | ELEVATION | SQ | SQUARE |
| ELEC | ELECTRIC | SS | STAINLESS STEEL |
| ELEV | ELEVATION | STA | STATION |
| EMH | ELECTRIC MANHOLE | STL | STEEL |
| EOP | EDGE OF PAVEMENT | STORM | STORMWATER |
| EVE | EXISTING OVERHEAD ELECTRIC | T&B | TOP AND BOTTOM |
| EVP | EXISTING UNDERGROUND TELEPHONE | T/ | TOP OF |
| EVCE | END VERTICAL CURVE ELEVATION | TEL | TELEPHONE |
| EVCS | END VERTICAL CURVE STATION | TV | TELEVISION |
| EW | EACH WAY | TYP | TYPICAL |
| EX. (EXIST) | EXISTING | UE | UNDERGROUND ELECTRIC |
| FFE | FINISH FLOOR ELEVATION | UG | UNDERGROUND |
| FM | FORCE MAIN | UNO | UNLESS NOTED OTHERWISE |
| FO | FIBER OPTIC | V | VOLT |
| GALV | GALVANIZED | VP | VOLT AMPERE REACTIVE |
| GEN | GENERATOR | VC | VERTICAL CURVE |
| GRAN | GRANITE | VCP | VITREOUS CLAY PIPE |
| HDD | HORIZONTAL DIRECTIONAL DRILLING | VERT | VERTICAL |
| HDPE | HIGH DENSITY POLYETHYLENE | W | WATER MAIN |
| HH | HANDHOLE | W | WEST |
| HEMH | HEAVY DUTY MANHOLE | | |

## LEGEND

CATCH BASIN CURB INLET
CATCH BASIN
DRAIN LINE/MANHOLE
SEWER LINE/MANHOLE
COMBINED SEWER/DRAIN MANHOLE
ELECTRIC LINE/MANHOLE
ELECTRIC LINE
LIGHT POLE
GAS LINE/GATE
RETIRED GAS LINE
HYDRANT
WATER LINE/VALVE PRESSURE WATER
WATER LINE/VALVE PRESSURE WASTE
ABANDONED WATER LINE
TELEPHONE LINE/MANHOLE
TELEPHONE LINE
CONCRETE CURB
BITUMINOUS CONCRETE CURB
VERTICAL GRANITE CURB
CHAIN LINK FENCE
WOOD STOCKADE FENCE
HANDRAIL
METAL RAILING FENCE
EDGE OF GRAVEL
APPROXIMATE STREET LINE
WORCESTER MEAN(IN SOUND
STONE BOUND/DRILL HOLE
DRILL HOLE
IRON PIPE/PIN
FOUND
BUILDING
PARCEL ADDRESS
MONUMENT/REVERSE POINT W/ APPROXIMATE STATE PLANE COORDINATE
BITUMINOUS CONCRETE
BY RECORD
BOLLARD
BRICK RETAINING WALL
CONCRETE BLOCK RETAINING WALL
CONCRETE RETAINING WALL
CONCRETE STAIRS
COBBLE STONE EDGING
PROPOSED HEAVY DUTY MANHOLE
EXISTING STREETLIGHT
PROPOSED STREETLIGHT

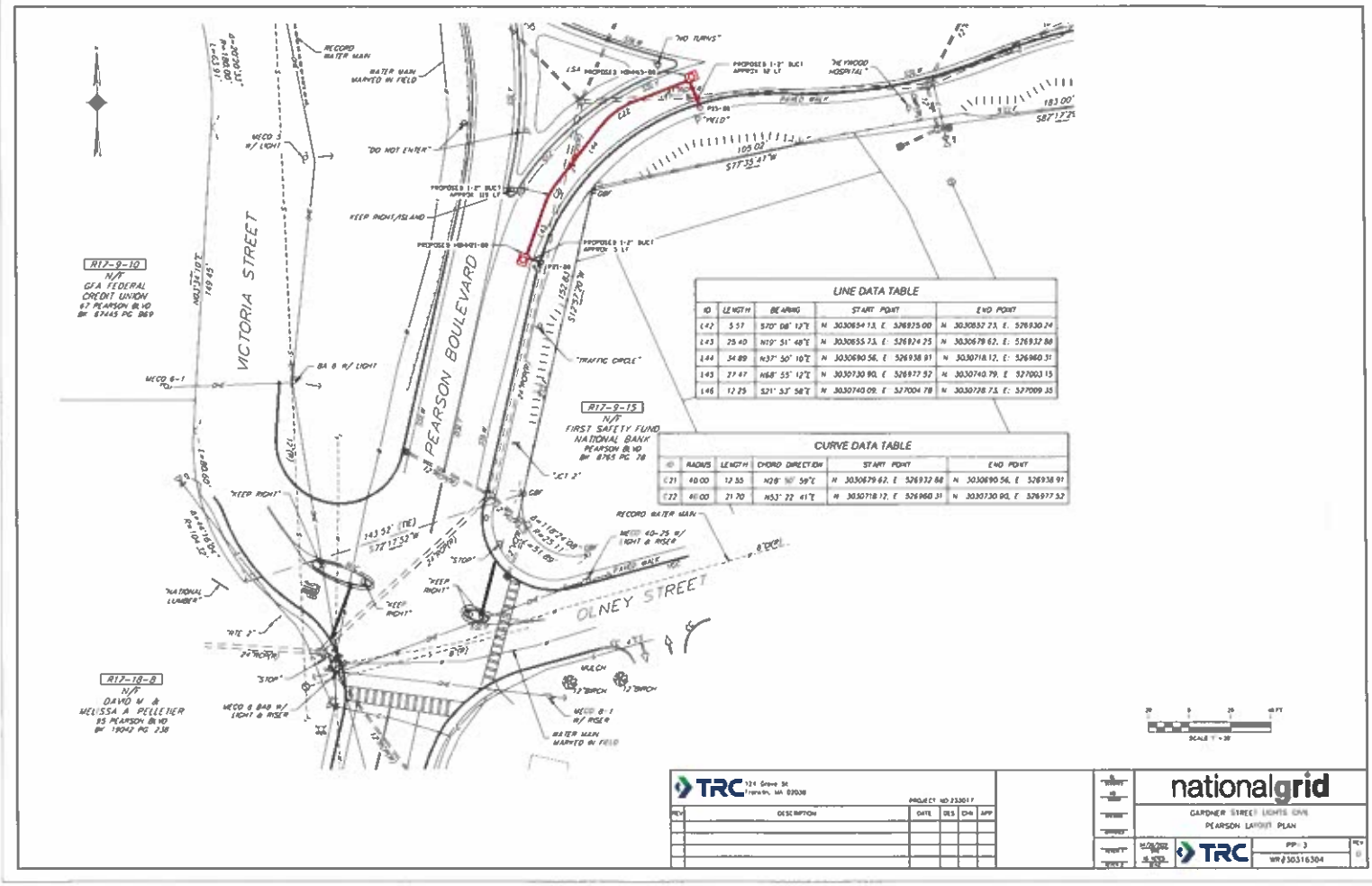
| REV | DESCRIPTION | DATE | DES | CHK | APP |
|---|---|---|---|---|---|
| | | | | | |

TRC 124 Grove St Franklin, MA 02038
PROJECT NO 233017

nationalgrid

GARDNER STREET LIGHTS CIVIL
GENERAL NOTES

TRC G-1 WR#30318304 REV 0




LINE DATA TABLE

| ID | LENGTH | BEARING | START POINT | END POINT |
|---|---|---|---|---|
| L42 | 5.57 | S70° 08' 12"E | N 3030654.13, E 526925.00 | N 3030652.73, E 526930.74 |
| L43 | 25.40 | N19° 51' 48"E | N 3030655.73, E 526974.25 | N 3030678.62, E 526932.86 |
| L44 | 34.89 | N37° 50' 10"E | N 3030690.56, E 526938.91 | N 3030718.12, E 526960.31 |
| L45 | 27.47 | N68° 55' 12"E | N 3030730.90, E 526977.52 | N 3030740.79, E 527003.15 |
| L46 | 12.25 | S21° 53' 58"E | N 3030740.09, E 527004.78 | N 3030728.73, E 527009.35 |

CURVE DATA TABLE

| ID | RADIUS | LENGTH | CHORD DIRECTION | START POINT | END POINT |
|---|---|---|---|---|---|
| C21 | 40.00 | 12.55 | N26° 16' 59"E | N 3030679.62, E 526932.86 | N 3030690.56, E 526938.91 |
| C22 | 40.00 | 21.70 | N53° 22' 41"E | N 3030718.12, E 526960.31 | N 3030730.90, E 526977.52 |

