

Board of Selectmen

36 BARTLET STREET
ANDOVER, MA 01810

WWW.ANDOVERMA.GOV

MEETING AGENDA

Monday, May 22, 2017

Regular Session 7:00 P.M.

SELECTMEN'S CONFERENCE ROOM, ANDOVER TOWN OFFICES, 3rd floor

REGULAR SESSION

I. Call to Order– 7:00 P.M.

II. Opening Ceremonies/ Moment of Silence/Pledge of Allegiance – 7:00 P.M.

III. Communications/Announcements/Liaison Reports – 7:05 P.M.

IV. Citizens Petitions and Presentations – 7:10 P.M.

V. Public Hearings – 7:15 P.M.

A. Columbia Gas – (10 minutes)

This hearing is being held on a petition of Bay State Gas Company d/b/a Columbia Gas of Massachusetts, requesting permission to excavate for the purpose of replacing and/or extending its gas mains, according to blueprints hereto annexed and made a part of this petition, and to make the necessary house connections along said extensions, as follows: To excavate approximately 1170 feet on Summer Street from Howell Drive to Elm Street, 1420 feet on Whittier Street from Chestnut to Elm Street, 820 feet on Park Street from Whittier to Bartlet Street, 650 feet on Florence Street from Park to Elm Street, 750 feet of Chestnut Street from Whittier to Bartlet Street for the purpose of replacing the Cast Iron / Bare Steel – low pressure gas main with Plastic – high pressure due to a water replacement project in the neighborhood. All existing gas services within the project scope will be tied into the new Plastic – high pressure main. Plan# 17-43652 and Job# 17-0849460-00.

B. Columbia Gas – (10 minutes)

This hearing is being held on a petition of Bay State Gas Company d/b/a Columbia Gas of Massachusetts, requesting permission to excavate for the purpose of replacing and/or extending its gas mains, according to blueprints hereto annexed and made a part of this petition, and to make the necessary house connections along said extensions, as follows: Installation of 640 feet of plastic – high pressure gas main on Hickory Lane and Wild Rose Drive. This is being done in order to abandon the existing 6 inch and 4 inch bare steel – high pressure main due to prior leak history and poor condition of the pipe. Plan #: 16-38295 and Job #: 16-0847692-00.

C. Bueno Malo – (10 minutes)

C7 Hospitality Group LLC, d/b/a Bueno Malo, 9 Locke Street, Andover, MA has applied for an All Alcohol Restaurant Alcoholic Beverage License at 93 Main Street, Suite 120, Andover, MA. Franco Lozano III, 9 Locke Street, Andover, MA is the proposed designated manager.

D. Grassfields – (10 minutes)

Old Andover Restaurant, Inc., 207 North Main Street, Andover, MA, dba Grassfields Restaurant, has applied for a Transfer of an All Alcohol Restaurant Alcoholic Beverage License at 207 North Main Street, Andover. Debra Ann McNiff of 10 Central Street, Byfield, MA is the designated manager. Old Andover Restaurant, Inc. has also applied to pledge the license to American Food Holding, Inc. and subsequently to Karapatsas Holding Company Inc. The premises to be described as follows: Total interior existing space of approx. 2,064 sq. ft., total patio/deck/ outdoor space of approx. 298 sq. ft., 2 entrances and 3 exits, and proposed seating capacity of 49.

VI. Regular Business of the Board – 7:55 P.M.

A. Open Space Deed of Gregory Circle – (10 minutes)

Board of Selectmen to consider voting to accept and sign the open space deed at Gregory Circle Subdivision Parcel B.

B. Street Acceptance of Gregory Circle – (10 minutes)

Board of Selectmen to consider voting to accept and sign the street acceptance at Gregory Circle Subdivision Parcel B.

C. Marc's Snack Bar – (5 minutes)

Board of Selectmen to review and consider letter from Mass. State Lottery Commission to install a Keno Machine at Marc's Snack Bar at 310 Lowell Street.

D. Proposed Monopole Towers – MBTA Property – (20 minutes)

Board of Selectmen to discuss the requests for comments received regarding the potential cultural and/or historic properties that may be impacted by three proposed monopole towers on MBTA property at the following locations:

- Project 31931 at 49 Haverhill Street
- Project 31930 at 2 Burnham Road
- Project 31927 at 326 Ballardvale Street

E. Conservation Restriction for AVIS on the Franciscan property – (10 minutes)

Board of Selectmen to consider voting to sign and approve the Conservation Restriction for Avis on the Franciscan Property 459 River Road

F. Eagle Scout – (5 minutes)

Board of Selectmen to sign an Eagle Scout Citation for Conor Dawson.

G. Verizon Cable License Renewal – (15 minutes)

Board of Selectmen to receive an update on the Verizon cable license renewal.

H. Intermunicipal Agreement with North Reading for Water – (15 minutes)
 Board of Selectmen to receive an update regarding potential impacts of North Reading’s proposed plan to transition to the MWRA for water supply and discuss renewing the Intermunicipal Agreement.

I. Board of Selectmen Policy Manual Review– (15 minutes)
 Board of Selectmen to conduct a policy review of Sections 2, 3, 5, 6, 9, & 10.

VII. Consent Agenda – 9:40 P.M.

A. APPOINTMENTS – (Town Manager)

That the following appointments by the Town Manager be approved:

DEPARTMENT/ COMMITTEE	NAME	POSITION	RATE/ TERM	DOH
Ballardvale Historic District Commission	Matt Pimental (v. L Greene)	Alt. to Regular Member (3 year term)		Until June 2020
Recreation Services	Aliceia Burke	Cheerleading Counselor	\$12.00/hr.	6/1/17
Recreation Services	Anna Ryan	Rec Director 1 - PT	\$20.00/hr.	6/1/17
Recreation Services	Olivia Lawler	Counselor - PT	\$10.00/hr.	4/24/17
Recreation Services	Hannah Wilen	Counselor - PT	\$10.00/hr.	6/1/17
Recreation Services	Kourtney Smith	Rec Director 1 - PT	\$20.00/hr.	6/1/17
Recreation Services	Thomas Duncan	Counselor - PT	\$10.00/hr.	6/1/17
Recreation Services	Romano Duncan	Counselor - PT	\$10.00/hr.	6/1/17
Recreation Services	John Versaci	Outer Limits Supervisor	\$16.75/hr.	6/1/17
Recreation Services	Kerry Manuel	Counselor	\$11.00/hr.	6/1/17
Municipal Services	Dimitru Jean-Laurent	Seasonal Laborer	\$11.00/hr.	7/31/17
Municipal Services	Kevin Xu	Seasonal Laborer	\$11.00/hr.	6/12/17
Municipal Services	Matthew Rossman	Seasonal Laborer	\$11.00/hr.	5/29/17
Municipal Services	Peter Audier	Seasonal Laborer	\$11.00/hr.	6/12/17
IT Department	Cameron Hardy	Summer Intern	\$11.00/hr.	5/30/17
IT Department	Joseph Huskey	Summer Intern	\$11.00/hr.	6/26/17
IT Department	Yachen Zhan	Summer Intern	\$11.00/hr.	6/26/17
IT Department	Duncan Carroll	Summer Intern	\$11.00/hr.	6/26/17

VIII. Adjournment – 9:45 P.M.

View documents associated with this agenda: www.andoverma.gov/selectmen

Meetings are televised on Comcast Channel 22 and Verizon Channel 45 or may be viewed online at www.andovertv.org If any member of the public wishing to attend this meeting seeks special accommodations in accordance with the Americans with Disabilities Act, please contact Wendy Adams at 978-623-8210 or wadams@andoverma.gov in the Town Manager’s Office.



RECEIVED
TOWN CLERK'S OFFICE

2017 MAY -2 A 11: 18
Date: 05/01/17

TOWN OF ANDOVER, MASS

Board of Selectmen
Andover, Massachusetts

Gentlemen:

Columbia Gas of Massachusetts respectfully asks permission to excavate for the purpose of replacing and or extending its gas mains, according to blueprints hereto annexed and made a part of this petition, and to make the necessary house connections along said extensions, as follows:

- To excavate approximately 1170 feet on Summer Street from Howell Drive to Elm Street, 1420 feet on Whittier Street from Chestnut to Elm Street, 820 feet on Park Street from Whittier to Bartlet Street, 650 feet on Florence Street from Park to Elm Street, 750 feet of Chestnut Street from Whittier to Bartlet Street for the purpose of replacing the Cast Iron / Bare Steel - low pressure gas main with Plastic - high pressure due to a water replacement project in the neighborhood.
- All existing gas services within the project scope will be tied into the new Plastic - high pressure main.
- Currently there are two gas mains (low and high pressure) on Chestnut Street (from Chestnut Court to Whittier Street) and Whittier Street (from Chestnut Street to Whittier Court). CMA will be abandoning the low pressure gas main after replacing and tying over all the services from low to high pressure main due to the age and condition of the Cast Iron - low pressure gas main.

JO #: 17-0849460-00

Please see attached plans detailing the location of the proposed gas main.

Columbia Gas of Massachusetts agrees to provide and maintain proper barriers, warnings, policing and lights. Excavation and refilling will be done promptly, and to the satisfaction of the Highway Department. The restoration of sidewalk and/street surfaces will be done to the satisfaction of the Highway Department. Columbia Gas of Massachusetts will guarantee refilling and resurfacing for one year from completion of the work.

Columbia Gas of Massachusetts agrees to hold the Town of Andover harmless from claims of any nature by persons alleging to have been injured, in their persons or in their property, as a result of the excavation. Columbia Gas of Massachusetts agrees to defend against all such claims, whether groundless or not.

Bay State Gas Company d/b/a
Columbia Gas of Massachusetts

Veena Kothapalli
Field Engineer

Columbia Gas of Massachusetts

Gentlemen:

Permission is hereby granted the Bay State Gas Company d/b/a Columbia Gas of Massachusetts to excavate and to install and maintain gas service pipe as requested above.

_____ Approved by Board of Selectmen - Date: _____

_____ Issued by Director of Public Works - Date: _____

Columbia Gas[®] of Massachusetts

A NiSource Company

JOB ORDER NUMBER (INSTALL) 17-0849460-00
 JOB ORDER NUMBER (ABANDON) 17-0849461-00
 PROJECT ID 17-43652
 WHITTIER STREET, ANDOVER
 JOB TYPE: (557/558)



Know what's below.
Call before you dig.

PROJECT INFORMATION

FIELD ENGINEER/TECHNICIAN: VEENA KOTHAPALLI
 CONSTRUCTION FLL: ERICH SCHLITT
 PERMITS: CITY PERMIT, ENVIRONMENTAL PERMIT
 TCC: 8400
 COUNTY: ESSEX (009)
 TAX DISTRICT: 404
 MAP NUMBER: AND - 033
 SYSTEM NUMBER(S): 80001004/80001016
 24 HR. EMERGENCY LINE: COLUMBIA GAS OF MASSACHUSETTS 1-800-525-8222

VICINITY MAP



SHEET INDEX

DWG.	DESCRIPTION
T-1	TITLE SHEET
O-1	OVERVIEW SHEET
L-1 - L-3	LAYOUT PLANS
D-1	CONSTRUCTION DETAILS

PROJECT SUMMARY TABLE

PROPOSED INSTALLATION			PROPOSED ABANDONMENT		
LENGTH (FT)	SIZE (IN)	TYPE	LENGTH (FT)	SIZE (IN)	TYPE
1,920'	6"	HDPE	4,755'	4"	CI
40'	4"	HDPE	80'	4"	BS
2,890'	2"	HDPE			
4,850'	TOTAL INSTALLATION (FEET)		4,835'	TOTAL ABANDONMENT (FEET)	

PROPOSED GAS SERVICES

	REPLACEMENTS	TIE OVERS	TOTAL SERVICES	METER OUTS
ESTIMATED GAS SERVICES	63	38	101	59

LEGEND

	EXISTING GAS MAIN		TREE
	EXISTING GAS MAIN TO BE ABANDONED		TEST WELL
	PROPOSED GAS MAIN		REGULATOR STATION
	PROPOSED GAS MAIN UPRATE		SINGLE CUSTOMER REGULATOR
	COATED STEEL GAS MAIN		METER
	CAST IRON GAS MAIN		METER WITH REGULATOR
	BARE STEEL GAS MAIN		TEST POINT (STATION)
	WROUGHT IRON GAS MAIN		GAS SERVICE TIE-OVER
	HIGH DENSITY POLYETHYLENE GAS MAIN		GAS SERVICE REPLACEMENT
	MEDIUM DENSITY POLYETHYLENE GAS MAIN		METER MOVE OUT
	LOW PRESSURE		TELEPHONE MANHOLE
	INTERMEDIATE PRESSURE		DRAIN MANHOLE
	MEDIUM PRESSURE		ELECTRIC MANHOLE
	HIGH PRESSURE		CATCH DRAIN
	ATTACHED		SEWER MANHOLE
	BRIDGE HANGER		FIRE HYDRANT
	BUILDING HANGER		UTILITY POLE
	DIRECTIONAL BORE		WETLAND
	INSERTED		GAS VALVE
	OPEN CUT		CRITICAL GAS VALVE
	PNEUMATIC BORE		PRESSURE CONTROL FITTINGS
	PLOWED		TRANSITION
	ROOF TOP		END CAP
	EXISTING		REDUCER
	PROPOSED		ELECTRONIC MARKER
	WELD LOCATION		

PROJECT DESCRIPTION

CMA WILL BE REPLACING THE MAIN ON WHITTIER ST. AND SURROUNDING SIDE STREETS DUE TO A WATER REPLACEMENT PROJECT IN THE TOWN OF ANDOVER. CI-LP MAIN ON SUMMER, WHITTIER, PARK, FLORENCE, AND CHESTNUT WILL BE REPLACED WITH PH-HP AND SERVICES ON THE LP MAIN ON CHESTER AND WHITTIER CT. WILL BE TIED OVER TO THE HP SO THAT THE LP MAIN CAN BE RETIRED.

GENERAL NOTES

1. THE PROPOSED GAS MAIN SHOWN IS APPROXIMATE AND SUBJECT TO CHANGE.
2. PROPERTY LINE, STRUCTURES, STREET LINE, ETC. WAS COMPILED FROM THE COLUMBIA GAS GIS DATA BASE AND ARE TO BE CONSIDERED APPROXIMATE.
3. EXISTING UTILITIES, WHERE SHOWN, HAVE BEEN COMPILED FROM ABOVE GROUND EVIDENCE ONLY AND ARE TO BE CONSIDERED APPROXIMATE. COLUMBIA GAS DOES NOT GUARANTEE THE LOCATION OF THE UNDERGROUND UTILITIES SHOWN OR THAT ALL EXISTING UTILITIES AND/OR SUBSURFACE STRUCTURES ARE SHOWN.

PROPOSED

REVISIONS

REV #	DATE	DESCRIPTION
0	4/5/2017	ISSUED FOR CONSTRUCTION

DESIGNED BY	CHECKED BY	AS-BUILT BY	NAME	DATE	PHONE #
X	X	X			

SITE NAME:

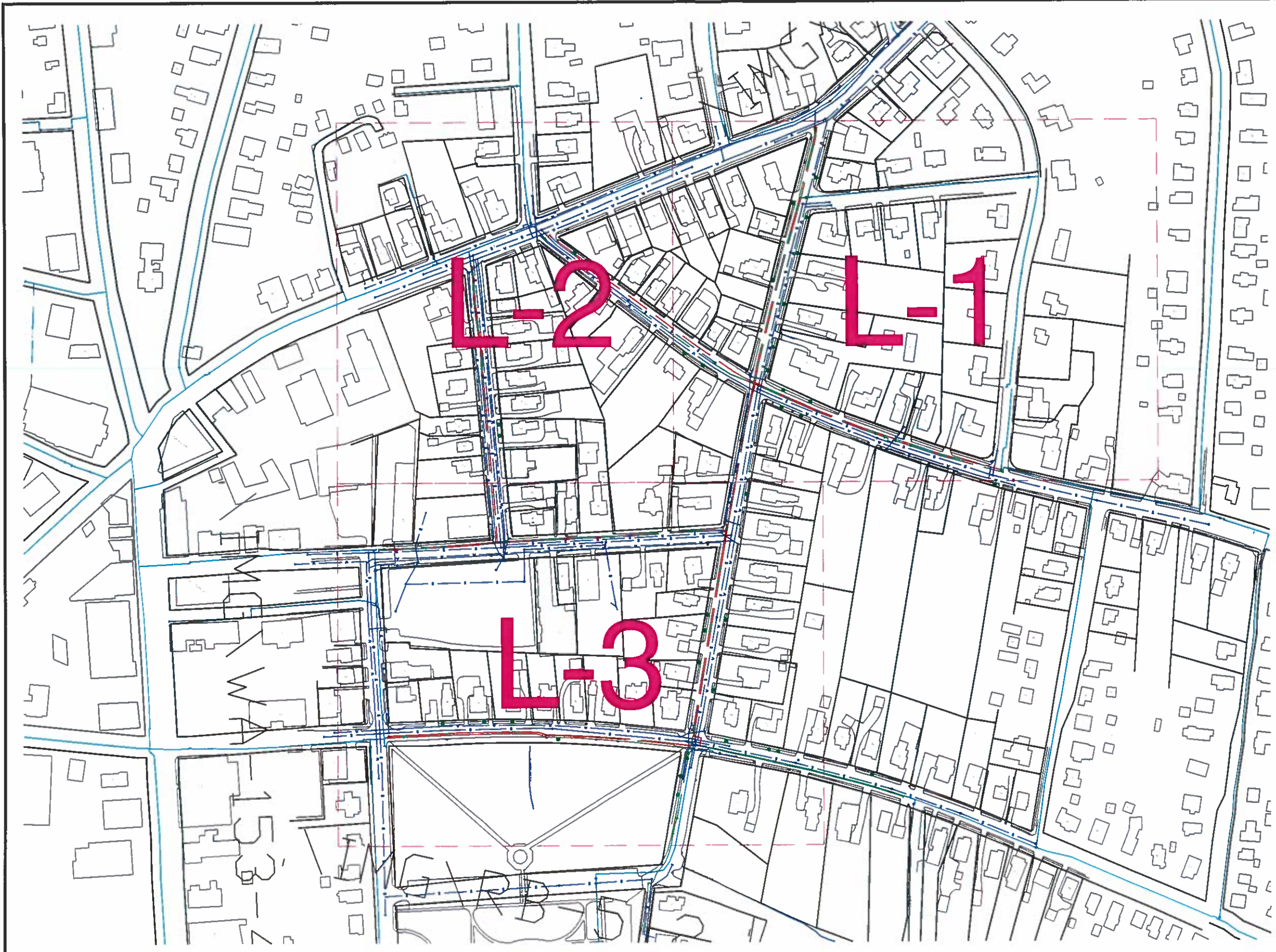
JO# 17-0849460-00
 JO# 17-0849461-00
 PROJECT ID# 17-43652
 WHITTIER ST.
 ANDOVER, ESSEX COUNTY

DRAWING TITLE:

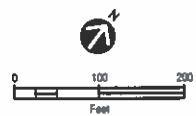
TITLE SHEET

DRAWING NO.:

T-1



Know what's below.
Call before you dig.



PROPOSED

REVISIONS

REV. #	DATE	DESCRIPTION
0	4.5.2017	ISSUED FOR CONSTRUCTION

DESIGNED BY	CHECKED BY	AS-BUILT BY	NAME	DATE	PHONE #
X	X	X			
RFW	4/5/17	CH			
X	X	X			
X	X	X			

SITE NAME:
 JO# 17-0849460-00
 JO# 17-0849461-00
 PROJECT ID# 17-43652
 WHITTIER ST
 ANDOVER, ESSEX COUNTY

PROJECT TITLE:
 OVERVIEW SHEET

DRAWING NO.:
 O-1



Know what's below.
Call before you dig.

KEY PLAN



0 480.0760 960.1537
Feet

PROPOSED

REVISIONS

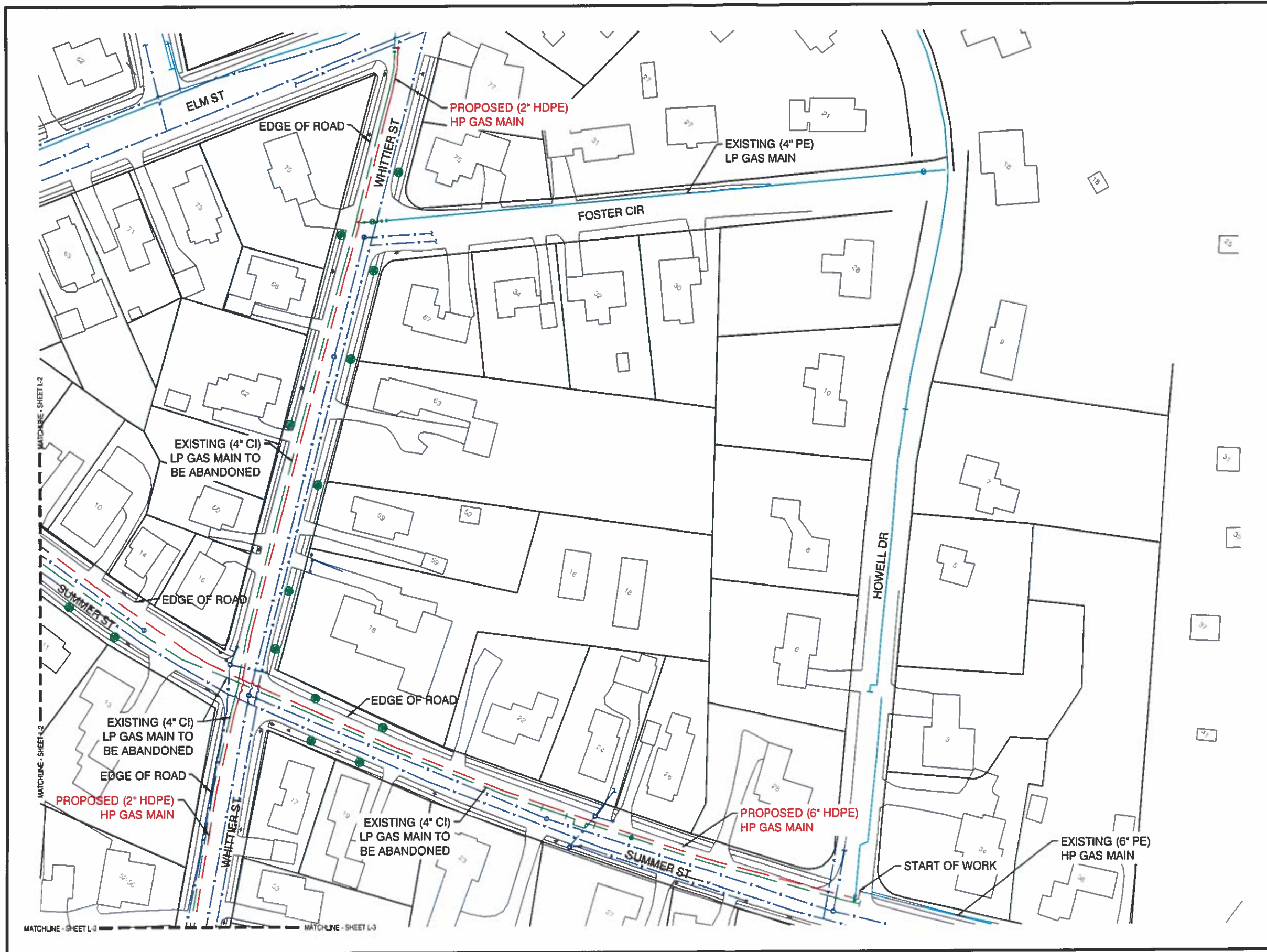
REV #	DATE	DESCRIPTION
0	4/5/2017	ISSUED FOR CONSTRUCTION