TRC 21 Grove St Tewksbury, MA 01876

PROJECT NO 233017

| REV | DESCRIPTION | DATE | DES | DRN | APP |
|---|---|---|---|---|---|

nationalgrid

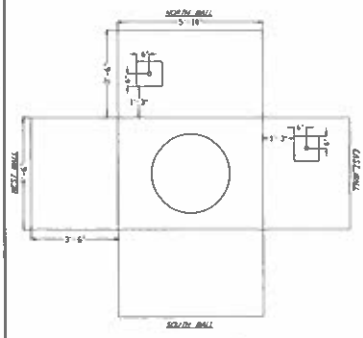
GARDNER STREET LIGHTS CIVIL

PEARSON LAYOUT PLAN

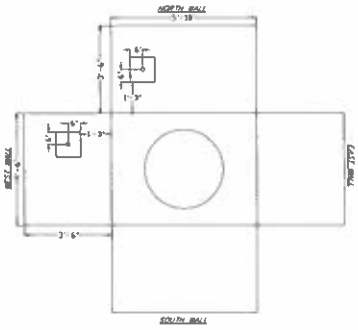
TRC

PP-3

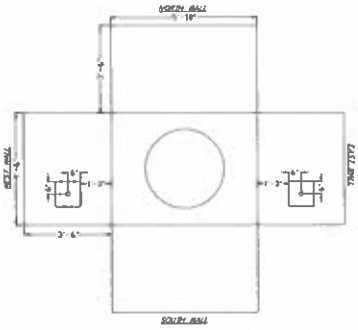
WR#30316304



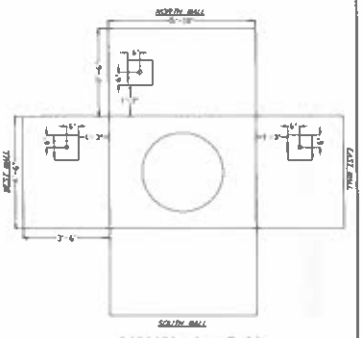

PROPOSED HDHH4-80



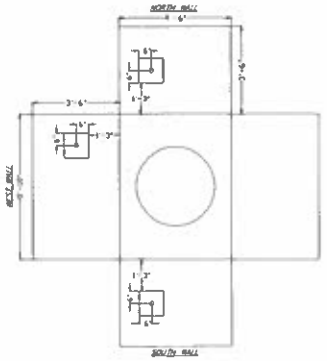

PROPOSED HDHH5



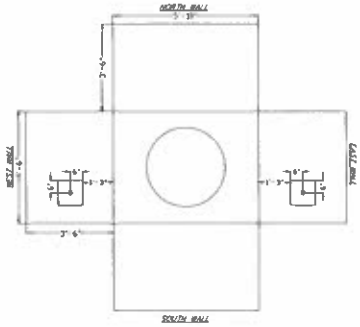

PROPOSED HDHH16-80



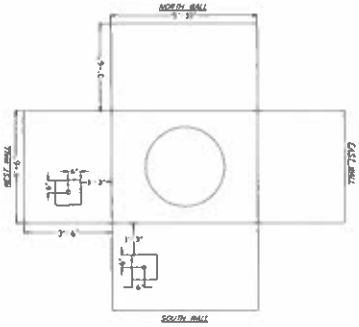

PROPOSED HDHH17-80



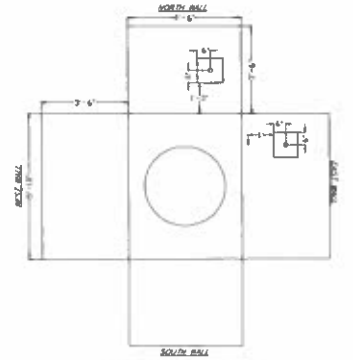

PROPOSED HDHH18-80




PROPOSED HDHH19-80




PROPOSED HDHH15-80




PROPOSED HDHH21-80

TRC
21 Grove St
Rocky Hill, CT 06067

PROJECT NO. 253017

| DESCRIPTION | DATE | DES | DWN | APP |
|---|---|---|---|---|
| | | | | |

nationalgrid

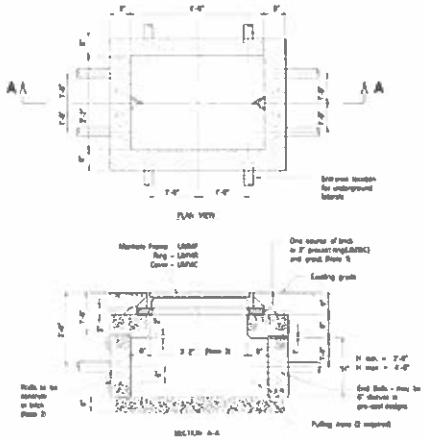
GARDNER STREET LIGHTS CWR
HANDHOLE CARDS

TRC

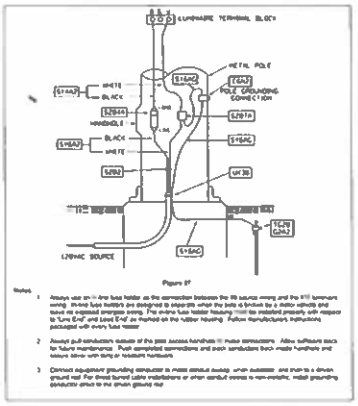
SCT-1

WO# 30316304

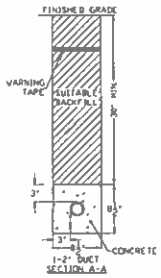
REV 0



HEAVY DUTY HANDHOLE DETAIL



TYPICAL STREET LIGHT WIRING DETAIL



TYPICAL CONDUIT TRENCH DETAIL

TRC 124 Grove St. Freeman, MA 02038

PROJECT NO 333017

| REV | DESCRIPTION | DATE | DES | CHK | APP |
|---|---|---|---|---|---|
| | | | | | |

nationalgrid

GARDNER STREET LIGHTS CIVIL

HANDHOLE/CONDUIT TRENCH DETAILS

TRC DET-2 REV 0

WR#30316304

ecoATM | gazelle

RECEIVED
2022 MAY 12 AM 11:49
CITY CLERK'S OFFICE
GARDNER, MA

May 05, 2022

City of Gardner
Attn: Office of the City Clerk
95 Pleasant St. - Room 121
Gardner, MA 01440

**RE:** **2022 RENEWAL - Secondhand Dealer License**

**ecoATM Kiosk(s) Located At:**

1. 677 Timpany Blvd, Gardner, MA 01440 (inside Walmart2155)

To Whom It May Concern, enclosed you will find the following documents:

- Renewal Secondhand License application
- State Tax Certification form
- City Treasurer Certification form
- Check payable to "City of Gardner" in the amount of $100.00

**Upon approval, please:**

***Email*: Karen.Wang@ecoATM.com**
***OR***
***Mail*: ecoATM, LLC**
**Attn: Karen Wang**
**10121 Barnes Canyon Rd.**
**San Diego, CA 92121**

Please contact me if there are any issues with the enclosed documents or if further information is required.

Thank you,
*Karen Wang*
Regulatory Affairs Coordinator
858-766-7530
Karen.Wang@ecoATM.com

10689

COLLECTOR LICENSE APPLICATION FEE - $30.00
DEALER LICENSE APPLICATION FEE - $100.00

# CITY OF GARDNER
## MASSACHUSETTS 01440

95 PLEASANT STREET – ROOM 121
TELEPHONE (978) 630-4058
FACSIMILE (978) 630-2589

RECEIVED
2022 MAY 12 AM 11:49
CITY CLERK'S OFFICE
GARDNER, MA

RECEIVED
DO NOT WRITE IN THIS BOX

## APPLICATION FOR LICENSE TO COLLECT OR DEAL IN SECOND HAND ARTICLES

### APPLICANT INFORMATION

Applicant / Licensee Name: ECOATM, LLC

Applicant / Licensee Address: MAILING: 10121 BARNES CANYON RD. SAN DIEGO, CA 92121

Applicant / Licensee phone number(s): 858-766-7249

Applicant / Licensee E-mail: KELE.BIGKNIFE@ECOATM.COM

Social Security number: _____ **OR** Business FID number 26-3879952

### ESTABLISHMENT INFORMATION

Establishment Name: ECOATM, LLC

Establishment address: 677 Timpany Blvd, Gardner, MA 01440

Establishment Phone: 858-766-7249

On-Site manager / contact person: KELE BIGKNIFE

For which type of license(s) are you applying? SECONDHAND DEALER

***Check all that apply to this Application:***

☐ **SECONDHAND COLLECTOR** has the same meaning as the term "junk collector" in MGL c. 140, § 56.

☒ **SECONDHAND DEALER** has the same meaning as the term "junk dealer" and "keeper of a shop for the purchase, sale or barter of junk, old metals or secondhand articles" in MGL c. 140, § 54.

What types of articles will be purchased, stored, and/or sold?
SELF-SERVE, AUTOMATED KIOSK THAT BUYS USED ELECTRONICS IN EXCHANGE FOR CASH. NO SALES MADE.

Where at the licensed address will the articles be stored, displayed, etc? _____

Massachusetts Sales & Use Tax Registration number: N/A
*(Attach a copy of your Massachusetts Sales & Use Tax Registration Certificate)*

THE APPLICANT CERTIFIES THAT ALL STATE TAX RETURNS HAVE BEEN FILED AND ALL STATE AND LOCAL TAXES REQUIRED BY LAW HAVE BEEN PAID AND AGREES TO COMPLY WITH THE TERMS OF ITS LICENSE AND APPLICABLE LAW, AND ALL RULES AND REGULATIONS PROMULGATED THERETO. I FURTHER CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE AND ACCURATE AND ALSO AUTHORIZE THE LICENSING AUTHORITY OR ITS AGENTS TO CONDUCT WHATEVER INVESTIGATION IS NECESSARY TO VERIFY THE INFORMATION CONTAINED IN THIS APPLICATION.

I HAVE RECEIVED AND READ THE PROVISIONS OF MASSACHUSETTS GENERAL LAW CHAPTER 140, §§54-56, 202-205 AND CITY OF GARDNER ORDINANCE NO. 32 GOVERNING JUNK DEALERS AND DEALERS IN SECOND HAND ARTICLES:

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY.

_____ DATE SIGNED 05/05/2022

*INDIVIDUAL, PARTNER OR AUTHORIZED CORPORATE OFFICER OR APPLICANT*

**NOTICE:** THE FILING OF THIS APPLICATION CONFERS NO RIGHTS ON THE PART OF THE APPLICANT TO UNDERTAKE ANY ACTIVITIES UNTIL THE LICENSE HAS BEEN GRANTED. THE ISSUANCE OF A LICENSE UNDER THIS SECTION OR SECTIONS IS SUBJECT TO THE APPLICANT'S COMPLIANCE WITH ALL OTHER APPLICABLE FEDERAL, STATE OR LOCAL STATUTES, ORDINANCES, BYLAWS, RULES OR REGULATIONS. THE LICENSING AUTHORITY RESERVES THE RIGHT TO REQUEST ANY ADDITIONAL INFORMATION IT REASONABLY DEEMS APPROPRIATE FOR THE PURPOSE OF DETERMINING THE TERMS AND CONDITIONS OF THE LICENSE AND ITS DECISION TO ISSUE A LICENSE. THE PROVISIONS OF G.L. C.152 MAY REQUIRE THE FILING OF A WORKERS' COMPENSATION INSURANCE AFFIDAVIT WITH THIS APPLICATION. FAILURE TO FILE THE AFFIDAVIT, ALONG WITH ANY OTHER REQUIRED INFORMATION AND/OR DOCUMENTATION, SHALL BE SUFFICIENT CAUSE FOR THE DENIAL OF THE LICENSE APPLICATION.

**LICENSE APPLICATION PROCESSING FEE MUST BE SUBMITTED WITH THIS FORM. MAKE CHECK PAYABLE TO *CITY OF GARDNER*. MAIL APPLICATION FORM, WORKERS' COMPENSATION AFFIDAVIT AND CHECK TO: *CITY CLERK, 95 PLEASANT STREET, ROOM 121, GARDNER, MA 01440-2690.***

**JUNK DEALERS AND DEALERS IN SECOND HAND ARTICLES LICENSES EXPIRE ON APRIL 30TH ANNUALLY.**

## STATE TAX CERTIFICATION AFFIDAVIT

N/A — Individual Social Security #

N/A — State Identification Number

26-3879952 — Federal Identification Number

Company: ecoATM, LLC

P.O. Box (if any): _____ Street Address Only: 677 Timpany Blvd.

City/State/Zip Code: Gardner, MA 01440

Telephone Number: 858-766-7249 Fax Number: 858-597-9830

List address(es) of all other property owned by company in Gardner: N/A

*State whether the applicant is a:*

Corporation _____

Individual _____ Name of Individual: _____

Partnership _____ Names of all Partners: _____

Limited Liability Company x Names of all Managers: David Maquera

Limited Liability Partnership _____ Names of Partners: _____

Limited Partnership _____ Names of all General Partners: _____

You must complete the following certifications and have the signature(s) notarized on the lines below. Any certification that does not apply to you, write N/A in the blanks provided. Each section must be signed by an authorized agent of the entity and the FORM MUST BE NOTARIZED.

## FEDERAL TAX CERTIFICATION AFFIDAVIT

I, Kele Bigknife (authorized agent) certify under the pains and penalties of perjury that ecoATM, LLC (applicant), to my best knowledge and belief, has/have complied with all **United States Federal taxes** required by law.

_____ _____ Date: 5/10/2022

Applicant Authorized Person's Signature

COMMONWEALTH OF MASSACHUSETTS WORCESTER COUNTY

On this _____ day of _____, 20___, before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, which was _____, to be the person(s) whose name is signed on the preceding and acknowledged to me that he/she signed it voluntarily for its stated purpose.

SEE ATTACHED

_____
Signature of Notary Public

(SEAL)

_____
Commission Expires

**CALIFORNIA ACKNOWLEDGMENT** **CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of SAN DIEGO }

On 10 MAY 2022 *Date* before me, KAREN WANG, NOTARY PUBLIC, *Here Insert Name and Title of the Officer*

personally appeared KELE BIGKNIFE *Name(s) of Signer(s)*

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

KAREN WANG
Notary Public - California
San Diego County
Commission # 2328666
My Comm. Expires May 17, 2024

*Place Notary Seal and/or Stamp Above*

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ *Signature of Notary Public*

**OPTIONAL**

*Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.*

**Description of Attached Document**

Title or Type of Document: LICENSE APPLICATION/FEDERAL TAX

Document Date: 10 MAY 2022 Number of Pages: _____

Signer(s) Other Than Named Above: _____

**Capacity(ies) Claimed by Signer(s)**

| | |
|---|---|
| Signer's Name: _____ | Signer's Name: _____ |
| ☐ Corporate Officer – Title(s): _____ | ☐ Corporate Officer – Title(s): _____ |
| ☐ Partner – ☐ Limited ☐ General | ☐ Partner – ☐ Limited ☐ General |
| ☐ Individual ☐ Attorney in Fact | ☐ Individual ☐ Attorney in Fact |
| ☐ Trustee ☐ Guardian or Conservator | ☐ Trustee ☐ Guardian or Conservator |
| ☐ Other: _____ | ☐ Other: _____ |
| Signer is Representing: _____ | Signer is Representing: _____ |

©2019 National Notary Association

# City of Gardner Treasurer/Tax Collector

95 Pleasant Street, Gardner, MA 01440 (978) 630-4016

## PERMIT/APPLICATION GOOD STANDING CERTIFICATION

License/Permit Applicant Name: ecoATM, LLC

Address: 677 Timpany Blvd, Gardner, MA 01440 (inside store WM2155)

*Applicants for Building Permits, Site Plan Review, Special Permits, Variances, Conservation Permits, and Water or Sewer Connection Permits must include the following information:*

Property Owner Name: _____

Property Address: _____

For City of Gardner Use Only:

☐ The above named applicant and/or property owner ***is*** in good standing with all municipal taxes, assessments, betterments, and other municipal fees and/or fines.

_____
City Collector

_____
Health Department/Liquor License Commission

_____
Civil Enforcement Officer

☐ The above named applicant and/or property owner has entered into a payment plan with the City for all past due municipal taxes, assessments, betterments, and other municipal fees. A copy of said payment plan is attached.

_____
City Collector

☐ The above named applicant and/or property owner ***is not*** in good standing with all municipal taxes, assessments, betterments, and other municipal fees.

_____
City Collector

_____
Health Department/Liquor License Commission

_____
Civil Enforcement Officer

346517

ecoATM gazelle

10121 BARNES CANYON ROAD
SAN DIEGO, CA 92121-2725

Fraud Protected by Positive Pay

CHASE
JPMorgan Chase Bank, N.A.
www.Chase.com
90-7162/3222

10689

DATE 05/10/2022

PAY TO THE ORDER OF City of Gardner

$ ********100.00

One Hundred Dollars And Zero Cents*****

DOLLARS

Details on back.