DESIGNED BY	CHECKED BY	DATE	PHONE #
X	X	X	X
RFW	4/5/17	CHE	
X	X	X	X
X	X	X	X

SITE NAME:
 JO# 17-0849460-00
 JO# 17-0849461-00
 PROJECT ID# 17-43652
 WHITTIER ST.
 ANDOVER, ESSEX COUNTY

PROJECT TITLE:
 LAYOUT SHEET

DRAWING NO.:
 L-1

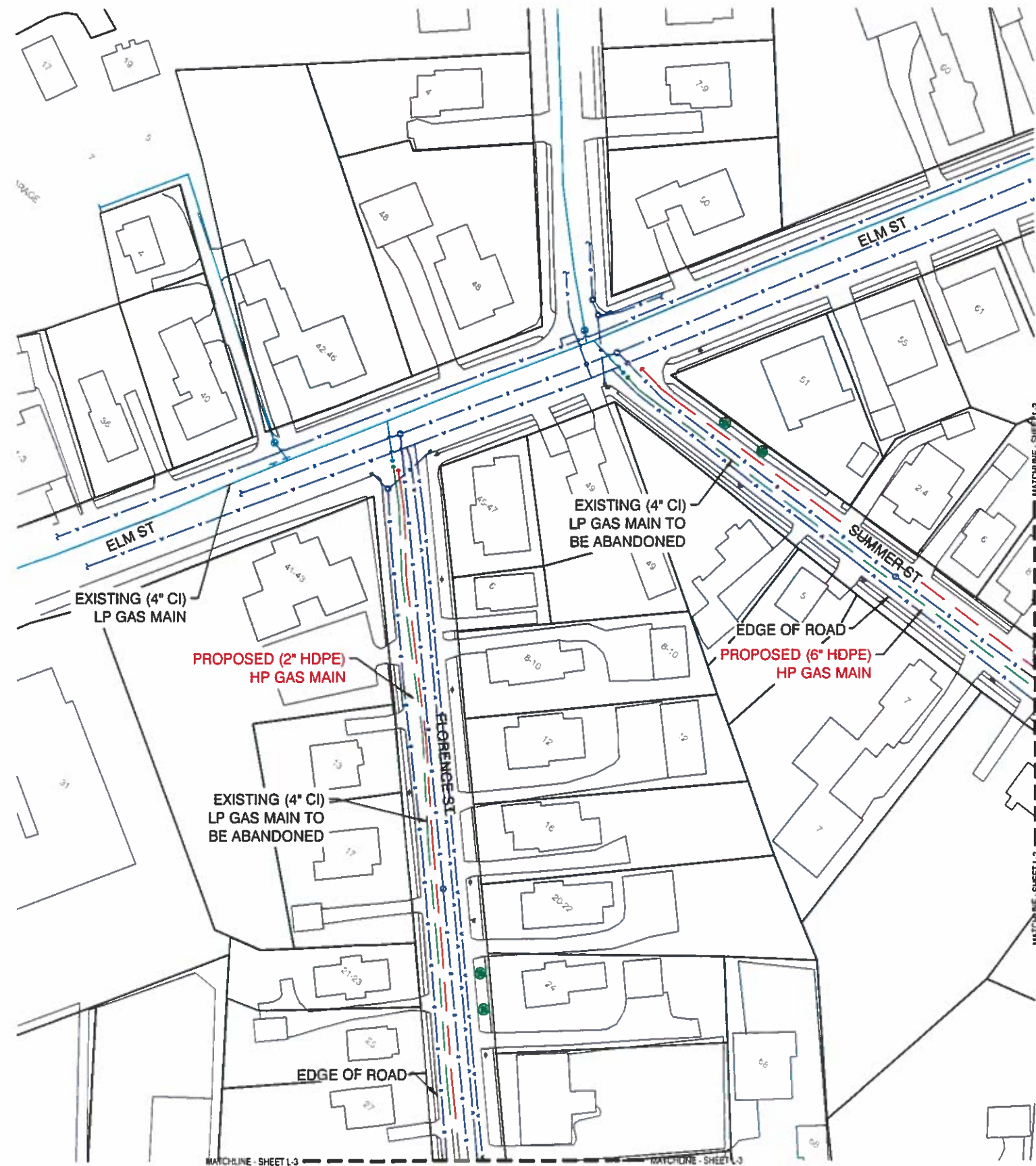


MATCHLINE - SHEET L-2

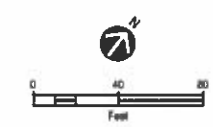
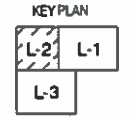
MATCHLINE - SHEET L-2

MATCHLINE - SHEET L-3

MATCHLINE - SHEET L-3



Know what's below.
Call before you dig.



PROPOSED

REVISIONS

REV. #	DATE	DESCRIPTION
0	4/5/2017	ISSUED FOR CONSTRUCTION

DESIGNED BY	CHECKED BY	DATE	PHONE #
X	X	4/5/17	CH
X	X		X
X	X		X

SITE NAME:
 JO# 17-0849460-00
 JO# 17-0849461-00
 PROJECT ID# 17-43652
 WHITTIER ST.
 ANDOVER, ESSEX COUNTY

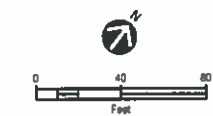
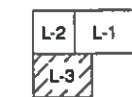
PROJECT TITLE:
 LAYOUT SHEET

DRAWING NO.
 L-2



Know what's below.
Call before you dig.

KEY PLAN



PROPOSED

REVISIONS

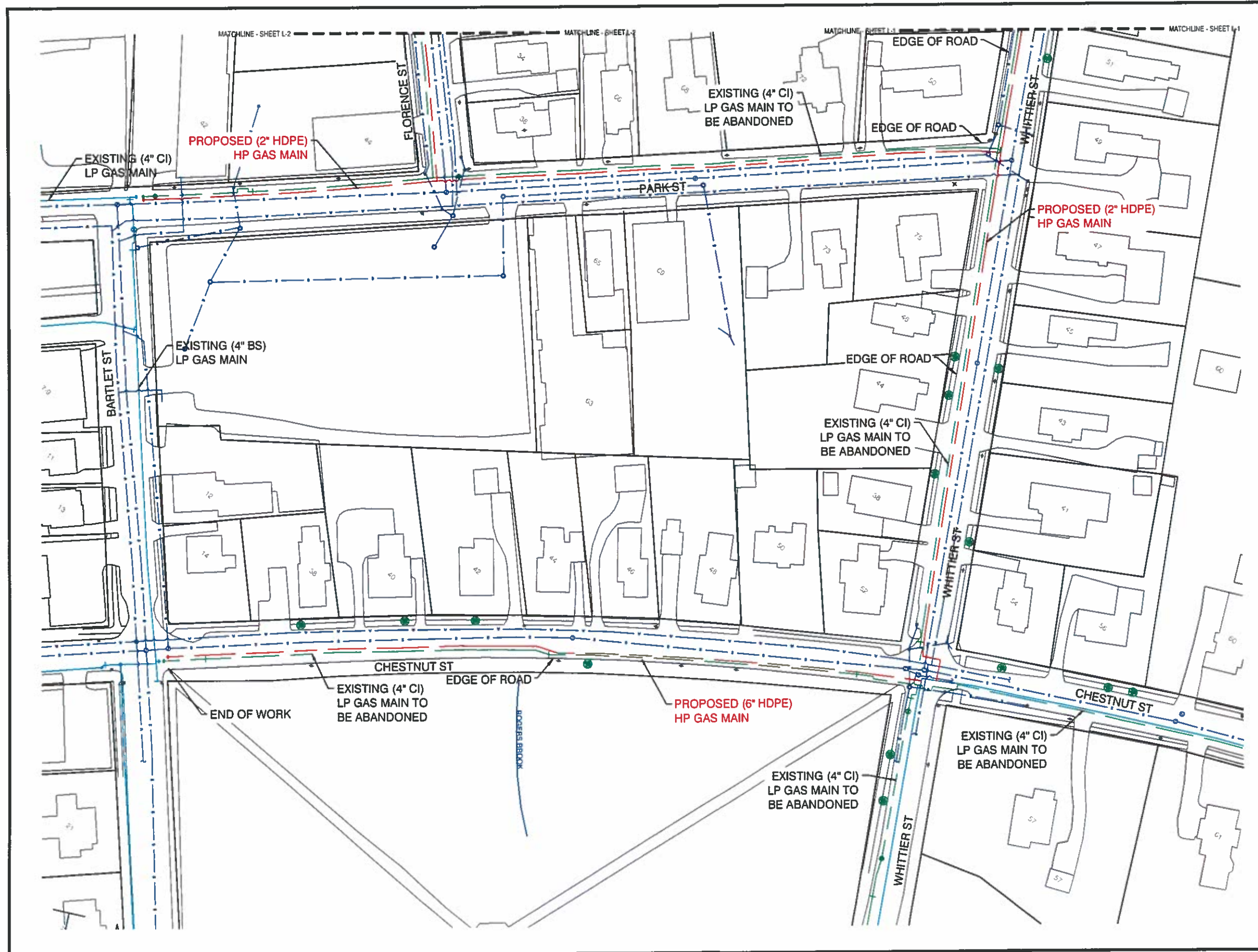
REV #	DATE	DESCRIPTION
0	4/5/2017	ISSUED FOR CONSTRUCTION

DESIGNED BY	CHECKED BY	DATE	PHONE #
X	X	4/5/17	C-6
RFW	X	X	X
X	X	X	X
X	X	X	X

SITE NAME:
JO# 17-0849460-00
JO# 17-0849461-00
PROJECT ID# 17-43652
 WHITTIER ST.
 ANDOVER, ESSEX COUNTY

PROJECT TITLE:
 LAYOUT SHEET

DRAWING NO:
L-3



AS-BUILT NOTES
(TO BE COMPLETED DURING CONSTRUCTION)



Know what's below.
Call before you dig.

PROPOSED

REVISIONS

REV. #	DATE	DESCRIPTION
0	4/5/2017	ISSUED FOR CONSTRUCTION

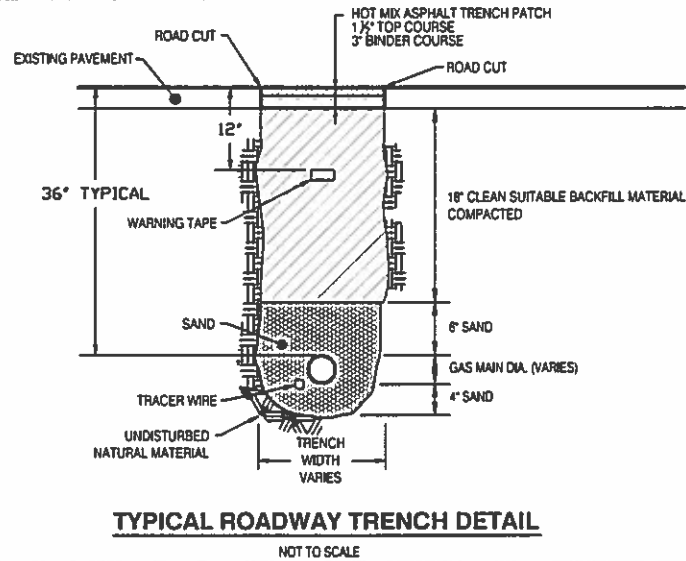
DESIGNED BY	X	X	X
DRAWN BY	RPW	4/5/17	CH
CHECKED BY	X	X	X
AS-BUILT BY	X	X	X
	NAME	DATE	PHONE #

SITE NAME:
 JO# 17-0849460-00
 JO# 17-0849461-00
PROJECT ID# 17-43652
 WHITTIER ST.
 ANDOVER, ESSEX COUNTY

DRAWING TITLE:
 CONSTRUCTION
 DETAILS

DRAWING NO.:
 D-1

PIPELINE PRESSURE TEST DATA <input type="checkbox"/> CGV <input type="checkbox"/> CKY <input type="checkbox"/> CMA <input type="checkbox"/> CMD <input type="checkbox"/> COH <input type="checkbox"/> CPA <input type="checkbox"/> NIPSCO LOA/TCC: _____ WO/JO: _____ RECORDING CHART <input type="checkbox"/> YES <input type="checkbox"/> NO RECORDER SERIAL NO: _____ REQUIRED MAOP: _____ PRESSURE SYSTEM NO: _____ TEST ACCEPTABLE: <input type="checkbox"/> YES <input type="checkbox"/> NO PIPELINE LOCATION (STREET, CITY, TOWN OR COUNTY) LENGTH SIZE PE/STEEL _____ _____ _____ TEST DATE: _____ TEST MEDIUM: _____ TEST PRESSURE: _____ START TIME: _____ STOP TIME: _____ DURATION: _____ PRINT NAME: _____ CONTRACTOR (IF APPLICABLE): _____ REMARKS*: _____ _____ _____ * DESCRIBE ANY LEAKAGE OR FAILURES FOUND DURING THE TEST AND THEIR DISPOSITION. NOTE SIGNIFICANT ELEVATION VARIATIONS ON WATER TESTS. FORM GS 1600.010-1 (5-2014)			
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TOWN OF ANDOVER

Town Clerk's Office

36 Bartlet Street
Andover, MA 01810
978-623-8230
townclerk@andoverma.gov

NOTICE

You are hereby notified that a Public Hearing will be held by the Andover Board of Selectmen at the Town Offices on Bartlet Street, in the third floor Selectmen's Conference Room on Monday, May 22, 2017 at 7:00 P.M.

This hearing is being held on a petition of Bay State Gas Company d/b/a Columbia Gas of Massachusetts, requesting permission to excavate for the purpose of replacing and/or extending its gas mains, according to blueprints hereto annexed and made a part of this petition, and to make the necessary house connections along said extensions, as follows:

- To excavate approximately **1170 feet on Summer Street from Howell Drive to Elm Street, 1420 feet on Whittier Street from Chestnut to Elm Street, 820 feet on Park Street from Whittier to Bartlet Street, 650 feet on Florence Street from Park to Elm Street, 750 feet of Chestnut Street from Whittier to Bartlet Street** for the purpose of replacing the Cast Iron / Bare Steel – low pressure gas main with Plastic – high pressure due to a water replacement project in the neighborhood.
- All existing gas services within the project scope will be tied into the new Plastic – high pressure main.

Plan# 17-43652
Job# 17-0849460-00

Plan(s) of the proposed work can be found on the Town of Andover web site at www.andoverma.gov in the Main Meetings Calendar by searching under the public hearing date.

Should you have any major concerns about this proposal, please call Veena Kothapalli, 978-691-6422, prior to the above-mentioned Selectmen's meeting date. A representative of the company will be available at 6:45 P.M. on the above date to answer any other questions you may have relating to the proposed work.