VOID AFTER 180 DAYS

City of Gardner
95 Pleasant St Rm 29
Gardner,MA 01440-2630
United States

MEMO

AUTHORIZED SIGNATURE

⑈346517⑈ ⑆322271627⑆ 608793052⑈

ecoATM

346517

| Supplier | City of Gardner | | Supplier Number 704063 | | 05/10/2022 |
|---|---|---|---|---|---|
| Invoice Number | Invoice Date | Description | Amount | Discount | Net Amount |
| WM2155 - 2022 City | 05/10/2022 | Renewal City-SHD WM2155 Gardner MA 2022 | 100.00 | 0.00 | 100.00 |
| | | | 100.00 | 0.00 | 100.00 |


| Supplier | City of Gardner | | Check Number 346517 | | 05/10/2022 |
|---|---|---|---|---|---|
| Invoice Number | Invoice Date | Description | Amount | Discount | Net Amount |
| WM2155 - 2022 City | 05/10/2022 | Renewal City-SHD WM2155 Gardner MA 2022 | 100.00 | 0.00 | 100.00 |
| | | | 100.00 | 0.00 | 100.00 |


67015587001

| | |
|---|---|
| **From:** | Mayor |
| **To:** | George Tyros; James M. Walsh; Judy Mack |
| **Cc:** | Titi Siriphan |
| **Subject:** | Appointments Committee 5-10-2022 |
| **Date:** | Friday, May 6, 2022 12:07:27 PM |

Good Afternoon Chairman Tyros and Councilors,

I am writing to you regarding the appointees designate that are being reviewed by the Appointments Committee this coming Monday.

Mr. Bashaw and Commissioner Jean will both be present at the meeting.

NEW APPOINTMENT - Mr. Robert Oliva has been doing an excellent job during his probationary period and I am very happy with his work. He has previously worked in the private sector in the Civil Engineering Field, before he came to work for the City as the Assistant Director of Public Works some time ago. He left two years ago to become the Director of Public Works in the Town of Lunenburg, and then when this position opened up, he applied, interviewed, and was selected for the position. He will be in attendance on Monday and his resume is attached.

RE-APPOINTMENT – Mr. Zlotnik has been the chair of the Bandstand Committee for several years, working to put together the concerts in the park series on an annual basis. He is looking to continue in this volunteer position.

NEW APPOINTMENT – Mr. Nevonya (Von) Smith has been very involved in the soccer community in the North Central Mass Region. He has done a lot of work in helping recruit young players in order to live a healthy life style and stay active. This is an uncompensated position.

RE-APPOINTMENT – Mr. Leone has been a member of the Council on Aging for two terms now. He previously served as an associate member of the COA. Director Ellis has been very happy in the interactions they have had while working with each other and has enthusiastically recommended his appointment. He will be present on Monday.

I also do expect an item of new business at this meeting in order to keep you updated about upcoming appointments that are anticipated.

Respectfully,

Mike Nicholson

**Michael J. Nicholson, J.D.**
Mayor, City of Gardner
Gardner City Hall, Rm 125
95 Pleasant St
Gardner, MA 01440

RECEIVED
2022 MAR 10 AM 8:38
CITY CLERK'S OFFICE
GARDNER, MA

March 9, 2022

**Commonwealth of Massachusetts**

**Worcester County** **City of Gardner**

# *CERTIFICATE OF APPOINTMENT*

*I appoint* ***Casey Bashaw*** *to the position of* ***Alternate Plumbing & Gas Inspector,*** *and I certify that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.*

_____ *Mayor*
*Michael J. Nicholson*

Confirmed by City Council _____

_____ City Clerk
Titi Siriphan

Expires: March 9, 2025

*Worcester, ss.,* _____

*Then personally appeared the above named* **Casey Bashaw** *and made oath that he/she would faithfully and impartially perform the duties of the office of* **Alternate Plumbing and Gas Inspector** *according to law and the best of his/her abilities.*

*Before me,*

_____ *City Clerk*

*Chapter 303 Acts of 1975*
*and*
*Chapter 409 Acts of 1983*

*Received* _____

RECEIVED
2022 APR 20
CITY CLERK'S OFFICE
GARDNER, MA

April 15, 2022

# Commonwealth of Massachusetts

**Worcester County** **City of Gardner**

## *CERTIFICATE OF APPOINTMENT*

*I appoint* ***Robert Oliva*** *to the position of* ***City Engineer,*** *and I certify that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.*

_____ *Mayor*
*Michael J. Nicholson*

Confirmed by City Council: _____

_____ City Clerk
Titi Siriphan

Expires: April 15, 2025

*Worcester, ss.,* _____

*Then personally appeared the above named* **Robert Oliva** *and made oath that he/she would faithfully and impartially perform the duties of the office of* **City Engineer** *according to law and the best of his/her abilities.*

*Before me,*

_____ *City Clerk*

*Chapter 303 Acts of 1975*
*and*
*Chapter 409 Acts of 1983*

*Received* _____

# Robert E. Oliva

144 Lawrence Street - Gardner, MA 01440
Ph: 978-632-5221
robertoliva@ymail.com


**EXPERIENCE**

**Town of Lunenburg Department of Public Works** **DPW Director**
*November 2020 to Present*

Department Head position reporting to the Town Manager. Providing professional, technical, administrative, and supervisory work in planning, directing, managing, and controlling the operations of the Department of Public Works. Experience includes, but is not limited to:

- Responsible for the operation and oversight of the following departments within Public Works: Highway, Cemetery, Sewer, Parks, and Facilities & Grounds
- Supervise all DPW employees, including seasonal and temporary staff
- Prepare annual department operating budget and short and long term capital expenditure programs. Submit to Town Manager for approval and present at Town Meeting
- Monitor approved budgets to ensure operations are within guidelines, supervise payroll and accounts payable
- Manage stormwater system maintenance and reporting for EPA MS4/NPDES Permit compliance
- Maintain cooperative, professional relationships with all Town Departments for the purpose of enhancing efficiencies, productivity, and morale. Maintain effective labor relations at department level
- Prepare bid specifications for construction projects and equipment
- Establish and maintain effective snow and ice removal operations
- Manage and inspect construction projects
- Provide professional support to the following: Sewer Commission, Parks Commission, Cemetery Commission, Stormwater Task Force, Green Communities Committee

**City of Gardner Department of Public Works** **Assistant DPW Director**
*January 2018 to November 2020*

Working under the direct supervision of the DPW Director and responsible for the day to day operation of the Water & Sewer Department and assisting with management of Highway, Grounds, and Cemetery Departments. Experience includes, but is not limited to:

- Managing Water & Sewer Department staff and coordination with water treatment plant and wastewater treatment plant Contract Operator
- Oversight of City Cross Connection program
- Assist with Department budget preparation
- Assist with RFP preparation for Contract Operator services and infrastructure improvements
- Preparation of bid materials for outside vendor services
- Review of development plan submittals as part of permit approvals with various City agencies
- Provide support to City Engineer for EPA MS4/NPDES Permit compliance
- Oversight and inspection of major water and sewer main replacement project through City downtown area

**David E. Ross Associates, Inc. - Harvard, MA** **Senior Project Manager**
*June 2010 to January 2018*

Senior Project Manager with Civil Engineering/Surveying firm. In addition to experience under previous employment, position includes management of projects from start to finish as well as providing key leadership role within the firm. Experience includes, but is not limited to:

- Managing staff on projects with the goal of timely completion and within established budgets
- Preparation of professional proposals and project budgets
- NPDES/SWPPP preparation under EPA Construction General Permit
- Procuring and implementing CAD software updates and standards
- Peer review and engineering consulting for the Lunenburg Planning Board on various size projects.

**Hamwey Engineering, Inc. - Leominster, MA** **Civil Engineer**
*October 1993 to June 2010*

Progressively responsible position as Civil Engineer with small civil/site engineering firm. Duties include all planning and design aspects for site development projects of various sizes with responsibility for all local, state, and federal permitting processes. Projects include residential, commercial, and institutional developments throughout Massachusetts. Experience includes, but is not limited to:

- Design of sewer, drainage, and water utilities for site development
- Site development cost estimating
- Residential subdivision / roadway design and permitting
- Title V soil testing, design and permitting
- Implementation of Massachusetts DEP Stormwater Management policies
- Peer review consulting for Planning Boards, Zoning Boards, and Conservation Commissions on various size projects.
- Construction inspection services for Planning Boards, Zoning Boards, and Conservation Commissions on various size projects.
- Member of design teams including Architects, Landscape Architects, MEP Engineers, and Construction Managers

**TOOLS:**

Autodesk Land Desktop Development and Civil 3D CAD software

MUNIS

Microsoft Office suite of products

**LICENSES / CERTIFICATIONS:**

Engineer In Training (EIT) Certificate – April 1997

**PROFESSIONAL AFFILIATIONS:**

Massachusetts Water Works Association

Worcester County Highway Association

Massachusetts Highway Association

**EDUCATION:**

*June 1993* **University of Massachusetts at Lowell - Lowell, MA**
Bachelor of Science in Civil Engineering

RECEIVED
2022 APR 20 P12:01
CITY CLERK'S OFFICE
GARDNER, MA

April 15, 2022

# Commonwealth of Massachusetts

Worcester County City of Gardner

## CERTIFICATE OF APPOINTMENT

*I appoint* ***Michael Zlotnik*** *to the position of* ***Member, Bandstand Committee,*** *and I certify that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.*

_____ *Mayor*
*Michael J. Nicholson*

Confirmed by City Council _____

_____ City Clerk
Titi Siriphan

Expires: April 15, 2025

*Worcester, ss.,* _____

*Then personally appeared the above named* **Michael Zlotnik** *and made oath that he/she would faithfully and impartially perform the duties of the office of* **Member, Bandstand Committee** *according to law and the best of his/her abilities.*

*Before me,*

_____ *City Clerk*

*Chapter 303 Acts of 1975*
*and*
*Chapter 409 Acts of 1983*

*Received* _____

RECEIVED
2022 APR 20 PM 2:37
CITY CLERKS OFFICE
GARDNER, MA

April 13, 2022

# Commonwealth of Massachusetts

**Worcester County** **City of Gardner**

## *CERTIFICATE OF APPOINTMENT*

*I appoint* ***Nevonya Smith*** *to the position of* ***Member, Youth Commission,*** *and I certify that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.*

_____ *Mayor*
*Michael J. Nicholson*

Confirmed by City Council _____

_____ City Clerk
Titi Siriphan

Expires: April 13, 2025

*Worcester, ss.,* _____

*Then personally appeared the above named* **Nevonya Smith** *and made oath that he/she would faithfully and impartially perform the duties of the office of* **Member, Youth Commission** *according to law and the best of his/her abilities.*

*Before me,*

_____ *City Clerk*

*Chapter 303 Acts of 1975*
*and*
*Chapter 409 Acts of 1983*

*Received* _____

April 13, 2022

RECEIVED
2022 APR 20 PM 12: 31
CITY CLERK'S OFFICE
GARDNER, MA

# Commonwealth of Massachusetts

**Worcester County** **City of Gardner**

## CERTIFICATE OF APPOINTMENT

*I appoint* ***Paul Leone*** *to the position of* ***Member, Council on Aging,*** *and I certify*

*that in my opinion he/she is a person specially fitted by education, training, or experience to perform the duties of said office, and that I make the appointment solely in the interests of the City.*

_____ *Mayor*
*Michael J. Nicholson*

Confirmed by City Council _____

_____ City Clerk
Titi Siriphan

Expires: April 13, 2025

*Worcester, ss.,* _____

*Then personally appeared the above named* **Paul Leone** *and made oath that he/she would faithfully and impartially perform the duties of the office of* **Member, Council on Aging** *according to law and the best of his/her abilities.*

*Before me,*

_____ *City Clerk*

*Chapter 303 Acts of 1975*
*and*
*Chapter 409 Acts of 1983*

*Received* _____

10675

COLLECTOR LICENSE APPLICATION FEE - $30.00
DEALER LICENSE APPLICATION FEE - $100.00

RECEIVED
2022 APR 19 PM 3:35
CITY CLERK'S OFFICE
GARDNER, MA

RECEIVED
DO NOT WRITE IN THIS BOX

# CITY OF GARDNER
## MASSACHUSETTS 01440

95 PLEASANT STREET – ROOM 121
TELEPHONE (978) 630-4058
FACSIMILE (978) 630-2589

## APPLICATION FOR LICENSE TO COLLECT OR DEAL IN SECOND HAND ARTICLES

☐ New ☑ Renewal ☐ Change of Location

### APPLICANT INFORMATION

Applicant / Licensee Name: GameSto, Inc.

Applicant / Licensee Address: 625 Westport Pkwy., Grapevine, TX 76051

Applicant / Licensee phone number(s): 817-424-2000

Applicant / Licensee E-mail: Licensingandsalestax@gamestop.com

Social Security number: _____ **OR** Business FID number 41-1609563

### ESTABLISHMENT INFORMATION

Establishment Name: GameStop #3725

Establishment address (Current): 376 Timany Blvd., Gardner, MA 01440

Establishment address (New, if applicable): Licensingandsalestax@gamestop.com

Establishment Phone: 976-630-0282

On-Site manager / contact person: Tom Clark-Mason

For which type of license(s) are you applying? SecondHand Dealer License

***Check all that apply to this Application:***

☐ **SECONDHAND COLLECTOR** has the same meaning as the term "junk collector" in MGL c.140, § 56.

☑ **SECONDHAND DEALER** has the same meaning as the term "junk dealer" and "keeper of a shop for the purchase, sale or barter of junk, old metals or secondhand articles" in MGL c. 140, § 54.

What types of articles will be purchased, stored, and/or sold? _____

Retail Sales of New/Used video games, consoles, electronic device & accessories

Where at the licensed address will the articles be stored, displayed, etc? _____

Massachusetts Sales & Use Tax Registration number: 1890082816

*(Attach a copy of your Massachusetts Sales & Use Tax Registration Certificate)*

THE APPLICANT CERTIFIES THAT ALL STATE TAX RETURNS HAVE BEEN FILED AND ALL STATE AND LOCAL TAXES REQUIRED BY LAW HAVE BEEN PAID AND AGREES TO COMPLY WITH THE TERMS OF ITS LICENSE AND APPLICABLE LAW, AND ALL RULES AND REGULATIONS PROMULGATED THERETO. I FURTHER CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE AND ACCURATE AND ALSO AUTHORIZE THE LICENSING AUTHORITY OR ITS AGENTS TO CONDUCT WHATEVER INVESTIGATION IS NECESSARY TO VERIFY THE INFORMATION CONTAINED IN THIS APPLICATION.

I HAVE RECEIVED AND READ THE PROVISIONS OF MASSACHUSETTS GENERAL LAW CHAPTER 140, §§54-56, §§202-205 AND CHAPTER 450 OF THE CODE OF THE CITY OF GARDNER GOVERNING JUNK DEALERS AND DEALERS IN SECOND HAND ARTICLES:

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY.

_____ DATE SIGNED 04/01/2022

*INDIVIDUAL, PARTNER OR AUTHORIZED CORPORATE OFFICER OR APPLICANT*

**NOTICE:** THE FILING OF THIS APPLICATION CONFERS NO RIGHTS ON THE PART OF THE APPLICANT TO UNDERTAKE ANY ACTIVITIES UNTIL THE LICENSE HAS BEEN GRANTED. THE ISSUANCE OF A LICENSE UNDER THIS SECTION OR SECTIONS IS SUBJECT TO THE APPLICANT'S COMPLIANCE WITH ALL OTHER APPLICABLE FEDERAL, STATE OR LOCAL STATUTES, ORDINANCES, BYLAWS, RULES OR REGULATIONS. THE LICENSING AUTHORITY RESERVES THE RIGHT TO REQUEST ANY ADDITIONAL INFORMATION IT REASONABLY DEEMS APPROPRIATE FOR THE PURPOSE OF DETERMINING THE TERMS AND CONDITIONS OF THE LICENSE AND ITS DECISION TO ISSUE A LICENSE. THE PROVISIONS OF G.L. C.152 MAY REQUIRE THE FILING OF A WORKERS' COMPENSATION INSURANCE AFFIDAVIT WITH THIS APPLICATION. FAILURE TO FILE THE AFFIDAVIT, ALONG WITH ANY OTHER REQUIRED INFORMATION AND/OR DOCUMENTATION, SHALL BE SUFFICIENT CAUSE FOR THE DENIAL OF THE LICENSE APPLICATION.

**LICENSE APPLICATION PROCESSING FEE MUST BE SUBMITTED WITH THIS FORM. MAKE CHECK PAYABLE TO *CITY OF GARDNER*. MAIL COMPLETED APPLICATION FORMSAND THE WORKERS' COMPENSATION AFFIDAVIT AND CHECK TO: *CITY CLERK, 95 PLEASANT STREET, ROOM 121, GARDNER, MA 01440-2690.***

## JUNK DEALERS AND DEALERS IN SECOND HAND ARTICLES LICENSES EXPIRE ON APRIL 30TH ANNUALLY.

10676

COLLECTOR LICENSE APPLICATION FEE - $30.00
DEALER LICENSE APPLICATION FEE - $100.00


**CITY OF GARDNER**
**MASSACHUSETTS 01440**
95 PLEASANT STREET – ROOM 121
TELEPHONE (978) 630-4058
FACSIMILE (978) 630-2589


RECEIVED
2022 APR 21 AM 9:20
CITY CLERK'S OFFICE
GARDNER, MA

DO NOT WRITE IN THIS BOX

## APPLICATION FOR LICENSE TO COLLECT OR DEAL IN SECOND HAND ARTICLES

### APPLICANT INFORMATION

Applicant / Licensee Name: The Salvation Army

Applicant / Licensee Address: 440 West Nyack Road, West Nyack, NY 10994

Applicant / Licensee phone number(s): 845-732-4123

Applicant / Licensee E-mail: Reyna.Bartlebaugh@use.SalvationArmy.org

Social Security number: _____ **OR** Business FID number 13-5562351

### ESTABLISHMENT INFORMATION

Establishment Name: The Salvation Army - Family Store & Donation Center

Establishment address: 8 Union Street, Gardner, MA 01440

Establishment Phone: 800-728-7825

On-Site manager / contact person: Ms. Debra Griffith Cell: 9786606788

For which type of license(s) are you applying? Secondhand Dealer

***Check all that apply to this Application:***

☐ **SECONDHAND COLLECTOR** has the same meaning as the term "junk collector" in MGL c. 140, § 56.