By order of the
Board of Selectmen

Lawrence J. Murphy
Town Clerk

Date: May 12, 2017
Plan# 17-43652
Job# 17-0849460-00

Columbia Gas[®] of Massachusetts

A NiSource Company

JOB ORDER NUMBER (INSTALL) 16-0847692-00

JOB ORDER NUMBER (ABANDON) 16-0847693-00

PROJECT ID 16-38295

HICKORY LN

JOB TYPE: BUDGET NAME (557/558)



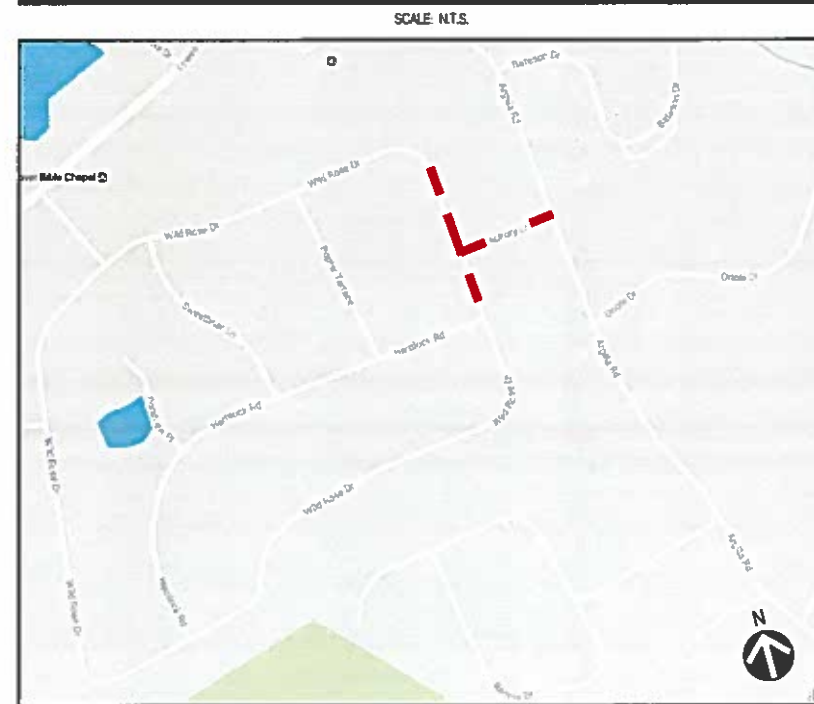
Know what's below.
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PROPOSED

PROJECT INFORMATION

FIELD ENGINEER/TECHNICIAN: K. BENOIT
 CONSTRUCTION FLL: ERICH SCHLITT
 PERMITS: CITY PERMIT
 STATE PERMIT
 ENVIRONMENTAL PERMIT
 TCC: 8400
 COUNTY: ESSEX (009)
 TAX DISTRICT: 401
 MAP NUMBER: AND-076
 SYSTEM NUMBER(S): 80001004
 24 HR. EMERGENCY LINE: COLUMBIA GAS OF MASSACHUSETTS
 1-800-525-8222

VICINITY MAP



SHEET INDEX

DWG.	DESCRIPTION
T-1	TITLE SHEET
O-1	OVERVIEW SHEET
L-1	LAYOUT PLAN
D-1	CONSTRUCTION DETAILS

PROJECT SUMMARY TABLE

PROPOSED INSTALLATION			PROPOSED ABANDONMENT		
LENGTH (FT)	SIZE (IN)	TYPE	LENGTH (FT)	SIZE (IN)	TYPE
680'	6"	HDPE	650'	6"	BS
			30'	4"	BS
680'	TOTAL INSTALLATION (FEET)		680'	TOTAL ABANDONMENT (FEET)	
ESTIMATED GAS SERVICES			ESTIMATED GAS SERVICES		
	REPLACEMENTS	TIE OVERS	TOTAL SERVICES	METER OUTS	
	6	0	6	0	

LEGEND

	EXISTING GAS MAIN		TEST WELL
	EXISTING GAS MAIN TO BE ABANDONED		REGULATOR STATION
	PROPOSED GAS MAIN		SINGLE CUSTOMER REGULATOR
	PROPOSED GAS MAIN UPRATE		METER
	COATED STEEL GAS MAIN		METER WITH REGULATOR
	CAST IRON GAS MAIN		TEST POINT (STATION)
	BARE STEEL GAS MAIN		GAS SERVICE TIE-OVER
	WROUGHT IRON GAS MAIN		GAS SERVICE REPLACEMENT
	HIGH DENSITY POLYETHYLENE GAS MAIN		METER MOVE OUT
	MEDIUM DENSITY POLYETHYLENE GAS MAIN		TELEPHONE MANHOLE
	LOW PRESSURE		DRAIN MANHOLE
	INTERMEDIATE PRESSURE		ELECTRIC MANHOLE
	MEDIUM PRESSURE		CATCH DRAIN
	HIGH PRESSURE		SEWER MANHOLE
	ATTACHED		FIRE HYDRANT
	BRIDGE HANGER		UTILITY POLE
	BUILDING HANGER		WETLAND
	DIRECTIONAL BORE		GAS VALVE
	INSERTED		CRITICAL GAS VALVE
	OPEN CUT		PRESSURE CONTROL FITTINGS
	PNEUMATIC BORE		TRANSITION
	PLOWED		END CAP
	ROOF TOP		REDUCER
	EXISTING		ELECTRONIC MARKER
	PROPOSED		GAS MAIN TIE IN LOCATION
	WELD LOCATION		GAS MAIN ABANDONMENT LOCATION

PROJECT DESCRIPTION

CMA WILL BE INSTALLING 640 FEET OF PLASTIC - HIGH PRESSURE MAIN ON HICKORY LANE AND WILD ROSE DRIVE TO ABANDON THE EXISTING 6" BARE STEEL - HIGH PRESSURE MAIN DUE TO LEAK HISTORY AND POOR CONDITION OF THE PIPE.

GENERAL NOTES

- THE PROPOSED GAS MAIN SHOWN IS APPROXIMATE AND SUBJECT TO CHANGE
- PROPERTY LINE, STRUCTURES, STREET LINE, ETC. WAS COMPILED THE COLUMBIA GAS GIS DATA BASE AND ARE TO BE CONSIDERED APPROXIMATE.
- EXISTING UTILITIES WHERE SHOWN HAVE BEEN COMPILED FROM ABOVE GROUND EVIDENCE ONLY AND ARE TO BE CONSIDERED APPROXIMATE. COLUMBIA GAS DOES NOT GUARANTEE THE LOCATION OF THE UNDERGROUND UTILITIES SHOWN OR THAT ALL EXISTING UTILITIES AND/OR SUBSURFACE STRUCTURES ARE SHOWN.

REVISIONS

REV. #	DATE	DESCRIPTION	
0	4/7/17	ISSUED FOR CONSTRUCTION	
DESIGNED BY:	K. BENOIT	4/7/17	978-382-5026
DRAWN BY:	ITM	4/7/2017	CH
CHECKED BY:	L. DERODAS	4/7/17	978-701-3825
ISSUED BY:	X	X	X
	NAME	DATE	PHONE #

SITE NAME:

JO# 16-0847692-00
 JO# 16-0847693-00
 PROJECT ID# 16-38295
 HICKORY LN
 ANDOVER, ESSEX

DRAWING TITLE:

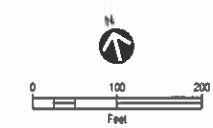
TITLE SHEET

DRAWING NO.:

T-1



Know what's below.
Call before you dig.



PROPOSED

REVISIONS

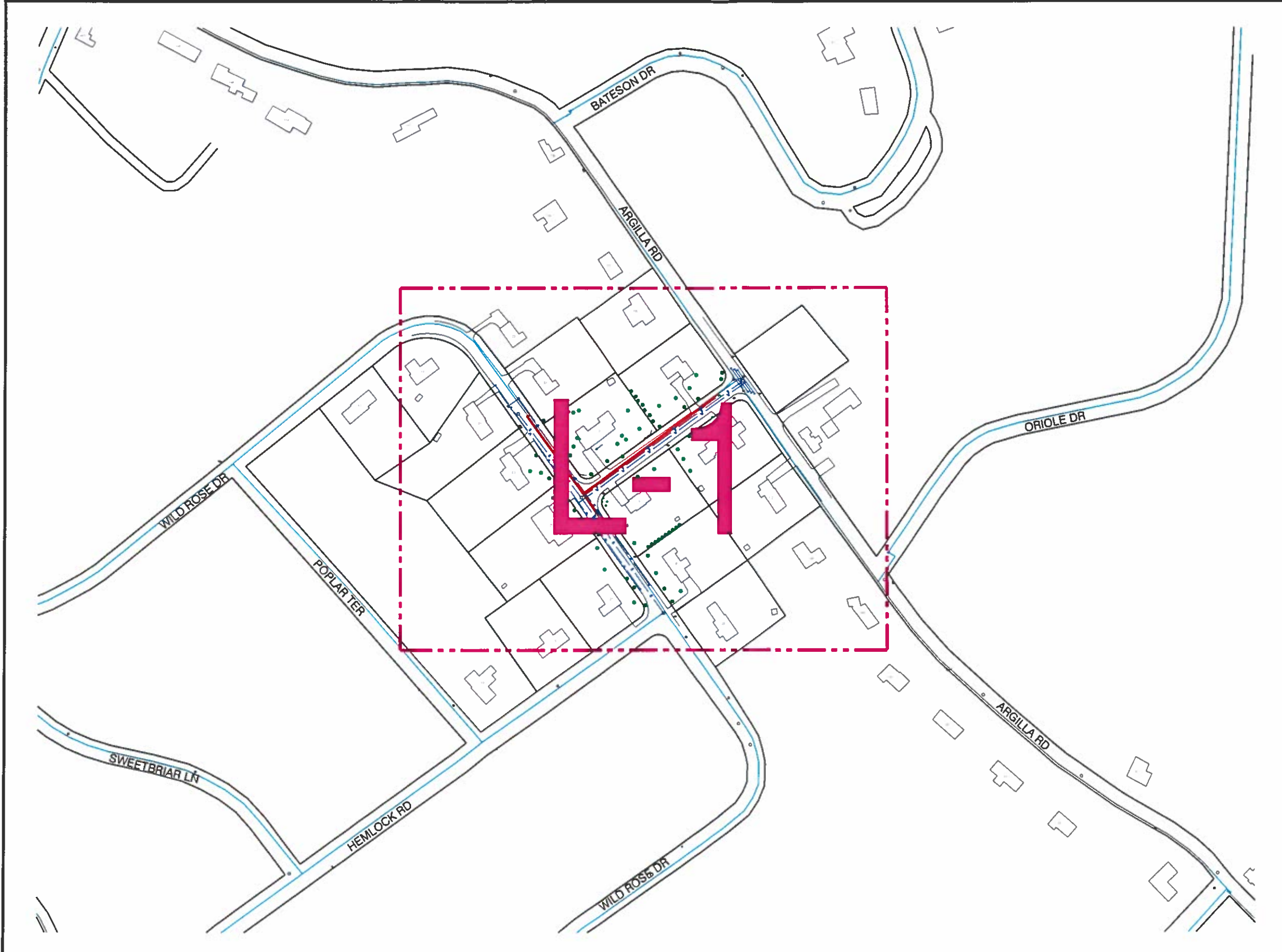
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DESIGNED BY	DATE	PHONE #
K. BENNETT	4/7/17	978-382-5828
DRAWN BY	DATE <td>PHONE #</td>	PHONE #
ITM	4/7/2017	C-4
CHECKED BY	DATE <td>PHONE #</td>	PHONE #
L. DEROUAS	4/7/17	978-701-3825
ISSUED BY	DATE <td>PHONE #</td>	PHONE #
X	X	X

SITE NAME
JO# 16-0847692-00
JO# 16-0847693-00
PROJECT ID# 16-38295
 HICKORY LN
 ANDOVER ESSEX

PROJECT TITLE
 OVERVIEW SHEET

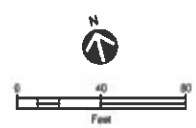
DRAWING NO.
 O-1





Know what's below.
Call before you dig.

KEY PLAN



PROPOSED

REVISIONS

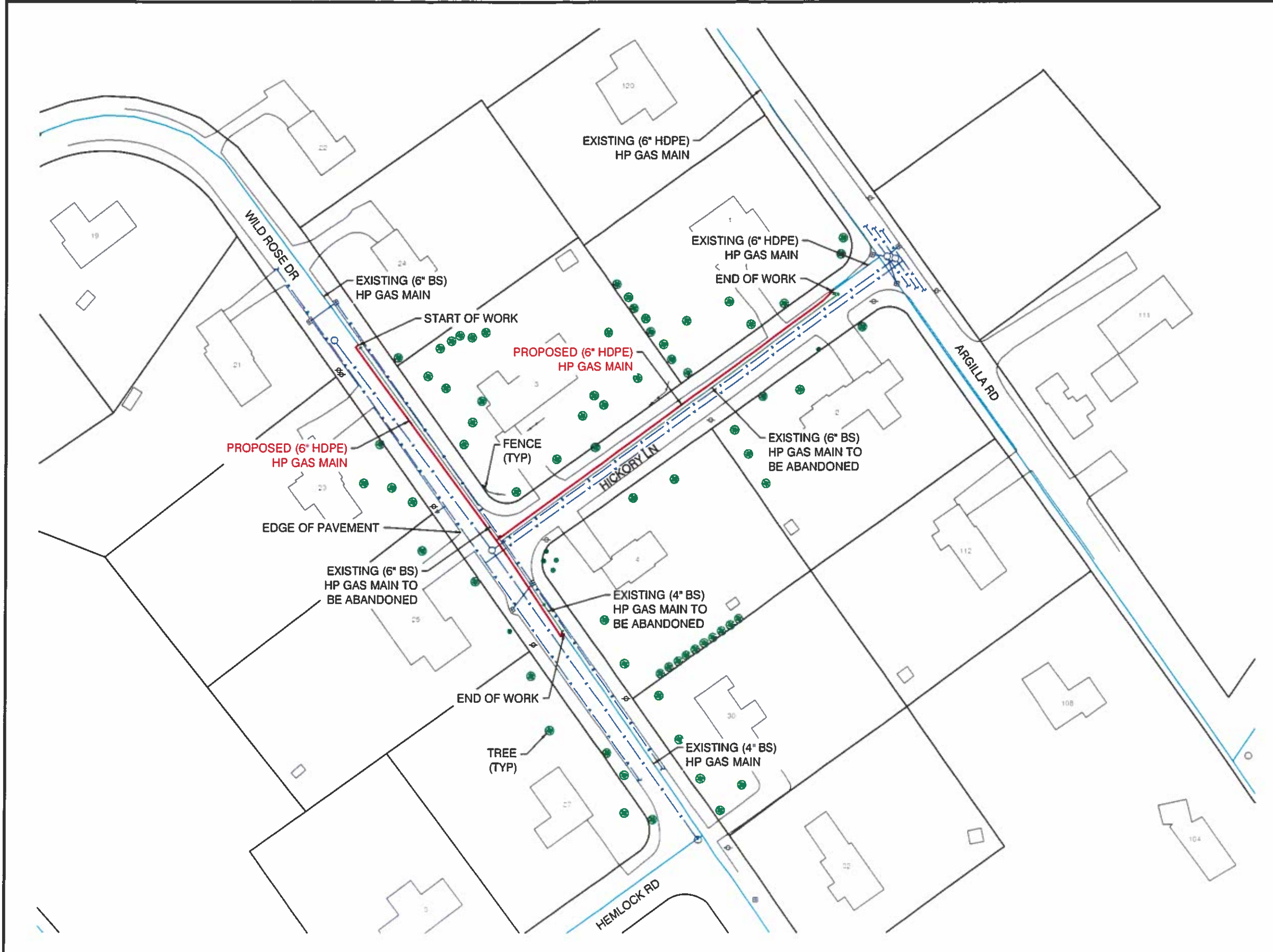
REV #	DATE	DESCRIPTION
1	4/7/17	ISSUED FOR CONSTRUCTION

DESIGNED BY	DRAWN BY	CHECKED BY	AS-BUILT BY	DATE	PHONE #
K. BENDOR	ITM	L. DEKORAS	X	4/7/2017	978-382-5026

SITE NAME
 JO# 16-0847692-00
 JO# 16-0847693-00
 PROJECT ID# 16-38295
 HICKORY LN
 ANDOVER, ESSEX

PROJECT TITLE
 LAYOUT SHEET

DRAWING NO.
 L-1



AS-BUILT NOTES
(TO BE COMPLETED DURING CONSTRUCTION)



PROPOSED

REVISIONS

REV. #	DATE	DESCRIPTION
0	4.7.17	ISSUED FOR CONSTRUCTION

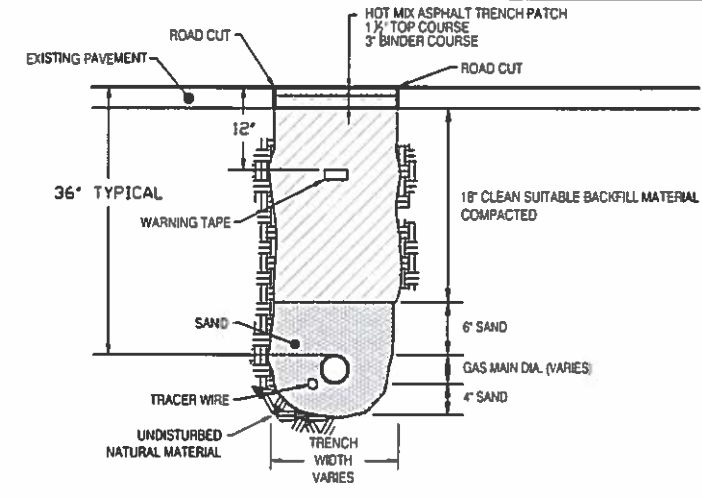
DESIGNED BY:	K. BEHRT	4.7.17	978-382-4029
DRAWN BY:	DM	4.7.2017	CM
CHECKED BY:	L. DEPOULAS	4.7.17	978-701-3823
AS-BUILT BY:	X	X	X
	NAME	DATE	PHONE #

SITE NAME:
JO# 16-0847692-00
JO# 16-0847693-00
PROJECT ID# 16-38295
 HICKORY LN
 ANDOVER, ESSEX

DRAWING TITLE:
 CONSTRUCTION
 DETAILS

DRAWING NO.:
 D-1

PIPELINE PRESSURE TEST DATA			
<input type="checkbox"/> CGV	<input type="checkbox"/> CKY	<input type="checkbox"/> CMA	<input type="checkbox"/> CMD
<input type="checkbox"/> COH	<input type="checkbox"/> CPA	<input type="checkbox"/> NIPSCO	
LOA/TCC: _____	WO/JO: _____	REQUIRED MAOP: _____	
RECORDING CHART <input type="checkbox"/> YES <input type="checkbox"/> NO	RECORDER SERIAL NO: _____	TEST ACCEPTABLE: <input type="checkbox"/> YES <input type="checkbox"/> NO	
PRESSURE SYSTEM NO: _____	PIPELINE LOCATION (STREET, CITY, TOWN OR COUNTY)	LENGTH	SIZE
			PE/STEEL
TEST DATE: _____	TEST MEDIUM: _____	TEST PRESSURE: _____	
START TIME: _____	STOP TIME: _____	DURATION: _____	
PRINT NAME: _____	CONTRACTOR (IF APPLICABLE): _____		
REMARKS:			
* DESCRIBE ANY LEAKAGE OR FAILURES FOUND DURING THE TEST AND THEIR DISPOSITION. NOTE SIGNIFICANT ELEVATION VARIATIONS ON WATER TESTS.			
FORM GS 1500.010-1 (5-2014)			



TYPICAL ROADWAY TRENCH DETAIL

NOT TO SCALE



TOWN OF ANDOVER

Town Clerk's Office

36 Bartlet Street
Andover, MA 01810
978-623-8230
townclerk@andoverma.gov

NOTICE

You are hereby notified that a Public Hearing will be held by the Andover Board of Selectmen at the Town Offices on Bartlet Street, in the third floor Selectmen's Conference Room on Monday, May 22, 2017 at 7:00 P.M.

This hearing is being held on a petition of Bay State Gas Company d/b/a Columbia Gas of Massachusetts, requesting permission to excavate for the purpose of replacing and/or extending its gas mains, according to blueprints hereto annexed and made a part of this petition, and to make the necessary house connections along said extensions, as follows:

- Installation of 640 feet of plastic – high pressure gas main on **Hickory Lane** and **Wild Rose Drive**. This is being done in order to abandon the existing 6 inch and 4 inch bare steel – high pressure main due to prior leak history and poor condition of the pipe.

Plan #: 16-38295

Job #: 16-0847692-00

Plan(s) of the proposed work can be found on the Town of Andover web site at www.andoverma.gov in the Main Meetings Calendar by searching under the public hearing date.

Should you have any major concerns about this proposal, please call Kyle Benoit, 978-691-6422, prior to the above-mentioned Selectmen's meeting date. A representative of the company will be available at 6:45 P.M. on the above date to answer any other questions you may have relating to the proposed work.

By order of the
Board of Selectmen

Lawrence J. Murphy
Town Clerk

Date: May 12, 2017

Plan #: 16-38295

Job #: 16-0847692-00

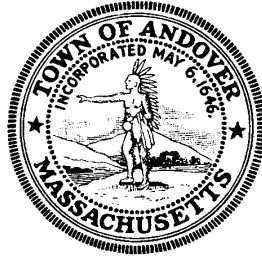


TOWN OF ANDOVER

Town Clerk's Office

36 Bartlet Street
Andover, MA 01810
978-623-8255
townclerk@andoverma.gov

TOWN OF ANDOVER



PUBLIC HEARING

Notice is hereby given under Chapter 138 of the General Laws, as amended, that C7 Hospitality Group LLC, d/b/a Bueno Malo, 9 Locke Street, Andover, MA has applied for an All Alcohol Restaurant Alcoholic Beverage License at 93 Main Street, Suite 120, Andover, MA. Franco Lozano III, 9 Locke Street, Andover, MA is the proposed designated manager.

The premises to be described as follows: Total interior existing space of approx. 2,064 sq. ft., total patio/deck/ outdoor space of approx. 298 sq. ft., 2 entrances and 3 exits, and proposed seating capacity of 49.

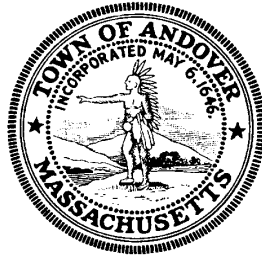
The public hearing will be held on Monday, May 22, 2017, in Conference Room A on the third floor of the Andover Town Offices, 36 Bartlet Street, Andover, Massachusetts at 7:00 p.m. in accordance with the General Laws relating thereto.

By Order of the
Board of Selectmen

Lawrence J. Murphy
Town Clerk

Date of Issue: Thursday, May 11, 2017

TOWN OF ANDOVER



PUBLIC HEARING

Notice is hereby given under Chapter 138 of the General Laws, as amended, that Old Andover Restaurant, Inc., 207 North Main Street, Andover, MA, dba Grassfields Restaurant, has applied for a Transfer of an All Alcohol Restaurant Alcoholic Beverage License at 207 North Main Street, Andover. Debra Ann McNiff of 106 Central Street, Byfield, MA is the designated manager. Old Andover Restaurant, Inc. has also applied to pledge the license to American Food Holding, Inc.

The public hearing will be held on May 22, 2017 in Conference Room A on the third floor of the Andover Town Offices, 36 Bartlet Street, Andover, Massachusetts at 7:00 p.m. in accordance with the General Laws relating thereto.

By Order of the
Board of Selectmen

Lawrence J. Murphy
Town Clerk

Date of Issue: Thursday, May 11, 2017



Massachusetts State Lottery Commission

DEBORAH B. GOLDBERG
Treasurer and Receiver General

MICHAEL R. SWEENEY
Executive Director

2017 MAY 11 A 9:28

OFFICE OF ANDOVER, MASS

May 8, 2017

Andover Board of Selectmen
36 Bartlet Street
Andover, MA 01810

Dear Sir/Madam:

The Massachusetts State Lottery is offering a KENO monitor to existing KENO To Go agents to display the game at their location. In accordance with M.G.L. c 10, section 27A, as amended, you are hereby notified of the Lottery's intent to install a monitor at the following KENO To Go agent(s) in your community:

Marc's Snack Bar
310 Lowell Street
Andover, MA 01810

If you object to these agent(s) receiving a monitor, you must do so, in writing, within twenty-one (21) days of receipt of this letter. Please address your written objection to Carol-Ann Fraser, General Counsel, Legal Department, Massachusetts State Lottery Commission, 60 Columbian Street, Braintree, MA 02184. Should you have any questions regarding this program or any other issues relative to the Lottery, please call me at 781-849-5555. I look forward to working with you as the Lottery continues its' efforts to support the 351 cities and towns of the Commonwealth.

Sincerely,

Michael R. Sweeney
Executive Director

Certified Mail – Return Receipt Requested:
7001 2510 0004 1228 8618



Supporting the 351 Cities and Towns of Massachusetts



Andrew P. Flanagan
Town Manager

TOWN OF ANDOVER

Town Manager's Office
36 Bartlet Street
Andover, MA 01810
(978) 623-8215
www.andoverma.gov

May 16, 2017

Dear Andover Resident:

This letter is to inform you about an agenda item the Town will be discussing at a Board of Selectmen Meeting being held on Monday, May 22, 2017, Selectmen Conference Room, 3rd Floor, 36 Bartlet Street, at approximately 7:00 p.m. in reference to the enclosed notices we received from Ramaker Associates, Inc. who was retained by inMOTION Inc. to complete a NEPA and Section 106 review of antenna and equipment installation for a proposed 70 foot steel InMOTION monopole tower (overall height with appurtenances of 74 feet). The activities will occur within the Massachusetts Bay Transportation Authority (MBTA) existing and active railroad right-of-way.