☒ **SECONDHAND DEALER** has the same meaning as the term "junk dealer" and "keeper of a shop for the purchase, sale or barter of junk, old metals or secondhand articles" in MGL c. 140, § 54.

What types of articles will be purchased, stored, and/or sold? clothing and household items

Where at the licensed address will the articles be stored, displayed, etc? MAIN SHOP

Massachusetts Sales & Use Tax Registration number: 11050335
*(Attach a copy of your Massachusetts Sales & Use Tax Registration Certificate)*

THE APPLICANT CERTIFIES THAT ALL STATE TAX RETURNS HAVE BEEN FILED AND ALL STATE AND LOCAL TAXES REQUIRED BY LAW HAVE BEEN PAID AND AGREES TO COMPLY WITH THE TERMS OF ITS LICENSE AND APPLICABLE LAW, AND ALL RULES AND REGULATIONS PROMULGATED THERETO. I FURTHER CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE AND ACCURATE AND ALSO AUTHORIZE THE LICENSING AUTHORITY OR ITS AGENTS TO CONDUCT WHATEVER INVESTIGATION IS NECESSARY TO VERIFY THE INFORMATION CONTAINED IN THIS APPLICATION.

I HAVE RECEIVED AND READ THE PROVISIONS OF MASSACHUSETTS GENERAL LAW CHAPTER 140, §§54-56, 202-205 AND CITY OF GARDNER ORDINANCE NO. 32 GOVERNING JUNK DEALERS AND DEALERS IN SECOND HAND ARTICLES:

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY.

_____ DATE SIGNED 04/14/2022

*INDIVIDUAL, PARTNER OR AUTHORIZED CORPORATE OFFICER OR APPLICANT* Michael J. Southwick, Secretary

**NOTICE:** THE FILING OF THIS APPLICATION CONFERS NO RIGHTS ON THE PART OF THE APPLICANT TO UNDERTAKE ANY ACTIVITIES UNTIL THE LICENSE HAS BEEN GRANTED. THE ISSUANCE OF A LICENSE UNDER THIS SECTION OR SECTIONS IS SUBJECT TO THE APPLICANT'S COMPLIANCE WITH ALL OTHER APPLICABLE FEDERAL, STATE OR LOCAL STATUTES, ORDINANCES, BYLAWS, RULES OR REGULATIONS. THE LICENSING AUTHORITY RESERVES THE RIGHT TO REQUEST ANY ADDITIONAL INFORMATION IT REASONABLY DEEMS APPROPRIATE FOR THE PURPOSE OF DETERMINING THE TERMS AND CONDITIONS OF THE LICENSE AND ITS DECISION TO ISSUE A LICENSE. THE PROVISIONS OF G.L. C.152 MAY REQUIRE THE FILING OF A WORKERS' COMPENSATION INSURANCE AFFIDAVIT WITH THIS APPLICATION. FAILURE TO FILE THE AFFIDAVIT, ALONG WITH ANY OTHER REQUIRED INFORMATION AND/OR DOCUMENTATION, SHALL BE SUFFICIENT CAUSE FOR THE DENIAL OF THE LICENSE APPLICATION.

LICENSE APPLICATION PROCESSING FEE MUST BE SUBMITTED WITH THIS FORM. MAKE CHECK PAYABLE TO *CITY OF GARDNER*. MAIL APPLICATION FORM, WORKERS' COMPENSATION AFFIDAVIT AND CHECK TO: *CITY CLERK, 95 PLEASANT STREET, ROOM 121, GARDNER, MA 01440-2690.*

**JUNK DEALERS AND DEALERS IN SECOND HAND ARTICLES LICENSES EXPIRE ON APRIL 30TH ANNUALLY.**

COLLECTOR LICENSE APPLICATION FEE - $30.00
DEALER LICENSE APPLICATION FEE - $100.00

1067

# CITY OF GARDNER
## MASSACHUSETTS 01440

95 PLEASANT STREET – ROOM 121
TELEPHONE (978) 630-4058
FACSIMILE (978) 630-2589

RECEIVED
2022 APR 25 AM 10:36
CITY CLERK'S OFFICE
GARDNER MA
DO NOT WRITE IN THIS BOX

## APPLICATION FOR LICENSE TO COLLECT OR DEAL IN SECOND HAND ARTICLES

### APPLICANT INFORMATION

Applicant / Licensee Name: Joseph Valardi

Applicant / Licensee Address: 36 Donovan Rd, N. Brookfield, MA

Applicant / Licensee phone number(s): 978-990-0307

Applicant / Licensee E-mail: gardnerca@yahoo.com

Social Security number: _____ **OR** Business FID number 04-3073078

### ESTABLISHMENT INFORMATION

Establishment Name: Gardner Coins & Cards Inc

Establishment address: 18 Parker St, Gardner

Establishment Phone: 978-632-7123

On-Site manager / contact person: Joe Valardi

For which type of license(s) are you applying? Second Hand Dealer

***Check all that apply to this Application:***

☐ **SECONDHAND COLLECTOR** has the same meaning as the term "junk collector" in MGL c. 140, § 56.

☑ **SECONDHAND DEALER** has the same meaning as the term "junk dealer" and "keeper of a shop for the purchase, sale or barter of junk, old metals or secondhand articles" in MGL c. 140, § 54.

What types of articles will be purchased, stored, and/or sold? Gold & Silver Antiques, and Sports Cards & Memorabilia

Where at the licensed address will the articles be stored, displayed, etc? Throughout location

Massachusetts Sales & Use Tax Registration number: 04307308

*(Attach a copy of your Massachusetts Sales & Use Tax Registration Certificate)*

THE APPLICANT CERTIFIES THAT ALL STATE TAX RETURNS HAVE BEEN FILED AND ALL STATE AND LOCAL TAXES REQUIRED BY LAW HAVE BEEN PAID AND AGREES TO COMPLY WITH THE TERMS OF ITS LICENSE AND APPLICABLE LAW, AND ALL RULES AND REGULATIONS PROMULGATED THERETO. I FURTHER CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE AND ACCURATE AND ALSO AUTHORIZE THE LICENSING AUTHORITY OR ITS AGENTS TO CONDUCT WHATEVER INVESTIGATION IS NECESSARY TO VERIFY THE INFORMATION CONTAINED IN THIS APPLICATION.

I HAVE RECEIVED AND READ THE PROVISIONS OF MASSACHUSETTS GENERAL LAW CHAPTER 140, §§54-56, 202-205 AND CITY OF GARDNER ORDINANCE NO. 32 GOVERNING JUNK DEALERS AND DEALERS IN SECOND HAND ARTICLES:

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY.

_____ DATE SIGNED 4/24/22

*INDIVIDUAL, PARTNER OR AUTHORIZED CORPORATE OFFICER OR APPLICANT*

**NOTICE:** THE FILING OF THIS APPLICATION CONFERS NO RIGHTS ON THE PART OF THE APPLICANT TO UNDERTAKE ANY ACTIVITIES UNTIL THE LICENSE HAS BEEN GRANTED. THE ISSUANCE OF A LICENSE UNDER THIS SECTION OR SECTIONS IS SUBJECT TO THE APPLICANT'S COMPLIANCE WITH ALL OTHER APPLICABLE FEDERAL, STATE OR LOCAL STATUTES, ORDINANCES, BYLAWS, RULES OR REGULATIONS. THE LICENSING AUTHORITY RESERVES THE RIGHT TO REQUEST ANY ADDITIONAL INFORMATION IT REASONABLY DEEMS APPROPRIATE FOR THE PURPOSE OF DETERMINING THE TERMS AND CONDITIONS OF THE LICENSE AND ITS DECISION TO ISSUE A LICENSE. THE PROVISIONS OF G.L. C.152 MAY REQUIRE THE FILING OF A WORKERS' COMPENSATION INSURANCE AFFIDAVIT WITH THIS APPLICATION. FAILURE TO FILE THE AFFIDAVIT, ALONG WITH ANY OTHER REQUIRED INFORMATION AND/OR DOCUMENTATION, SHALL BE SUFFICIENT CAUSE FOR THE DENIAL OF THE LICENSE APPLICATION.

**LICENSE APPLICATION PROCESSING FEE MUST BE SUBMITTED WITH THIS FORM. MAKE CHECK PAYABLE TO *CITY OF GARDNER*. MAIL APPLICATION FORM, WORKERS' COMPENSATION AFFIDAVIT AND CHECK TO: *CITY CLERK, 95 PLEASANT STREET, ROOM 121, GARDNER, MA 01440-2690.***

## JUNK DEALERS AND DEALERS IN SECOND HAND ARTICLES LICENSES EXPIRE ON APRIL 30TH ANNUALLY.

Questions contact – Connor Reynolds 774-312-0350

**PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS**

North Andover, Massachusetts

To the City Council
Of Gardner, Massachusetts

Massachusetts Electric Company d/b/a National Grid and Verizon New England, Inc requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Matthews St - National Grid to install 2 JO Poles on Matthews St beginning at a point approximately 3,700 feet east of the centerline of the intersection of Green St and continuing approximately 300 feet in a south direction. Install 2 Poles underneath transmission crossing.

Location approximately as shown on plan attached

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Matthews St - Gardner - Massachusetts.

**No. 30529057** May 11, 2022

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Massachusetts Electric Company d/b/a National Grid
BY _____
Engineering Department Pat Cody

VERIZON NEW ENGLAND, INC.
BY _____
Manager / Right of Way

**ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS**
To the City Council - Gardner, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED: that Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 11th day of May, 2022.
All construction under this order shall be in accordance with the following conditions:
Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Matthews St - Gardner - Massachusetts.
**No. 30529057** Dated May 11, 2022. Filed with this order
There may be attached to said poles by Massachusetts Electric Company d/b/a National Grid and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

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:

Matthews St - National Grid to install 2 JO Poles on Matthews St beginning at a point approximately 3,700 feet east of the centerline of the intersection of Green St and continuing approximately 300 feet in a south direction. Install 2 Poles underneath transmission crossing.

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the
of the City/Town of , Massachusetts held on the day of 20 .

City/Town Clerk.
Massachusetts 20 .

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
City/Town Clerk

I hereby certify that on 20 , at o'clock, M
at a public hearing was held on the petition of
Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND, INC.

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....
.....
.....
.....

Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the of the City of Massachusetts, on the day of 20 , and recorded with the records of location orders of the said City, Book , Page . This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:
City/Town Clerk

**ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS**
To the City Council - Gardner, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED: that Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND INC. (formerly known as NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY) be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and wires to be placed thereon, together with such sustaining and protecting fixtures as said Companies may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Companies dated the 11th day of May, 2022.
All construction under this order shall be in accordance with the following conditions:
Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Matthews St - Gardner - Massachusetts.
**No. 30529057** Dated May 11, 2022. Filed with this order
There may be attached to said poles by Massachusetts Electric Company d/b/a National Grid and Verizon New England Inc. such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

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:

Matthews St - National Grid to install 2 JO Poles on Matthews St beginning at a point approximately 3,700 feet east of the centerline of the intersection of Green St and continuing approximately 300 feet in a south direction. Install 2 Poles underneath transmission crossing.

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the
of the City/Town of , Massachusetts held on the day of 20 .

City/Town Clerk.
Massachusetts 20 .

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
City/Town Clerk

I hereby certify that on 20 , at o'clock, M
at a public hearing was held on the petition of
Massachusetts Electric Company d/b/a National Grid and VERIZON NEW ENGLAND, INC.

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....
.....
.....
.....

Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the of the City of Massachusetts, on the day of 20 , and recorded with the records of location orders of the said City, Book , Page . This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:
City/Town Clerk

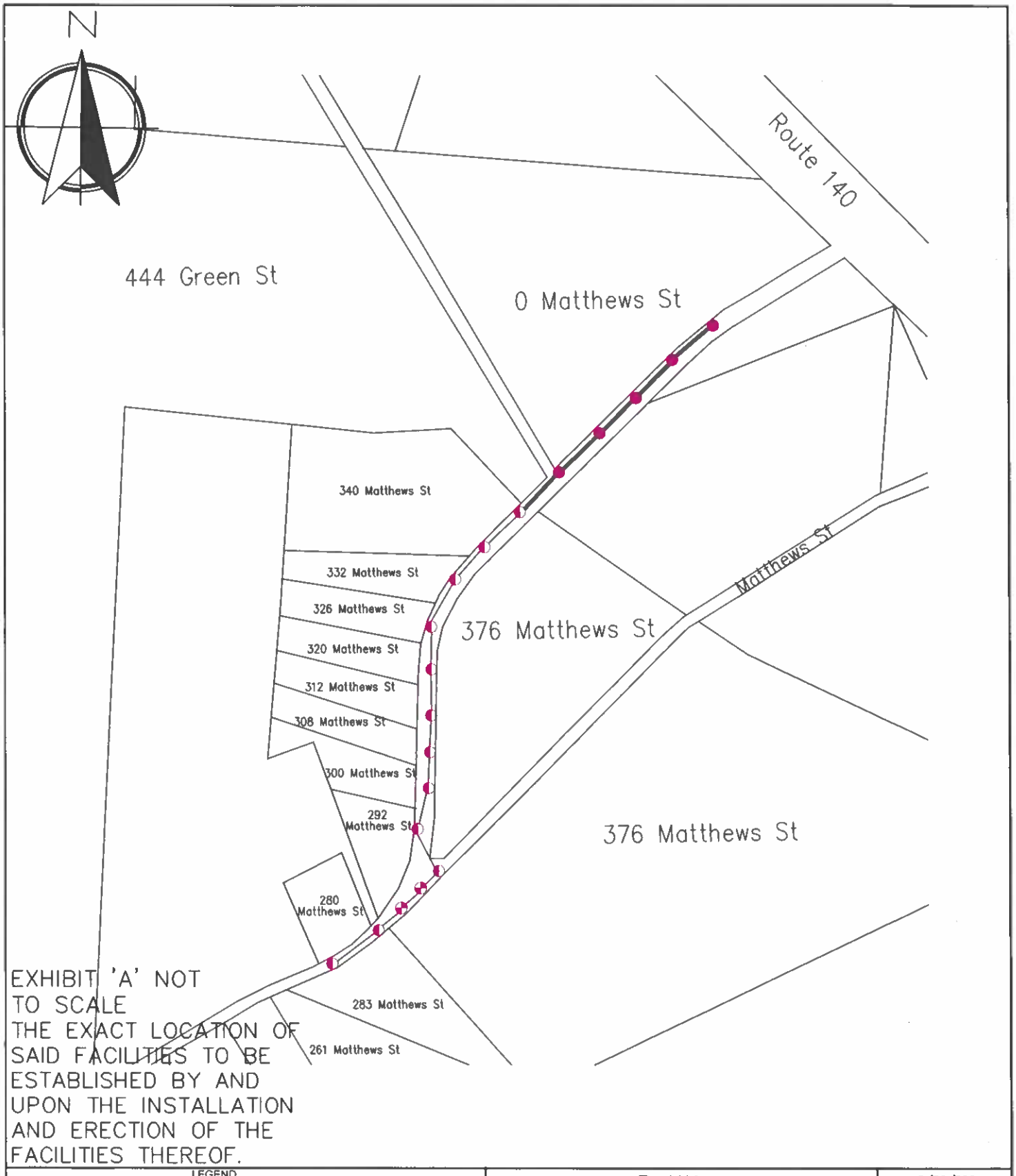



EXHIBIT 'A' NOT TO SCALE
THE EXACT LOCATION OF SAID FACILITIES TO BE ESTABLISHED BY AND UPON THE INSTALLATION AND ERECTION OF THE FACILITIES THEREOF.

LEGEND

- Proposed OH Wire
- Existing OH Wire
- Existing JO Poles
- Proposed SO Pole
- Proposed JO Pole

Petition
Sketch

0 Matthews Street Gardner, MA

Date: 12/30/2021
Designer: REYNOC3
W/R: 30529057

nationalgrid

# CITY OF GARDNER
## MASSACHUSETTS 01440-2630

OFFICE OF THE
CITY CLERK
Room 121, City Hall
Tel (978) 630-4058
Fax (978) 630-2589


**NOTICE TO ABUTTERS**

April 20, 2022

TO ABUTTERS AND OTHER INTERESTED PARTIES:

Pursuant to the provisions of M.G.L., c. 166, §22, you are hereby notified that a Public Hearing will be conducted on **MONDAY, MAY 2, 2022** at **7:30 o'clock P.M.** on the petition of Massachusetts Electric Company, d/b/a NATIONAL GRID and Verizon New England, Inc. for permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, under along and across the following public way:

> MATTHEWS STREET – A petition by National Grid and Verizon New England Inc., Matthews Street - to install 2 Jointly Owned Poles on Matthews Street beginning at a point approximately 3,700 feet east of the centerline of the intersection of Green Street and continuing approximately 20 feet in a south direction. Install 2 Poles underneath transmission crossing.