The three locations are as follows:

Project #31931 at 49 Haverhill Street
Project #31930 at 2 Burnham Road
Project #31927 at 326 Ballardvale Street

For detailed information about these proposed projects please review the enclosed notices.

If you are unable to attend the meeting and want to provide comments or if you have any questions please contact Deputy Town Manager John Mangiaratti 978-623-8210 or via email john.mangiaratti@andoverma.us.

Sincerely,

Andrew P. Flanagan
Town Manager

Protecting Historic Properties

ADVISORY COUNCIL ON HISTORIC PRESERVATION

Protecting Historic Properties:

A CITIZEN'S GUIDE TO SECTION 106 REVIEW



WWW.ACHP.GOV

Preserving America's Heritage

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- 21 Following Through
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COVER PHOTOS:

Clockwise, from top left: Historic Downtown Louisville, Kentucky; Section 106 consultation at Medicine Lake, California; bighorn sheep petroglyph in Nine Mile Canyon, Utah (photo courtesy Jerry D. Spangler); Worthington Farm, Monocacy Battlefield National Historic Landmark, Maryland (photo courtesy Maryland State Highway Administration).

About the ACHP

The mission of the Advisory Council on Historic Preservation (ACHP) is to promote the preservation, enhancement, and sustainable use of our nation's historic resources, and advise the President and the Congress on national historic preservation policy.

The ACHP, an independent federal agency, also provides a forum for influencing federal activities, programs, and policies that affect historic properties. In addition, the ACHP has a key role in carrying out the Preserve America program.

The 23-member council is supported by a professional staff in Washington, D.C. For more information contact:

Advisory Council on Historic Preservation
401 F Street, NW, Suite 308
Washington, DC 20001-2637
(202) 517-0200
www.achp.gov

Introduction

Proud of your heritage? Value the places that reflect your community's history? You should know about Section 106 review, an important tool you can use to influence federal decisions regarding historic properties. By law, you have a voice when a project involving federal action, approval, or funding may affect properties that qualify for the National Register of Historic Places, the nation's official list of historic properties.

This guide from the Advisory Council on Historic Preservation (ACHP), the agency charged with historic preservation leadership within federal government, explains how your voice can be heard.

Each year, the federal government is involved with many projects that affect historic properties. For example, the Federal Highway Administration works with states on road improvements, the Department of Housing and Urban Development grants funds to cities to rebuild communities, and the General Services Administration builds and leases federal office space.

Agencies like the Forest Service, the National Park Service, the Bureau of Land Management, the Department of Veterans Affairs, and the Department of Defense make decisions daily

about the management of federal buildings, parks, forests, and lands. These decisions may affect historic properties, including those that are of traditional religious and cultural significance to federally recognized Indian tribes and Native Hawaiian organizations.

Projects with less obvious federal involvement can also have repercussions on historic properties. For example, the construction of a boat dock or a housing development that affects wetlands may also affect fragile archaeological sites and require a U.S. Army Corps of Engineers permit. Likewise, the construction of a cellular tower may require a license from the Federal Communications Commission and might compromise historic or culturally significant landscapes or properties valued by Indian tribes or Native Hawaiian organizations for traditional religious and cultural practices.

These and other projects with federal involvement can harm historic properties. The Section 106 review process gives you the opportunity to alert the federal government to the historic properties you value and influence decisions about projects that affect them.

Consultation Matters



The Bureau of Land Management worked with a large group of consulting parties to craft solutions to protect fragile rock art and other historic properties from the effects of increased truck traffic when natural gas wells were permitted near Nine Mile Canyon. (photo courtesy Jerry D. Spangler; Colorado Plateau Archaeological Alliance)

What is Section 106 Review?

In the National Historic Preservation Act of 1966 (NHPA), Congress established a comprehensive program to preserve the historical and cultural foundations of the nation as a living part of community life. Section 106 of the NHPA is crucial to that program because it requires consideration of historic preservation in the multitude of projects with federal involvement that take place across the nation every day.

Section 106 requires federal agencies to consider the effects of projects they carry out, approve, or fund on historic properties. Also, federal agencies must provide the ACHP an opportunity to comment on such projects prior to the agency's decision on them.

Section 106 review encourages, but does not mandate, preservation. Sometimes there is no way for a needed project to proceed without harming historic properties. Section 106 review does ensure that preservation values are factored into federal agency planning and decisions. Because of Section 106, federal agencies must assume responsibility for the consequences of the projects they carry out, approve, or fund on historic properties and be publicly accountable for their decisions.

Stewardship



The Owe'neh Bupingeh Preservation Project has had a profound impact on the Ohkay Owingeh community in New Mexico and is heralded as a model planning effort for Native American communities in historic settings. (mud plastering workshop photo by Tania Hammidi)

Understanding Section 106 Review

Regulations issued by the ACHP spell out the Section 106 review process, specifying actions federal agencies must take to meet their legal obligations. The regulations are published in the Code of Federal Regulations at 36 CFR Part 800, "Protection of Historic Properties," and can be found on the ACHP's Web site at www.achp.gov.

Federal agencies are responsible for initiating Section 106 review, most of which takes place between the agency and state and tribal or Native Hawaiian organization officials. Appointed by the governor, the State Historic Preservation Officer (SHPO) coordinates the state's historic preservation program and consults with agencies during Section 106 review.

Agencies also consult with officials of federally recognized Indian tribes when the projects have the potential to affect historic properties on tribal lands or historic properties of significance to such tribes located off tribal lands. Some tribes have officially designated Tribal Historic Preservation Officers (THPOs), while others designate representatives to consult with agencies as needed. In Hawaii, agencies consult with Native Hawaiian organizations (NHOs) when historic properties of religious and cultural significance to them may be affected.

To successfully complete Section 106 review, federal agencies must do the following:

- ▶ gather information to decide which properties in the area that may be affected by the project are listed, or are eligible for listing, in the National Register of Historic Places (referred to as "historic properties");
- ▶ determine how those historic properties might be affected;
- ▶ explore measures to avoid or reduce harm ("adverse effect") to historic properties; and
- ▶ reach agreement with the SHPO/THPO (and the ACHP in some cases) on such measures to resolve any adverse effects or, failing that, obtain advisory comments from the ACHP, which are sent to the head of the agency.

What are Historic Properties?

In the Section 106 process, a historic property is a prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places. This term includes artifacts, records, and remains that are related to and located within these National Register properties. The term also includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization, so long as that property also meets the criteria for listing in the National Register.

The National Register of Historic Places

The National Register of Historic Places is the nation's official list of properties recognized for their significance in American history, architecture, archaeology, engineering, and culture. It is administered by the National Park Service, which is part of the Department of the Interior. The Secretary of the Interior has established the criteria for evaluating the eligibility of properties for the National Register. In short, the property must be significant, be of a certain age, and have integrity:

- ▶ **Significance.** Is the property associated with events, activities, or developments that were important in the past? With the lives of people who were historically important? With distinctive architectural history, landscape history, or engineering achievements? Does it have the potential to yield important information through archaeological investigation about our past?
- ▶ **Age and Integrity.** Is the property old enough to be considered historic (generally at least 50 years old) and does it still look much the way it did in the past?

During a Section 106 review, the federal agency evaluates properties against the National Register criteria and seeks the consensus of the SHPO/THPO/tribe regarding eligibility. A historic property need not be formally listed in the National Register in order to be considered under the Section 106 process. Simply coming to a consensus determination that a property is eligible for listing is adequate to move forward with Section 106 review. (For more information, visit the National Register Web site at www.cr.nps.gov/nr).

When historic properties may be harmed, Section 106 review usually ends with a legally binding agreement that establishes how the federal agency will avoid, minimize, or mitigate the adverse effects. In the very few cases where this does not occur,

the ACHP issues advisory comments to the head of the agency who must then consider these comments in making a final decision about whether the project will proceed.

Section 106 reviews ensure federal agencies fully consider historic preservation issues and the views of the public during project planning. Section 106 reviews do not mandate the approval or denial of projects.



SECTION 106: WHAT IS AN ADVERSE EFFECT?

If a project may alter characteristics that qualify a specific property for inclusion in the National Register in a manner that would diminish the integrity of the property, that project is considered to have an adverse effect. Integrity is the ability of a property to convey its significance, based on its location, design, setting, materials, workmanship, feeling, and association.

Adverse effects can be direct or indirect and include the following:

- ▶ physical destruction or damage
- ▶ alteration inconsistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties
- ▶ relocation of the property
- ▶ change in the character of the property's use or setting
- ▶ introduction of incompatible visual, atmospheric, or audible elements
- ▶ neglect and deterioration
- ▶ transfer, lease, or sale of a historic property out of federal control without adequate preservation restrictions

Determining Federal Involvement

If you are concerned about a proposed project and wondering whether Section 106 applies, you should first determine whether the federal government is involved. Will a federal agency fund or carry out the project? Is a federal permit, license, or approval needed? Section 106 applies only if a federal agency is carrying out the project, approving it, or funding it, so confirming federal involvement is critical.



IS THERE FEDERAL INVOLVEMENT? CONSIDER THE POSSIBILITIES:

Is a federally owned or federally controlled property involved, such as a military base, park, forest, office building, post office, or courthouse? Is the agency proposing a project on its land, or would it have to provide a right-of-way or other approval to a private company for a project such as a pipeline or mine?

Is the project receiving federal funds, grants, or loans? If it is a transportation project, frequent sources of funds are the Federal Highway Administration, the Federal Transit Administration, and the Federal Railroad Administration. Many local government projects receive funds from the Department of Housing and Urban Development. The Federal Emergency Management Agency provides funds for disaster relief.

Does the project require a federal permit, license, or other approval? Often housing developments impact wetlands, so a U.S. Army Corps of Engineers permit may be required. Airport projects frequently require approvals from the Federal Aviation Administration.

Many communications activities, including cellular tower construction, are licensed by the Federal Communications Commission. Hydropower and pipeline development requires approval from the Federal Energy Regulatory Commission. Creation of certain new bank branches must be approved by the Federal Deposit Insurance Corporation.

National Register



The National Register offers a rich diversity of properties such as Chicano Park in San Diego, California. (mural restoration photo by Ricardo Duffy, courtesy Caltrans)

Federal Funds



Interstate 70 at the Georgetown-Silver Plume National Historic Landmark, Colorado. Impacts to the historic mountain towns were expected due to the planned expansion of the interstate. (photo courtesy J.F. Sato & Associates)

MONITORING FEDERAL ACTIONS

The sooner you learn about proposed projects with federal involvement, the greater your chance of influencing the outcome of Section 106 review.

Learn more about the history of your neighborhood, city, or state. Join a local or statewide preservation, historical, or archaeological organization. These organizations are often the ones first contacted by federal agencies when projects commence.

If there is a clearinghouse that distributes information about local, state, tribal, and federal projects, make sure you or your organization is on its mailing list.

Make the SHPO/THPO/tribe aware of your interest.

Become more involved in state and local decision making. Local planning reviews may indicate whether there is federal involvement in a proposed project, so be mindful. Ask about the applicability of Section 106 to projects under state, tribal, or local review. Does your state, tribe, or community have preservation laws in place? If so, become knowledgeable about and active in the implementation of these laws.

Review the local newspaper for notices about projects being reviewed under other federal statutes, especially the National Environmental Policy Act (NEPA). Under NEPA, a federal agency must determine if its proposed major actions will significantly impact the environment. Usually, if an agency is preparing an Environmental Impact Statement under NEPA, it must also complete a Section 106 review for the project.



Sometimes federal involvement is obvious. Often, involvement is not immediately apparent. If you have a question, contact the project sponsor to obtain additional information and to inquire about federal involvement. All federal agencies have Web sites. Many list regional or local contacts and information on major projects. The SHPO/THPO/tribe, state or local planning commissions, or statewide historic preservation organizations may also have project information.

Once you have identified the responsible federal agency, write to the agency to request a project description and inquire about the status of project planning. Ask how the agency plans to comply with Section 106, and voice your concerns. Keep the SHPO/THPO/tribe advised of your interest and contacts with the federal agency.

Working with Federal Agencies

Throughout the Section 106 review process, federal agencies must consider the views of the public. This is particularly important when an agency is trying to identify historic properties that might be affected by a project and is considering ways to avoid, minimize, or mitigate harm to them.

Agencies must give the public a chance to learn about the project and provide their views. How agencies publicize projects depends on the nature and complexity of the particular project and the agency's public involvement procedures.

Public meetings are often noted in local newspapers and on television and radio. A daily government publication, the *Federal Register* (available at many public libraries and online at www.federalregister.gov), has notices concerning projects, including those being reviewed under NEPA. Federal agencies often use NEPA for purposes of public outreach under Section 106 review. Agencies may also coordinate their NEPA and Section 106 reviews.

Federal agencies also frequently contact local museums and historical societies directly to learn about historic properties and community concerns. In addition, organizations like the National Trust for Historic Preservation (NTHP) are actively engaged in a number of Section 106 consultations on projects around the country. The NTHP is a private, non-profit membership organization dedicated to saving historic

places and revitalizing America's communities. Organizations like the NTHP and your state and local historical societies and preservation interest groups can be valuable sources of information. Let them know of your interest.