A sketch of the proposed pole location is attached for your edification.

CITY COUNCIL OF GARDNER

Titi Siriphan

By: TITI SIRIPHAN
City Clerk

Questions contact – Connor Reynolds 774-312-0350

**PETITION FOR POLE AND WIRE LOCATIONS**

North Andover, Massachusetts

To the City Council
Of Gardner, Massachusetts

Massachusetts Electric Company d/b/a National Grid requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

Matthews St - National Grid to install 5 SO Poles on Matthews St beginning at a point approximately 1400' feet west of the centerline of the intersection of Route 140 and continuing approximately 780 feet in a north direction. Install 5 poles to extend line for a new service.

Location approximately as shown on plan attached

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – Matthews St - Gardner – Massachusetts.

No.# 30529057 May 11, 2022

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

Massachusetts Electric Company d/b/a National Grid
BY Pat Cody
Engineering Department

## ORDER FOR POLE AND WIRE LOCATIONS

In the City of Gardner, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:
that Massachusetts Electric Company d/b/a National Grid and be and it is hereby granted a location for and permission to erect and maintain poles 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 11th day of May, 2022.
All construction under this order shall be in accordance with the following conditions:
Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Matthews St - Gardner – Massachusetts
No.# 30529057 Dated: May 11, 2022. Filed with this order
There may be attached to said poles such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

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:

Matthews St - National Grid to install 5 SO Poles on Matthews St beginning at a point approximately 1400' feet west of the centerline of the intersection of Route 140 and continuing approximately 780 feet in a north direction. Install 5 poles to extend line for a new service.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City/Town of , Massachusetts held on the day of 20 .

City/Town Clerk.

Massachusetts 20 .

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
City/Town Clerk

I hereby certify that on 20 , at o'clock, M
at a public hearing was held on the petition of

Massachusetts Electric Company d/b/a National Grid

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

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Board or Council of Town or City, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the of the City of Massachusetts, on the day of 20 , and recorded with the records of location orders of the said City, Book , Page . This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof

Attest:

City/Town Clerk

## ORDER FOR POLE AND WIRE LOCATIONS

In the City of Gardner, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:
that Massachusetts Electric Company d/b/a National Grid and be and it is hereby granted a location for and permission to erect and maintain poles 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 11th day of May, 2022.
All construction under this order shall be in accordance with the following conditions:
Poles shall be of sound timber, and reasonable straight, and shall be set substantially at the points indicated upon the plan marked – Matthews St - Gardner – Massachusetts
No.# 30529057 Dated: May 11, 2022. Filed with this order
There may be attached to said poles such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

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:

Matthews St - National Grid to install 5 SO Poles on Matthews St beginning at a point approximately 1400' feet west of the centerline of the intersection of Route 140 and continuing approximately 780 feet in a north direction. Install 5 poles to extend line for a new service.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City/Town of , Massachusetts held on the day of 20 .

City/Town Clerk.

Massachusetts 20 .

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
City/Town Clerk

I hereby certify that on 20 , at o'clock, M
at a public hearing was held on the petition of

Massachusetts Electric Company d/b/a National Grid

for permission to erect the poles, wires, and fixtures described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

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Board or Council of Town or City, Massachusetts

CERTIFICATE

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Attest:
City/Town Clerk

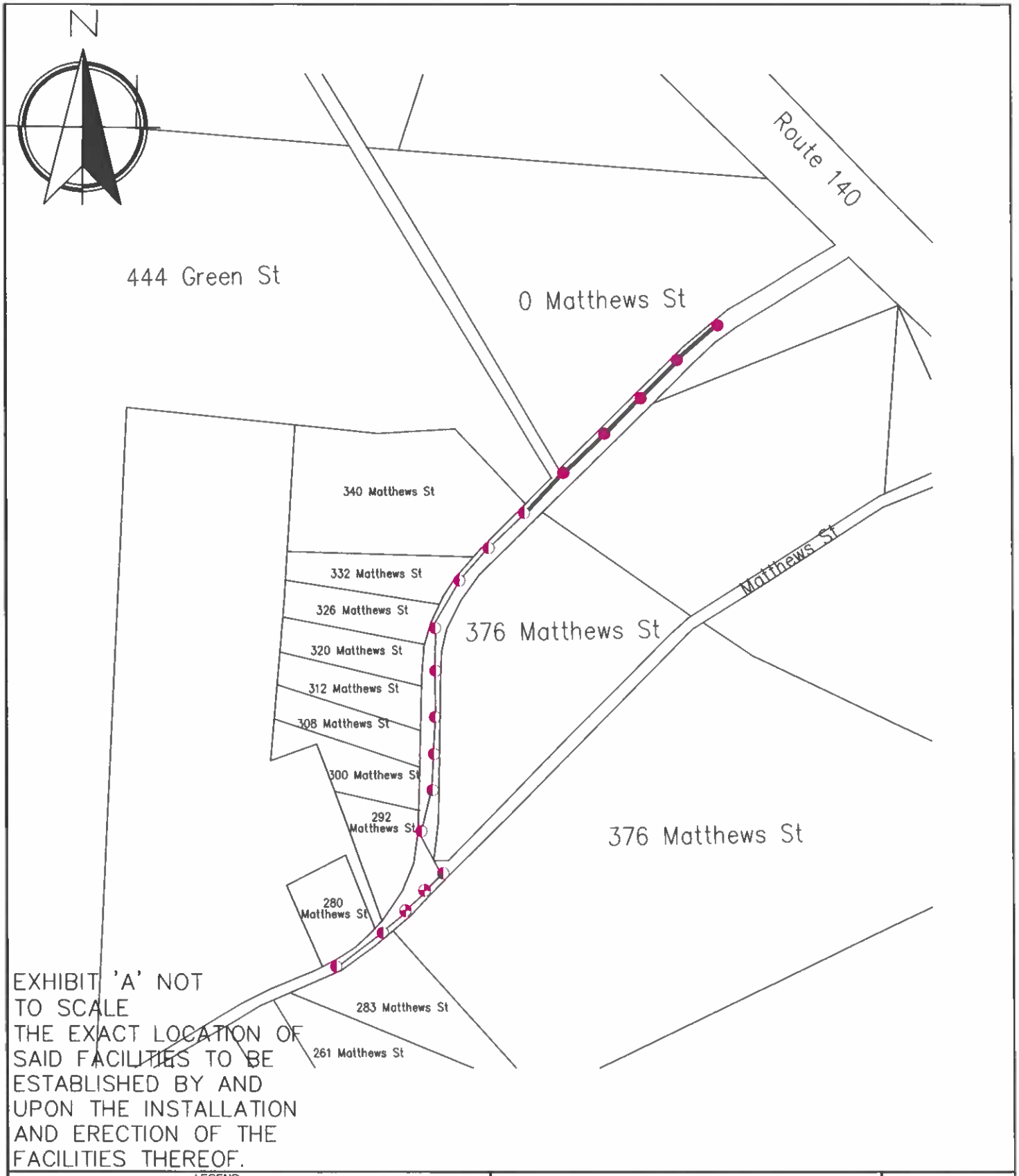


EXHIBIT 'A' NOT TO SCALE
THE EXACT LOCATION OF SAID FACILITIES TO BE ESTABLISHED BY AND UPON THE INSTALLATION AND ERECTION OF THE FACILITIES THEREOF.

LEGEND

- Proposed OH Wire
- Existing OH Wire
- Existing JO Poles
- Proposed SO Pole
- Proposed JO Pole

Petition
Sketch

0 Matthews Street Gardner, MA

Date: 12/30/2021
Designer: REYNOC3
W/R: 30529057

nationalgrid

# CITY OF GARDNER
## MASSACHUSETTS 01440-2630

OFFICE OF THE
CITY CLERK
Room 121, City Hall
Tel (978) 630-4058
Fax (978) 630-2589


**NOTICE TO ABUTTERS**

April 20, 2022

TO ABUTTERS AND OTHER INTERESTED PARTIES:

Pursuant to the provisions of M.G.L., c. 166, §22, you are hereby notified that a Public Hearing will be conducted on **MONDAY, MAY 2, 2022** at **7:30 o'clock P.M.** on the petition of Massachusetts Electric Company, d/b/a NATIONAL GRID and Verizon New England, Inc. for permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, under along and across the following public way:

> MATTHEWS STREET – A petition by National Grid, Matthews Street – to install 5 Single Owned Poles on Matthews Street beginning at a point approximately 1400 feet west of the centerline of the intersection of Route 140 and continuing approximately 20 feet in a north direction. Install 5 poles to extend line for a new service.

A sketch of the proposed pole location is attached for your edification.

CITY COUNCIL OF GARDNER

Titi Siriphan

By: TITI SIRIPHAN
City Clerk