When the agency provides you with information, let the agency know if you disagree with its findings regarding what properties are eligible for the National Register of Historic Places or how the proposed project may affect them. Tell the agency—in writing—about any important properties that you think have been overlooked or incorrectly evaluated. Be sure to provide documentation to support your views.

When the federal agency releases information about project alternatives under consideration, make it aware of the options you believe would be most beneficial. To support alternatives that would preserve historic properties, be prepared to discuss costs and how well your preferred alternatives would meet project needs. Sharing success stories about the treatment or reuse of similar resources can also be helpful.

Applicants for federal assistance or permits, and their consultants, often undertake research and analyses on behalf of a federal agency. Be prepared to make your interests and views known to them, as well. But remember the federal agency is ultimately responsible for completing Section 106 review, so make sure you also convey your concerns directly to it.

Learn About the Project



Hangar I, a historic dirigible hangar at Moffett Field at NASA Ames Research Center, California. The unique nature of this historic resource has drawn wide public, and some congressional, interest.

Influencing Project Outcomes

In addition to seeking the views of the public, federal agencies must actively consult with certain organizations and individuals during review. This interactive consultation is at the heart of Section 106 review.

Consultation does not mandate a specific outcome. Rather, it is the process of seeking, discussing, and considering the views of consulting parties about how project effects on historic properties should be handled.

To influence project outcomes, you may work through the consulting parties, particularly those who represent your interests. For instance, if you live within the local jurisdiction where a project is taking place, make sure to express your views on historic preservation issues to the local government officials who participate in consultation.

Speak Up



Residents in the Lower Mid-City Historic District in New Orleans express their opinions about the proposed acquisition and demolition of their properties for the planned new Department of Veterans Affairs and Louisiana State University medical centers which would replace the facilities damaged as a result of Hurricane Katrina.

You or your organization may want to take a more active role in Section 106 review, especially if you have a legal or economic interest in the project or the affected properties. You might also have an interest in the effects of the project as an individual, a business owner, or a member of a neighborhood association, preservation group, or other organization. Under these circumstances, you or your organization may write to the federal agency asking to become a consulting party.



WHO ARE CONSULTING PARTIES?

The following parties are entitled to participate as consulting parties during Section 106 review:

- ▶ Advisory Council on Historic Preservation;
- ▶ State Historic Preservation Officers;
- ▶ Federally recognized Indian tribes/THPOs;
- ▶ Native Hawaiian organizations;
- ▶ Local governments; and
- ▶ Applicants for federal assistance, permits, licenses, and other approvals.

Other individuals and organizations with a demonstrated interest in the project may participate in Section 106 review as consulting parties “due to the nature of their legal or economic relation to the undertaking or affected properties, or their concern with the undertaking’s effects on historic properties.” Their participation is subject to approval by the responsible federal agency.

When requesting consulting party status, explain in a letter to the federal agency why you believe your participation would be important to successful resolution. Since the SHPO/THPO or tribe will assist the federal agency in deciding who will participate in the consultation, be sure to provide the SHPO/THPO or tribe with a copy of your letter. Make sure to emphasize your relationship with the project and demonstrate how your connection will inform the agency's decision making.

If you are denied consulting party status, you may ask the ACHP to review the denial and make recommendations to the federal agency regarding your participation. However, the federal agency makes the ultimate decision on the matter.

Consulting party status entitles you to share your views, receive and review pertinent information, offer ideas, and consider possible solutions together with the federal agency and other consulting parties. It is up to you to decide how actively you want to participate in consultation.

Get Involved



Section 106 consultation with an Indian tribe

MAKING THE MOST OF CONSULTATION

Consultation will vary depending on the federal agency's planning process and the nature of the project and its effects.

Often consultation involves participants with a wide variety of concerns and goals. While the focus of some may be preservation, the focus of others may be time, cost, and the purpose to be served by the project.

Effective consultation occurs when you:

- ▶ keep an open mind;
- ▶ state your interests clearly;
- ▶ acknowledge that others have legitimate interests, and seek to understand and accommodate them;
- ▶ consider a wide range of options;
- ▶ identify shared goals and seek options that allow mutual gain; and
- ▶ bring forward solutions that meet the agency's needs.

Creative ideas about alternatives—not complaints—are the hallmarks of effective consultation.



How the ACHP Can Help

Under Section 106 review, most harmful effects are addressed successfully by the federal agency and the consulting parties without participation by the ACHP. So, your first points of contact should always be the federal agency and/or the SHPO/THPO.

When there is significant public controversy, or if the project will have substantial effects on important historic properties, the ACHP may elect to participate directly in the consultation. The ACHP may also get involved if important policy questions are raised, procedural problems arise, or if there are issues of concern to Indian tribes or Native Hawaiian organizations.

Whether or not the ACHP becomes involved in consultation, you may contact the ACHP to express your views or to request guidance, advice, or technical assistance. Regardless of the

scale of the project or the magnitude of its effects, the ACHP is available to assist with dispute resolution and advise on the Section 106 review process.

If you cannot resolve disagreements with the federal agency regarding which historic properties are affected by a project or how they will be impacted, contact the ACHP. The ACHP may then advise the federal agency to reconsider its findings.



CONTACTING THE ACHP: A CHECKLIST

If you have questions about Section 106 that the SHPO/THPO/federal agency cannot answer, you may contact the ACHP. Try to have the following information available:

- ▶ the name of the responsible federal agency and how it is involved;
- ▶ a description of the project;
- ▶ the historic properties involved; and
- ▶ a clear statement of your concerns about the project and its effect on historic properties.

If you suspect federal involvement but have been unable to verify it, or if you believe the federal agency or one of the other participants in review has not fulfilled its responsibilities under the Section 106 regulations, you can ask the ACHP to investigate. In either case, be as specific as possible.

Collecting Comments



A panel of ACHP members listen to comments during a public meeting.

When Agencies Don't Follow the Rules

A federal agency must conclude Section 106 review before making a decision to approve a project, or fund or issue a permit that may affect a historic property. Agencies should not make obligations or take other actions that would preclude consideration of the full range of alternatives to avoid or minimize harm to historic properties before Section 106 review is complete.

If the agency acts without properly completing Section 106 review, the ACHP can issue a finding that the agency has prevented meaningful review of the project. This means that, in the ACHP's opinion, the agency has failed to comply with Section 106 and therefore has not met the requirements of federal law.

A vigilant public helps ensure federal agencies comply fully with Section 106. In response to requests, the ACHP can investigate questionable actions and advise agencies to take corrective action. As a last resort, preservation groups or individuals can litigate in order to enforce Section 106.

If you are involved in a project and it seems to be getting off track, contact the agency to voice your concern. Call the SHPO or THPO to make sure they understand the issue. Call the ACHP if you feel your concerns have not been heard.

Following Through

Stay Informed



Milton Madison Bridge over the Ohio River between Kentucky and Indiana. Bridge projects can affect a variety of cultural and historic properties. (photo courtesy Wilbur Smith Associates/Michael Baker Engineers)

After agreements are signed, the public may still play a role in the Section 106 process by keeping abreast of the agreements that were signed and making sure they are properly carried out. The public may also request status reports from the agency.

Designed to accommodate project needs and historic values, Section 106 review relies on strong public participation. Section 106 review provides the public with an opportunity to influence how projects with federal involvement affect historic properties. By keeping informed of federal involvement, participating in consultation, and knowing when and whom to ask for help, you can play an active role in deciding the future of historic properties in your community.

Section 106 review gives you a chance to weigh in when projects with federal involvement may affect historic properties you care about. Seize that chance, and make a difference!

Contact Information

Advisory Council on Historic Preservation

Office of Federal Agency Programs
401 F Street, NW, Suite 308
Washington, DC 20001-2637
Phone: (202) 517-0200
Fax: (202) 517-6381
E-mail: achp@achp.gov
Web site: www.achp.gov

The ACHP's Web site includes more information about working with Section 106 and contact information for federal agencies, SHPOs, and THPOs. The ACHP also publishes Section 106 Success Stories at www.achp.gov/sec106_successes.html.

National Association of Tribal Historic Preservation Officers

P.O. Box 19189
Washington, D.C. 20036-9189
Phone: (202) 628-8476
Fax: (202) 628-2241
E-mail: info@nathpo.org
Web site: www.nathpo.org

National Conference of State Historic Preservation Officers

444 North Capitol Street, NW, Suite 342
Washington, D.C. 20001
Phone: (202) 624-5465
Fax: (202) 624-5419
Web site: www.ncshpo.org

For the SHPO in your state, see:
<http://ncshpo.org/shpodirectory.shtml>

National Park Service

Heritage Preservation Services
1849 C Street, NW (2255)
Washington, D.C. 20240
E-mail: NPS_HPS-info@nps.gov
Web site: www.nps.gov/history

National Register of Historic Places
1201 Eye Street, NW (2280)
Washington, D.C. 20005
Phone: (202) 354-2211
Fax: (202) 371-6447
E-mail: nr_reference@nps.gov
Web site: www.nps.gov/nr

National Trust for Historic Preservation

2600 Virginia Avenue, NW
Suite 1100
Washington, DC 20037
Phone: (800) 944-6847 or (202) 588-6000
Fax: (202) 588-6038
Web site: www.preservationnation.org

Office of Hawaiian Affairs

560 North Nimitz Highway
Suite 200
Honolulu, HI 96817
Phone: (808) 594-1835
Fax: (808) 594-1865
E-mail: info@oha.org
Web site: www.oha.org

Beneath the Surface



Ohio Department of Transportation workers made an unanticipated archaeological discovery while working just north of Chillicothe along state Route 104. It is a remnant of an Ohio & Erie Canal viaduct. (photo courtesy Bruce W. Aument, Staff Archaeologist, ODOT/Office of Environmental Services)

TO LEARN MORE

For detailed information about the ACHP, Section 106 review process, and our other activities, visit us at www.achp.gov or contact us at:

Advisory Council on Historic Preservation

401 F Street, NW, Suite 308

Washington, DC 20001-2637

Phone: (202) 517-0200

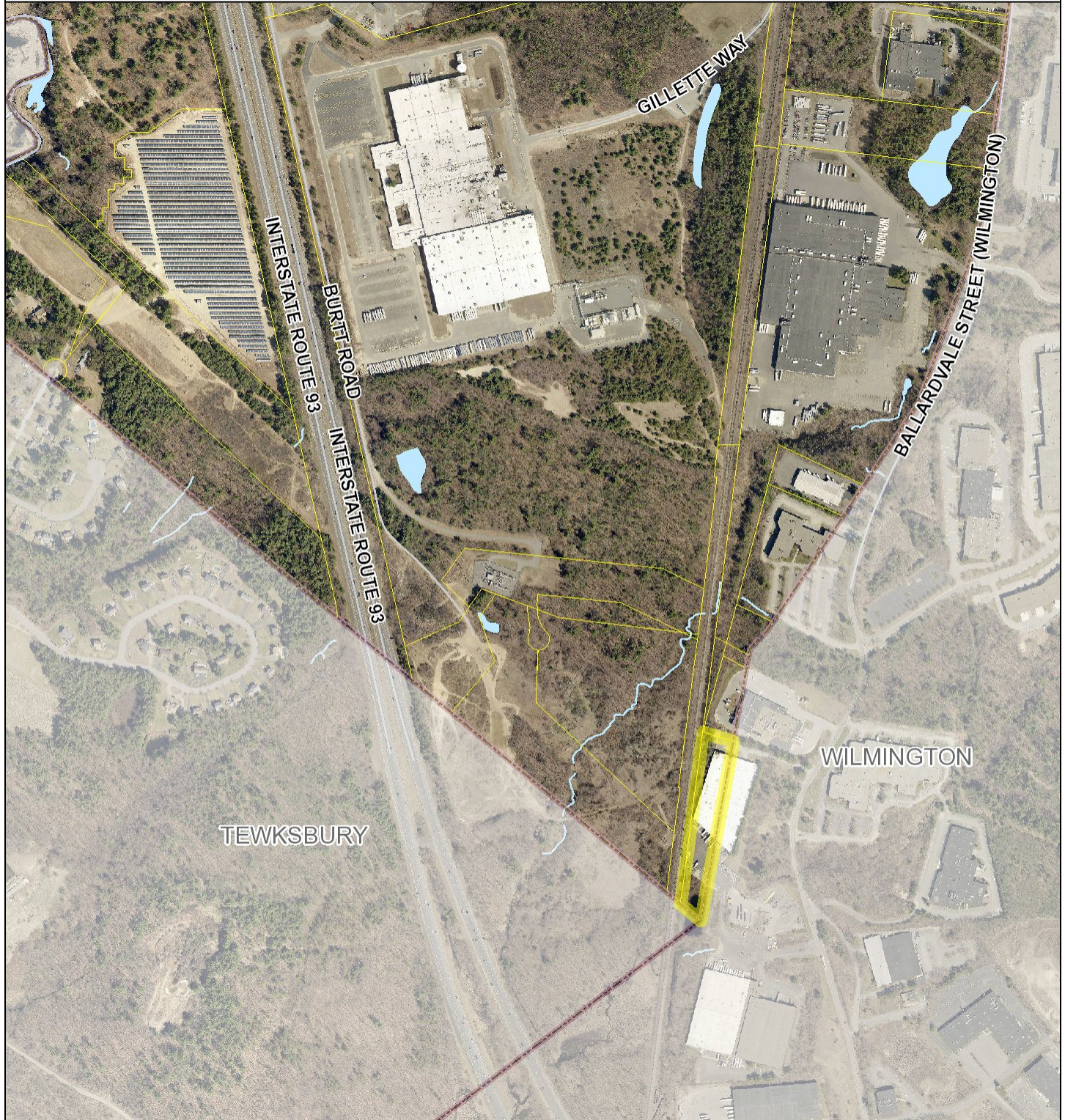
Fax: (202) 517-6381

E-mail: achp@achp.gov



WWW.ACHP.GOV

Preserving America's Heritage



- Parcels
- Roads
- Hydrographic Features
- Streams

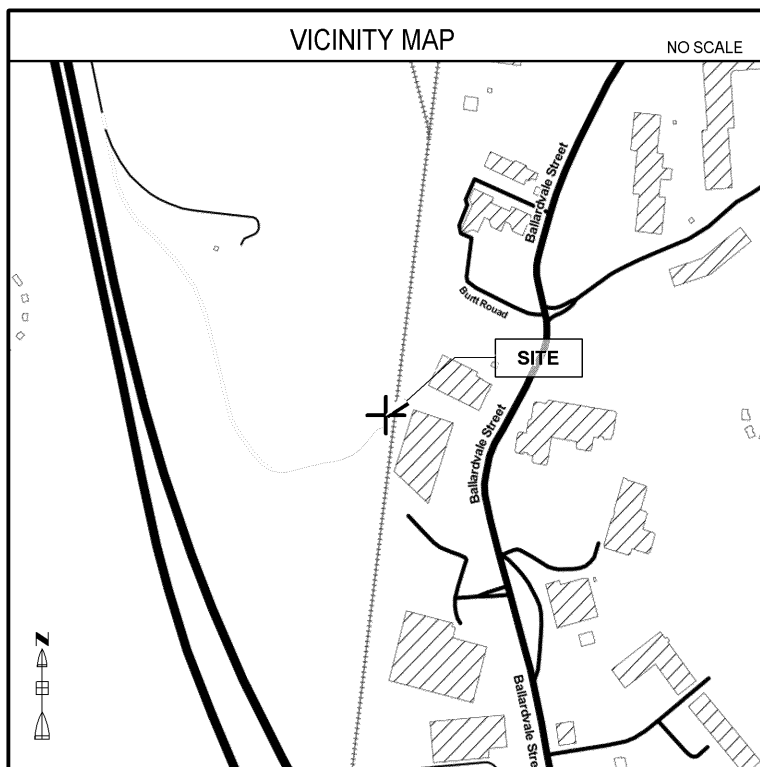
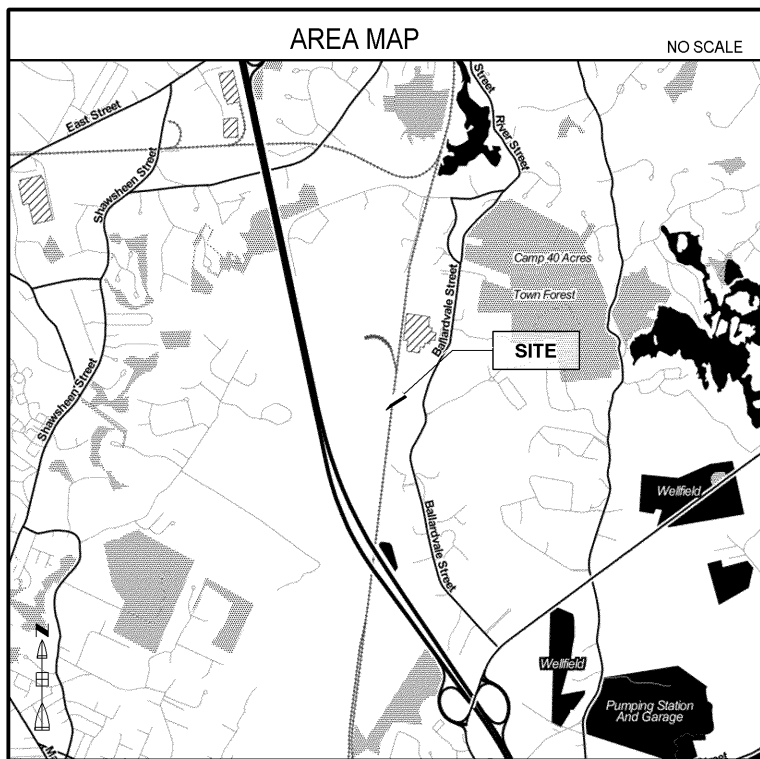
Horizontal Datum: MA Stateplane Coordinate System, Datum NAD83, Feet Data Sources: The data for this map was produced by Merrimack Valley Planning Commission (MVPC) using data provided by the Town of Andover. Additional data provided by the Executive Office of Environmental Affairs/MassGIS.

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1" = 723 ft



MBTA WIFI PROJECT BOSTHH012 ANDOVER 5

SITE TYPE
RAWLAND

STRUCTURE HEIGHT: **65'-0" AGL**
 STRUCTURE TYPE: **CONCRETE MONOPOLE**
 ANTENNA QTY: **4 WAYSIDE, 2 MW ANTENNAS**
 ANTENNA HEIGHT (CL): **SEE SHEET C2.1**
 EQUIPMENT MOUNTING: **POLE MOUNTED**

SITE INFORMATION

PROPERTY OWNER: MASSACHUSETTS BAY TRANSPORTATION AUTHORITY (MBTA)
 10 PARK PLAZA, SUITE 3910
 BOSTON, MA 02116

SITE ADDRESS (APPROXIMATE): 326 BALLARDVALE ST
 ANDOVER, MA 01810

NETWORK PROVIDER: INMOTION
 655 W GRAND AVE
 ELMHURST, IL 60126

PROJECT CONTACT: REZA KAZEMINIA
 (713) 294-9901

COUNTY: ESSEX

BUILDING CODE: MBTA RAILROAD OPERATIONS DIRECTORATE

LATITUDE: 42°35'58.97"N (42.599715°N) (NAD 83)
 LONGITUDE: 071°09'54.81"W (071.165225°W) (NAD 83)
 GROUND ELEVATION: 112 FEET (NGVD 29)

DRAWING INDEX

TOTAL PAGES: 3

NO.	SHEET NO.	SHEET TITLE	REVISIONS
1	T1.1	TITLE SHEET	
2	C1.1	SITE PLAN	
3	C2.1	ELEVATION	

GENERAL NOTES

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 WWW.FORGE-INC.COM

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 ELMHURST, IL 60126
 Tel. (630) 474-6699

APPROVALS

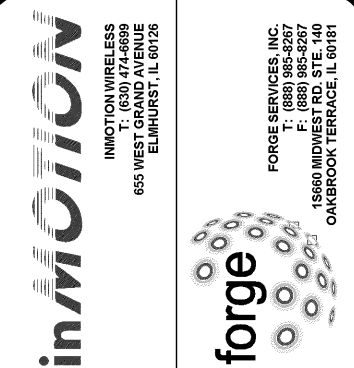
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MBTA REAL ESTATE			
MBTA CONSTRUCTION:			
RAIL ROAD OPERATIONS:			
INMOTION RF:			
INMOTION DEVELOPMENT:			



Know what's below.
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DRAFT

DATE SIGNED: _____

BOSTHH012
ANDOVER 5
326 BALLARDVALE ST
ANDOVER, MA 01810
RAWLAND

FORGE PROJECT NO: 6827
 DRAWN BY: AL
 CHECKED BY: TD

REV	DATE	DESCRIPTION
A	09/03/2015	PRELIM. MBTA APPROVAL

CONSTRUCT ONLY FROM DRAWINGS
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TITLE SHEET

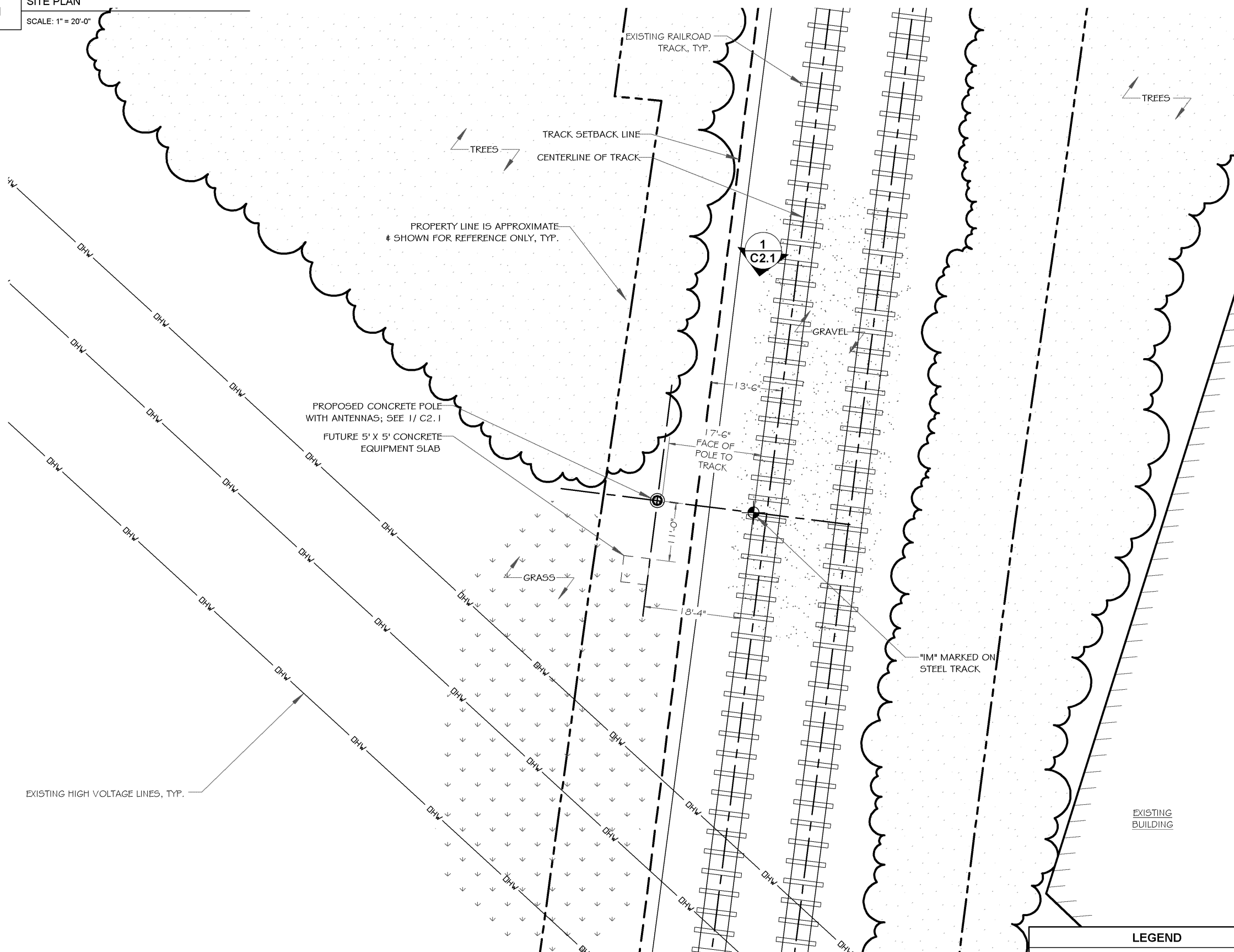
T1.1

LEGEND

- ⊙ MANHOLE/VALVE VAULT
- ⊕ CATCH BASIN
- ⊓ CURB INLET
- ⊕ VALVE (INDIVIDUAL SERVICE)
- ⊕ FIRE HYDRANT
- ⊕ STREET LIGHT/LIGHT POST
- ⊕ UTILITY/POWER POLE
- ⊕ GUY WIRE/ANCHOR
- ⊕ TELEPHONE PEDESTAL
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- ▽ FES (AT END OF PIPE)
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- ▭ DEPRESSED CURB
- ▭ CONCRETE CURB & GUTTER
- SS SANITARY SEWER
- STS STORM SEWER
- W WATER MAIN
- OE OVERHEAD ELECTRIC
- UE UNDERGROUND ELECTRIC
- OT OVERHEAD TELEPHONE
- UT UNDERGROUND TELEPHONE
- G GAS LINE
- C CABLE LINE
- ⊕ BUSH/SHRUB
- ⊕ TREE DECIDUOUS
- ⊕ TREE NON-DECIDUOUS
- ↘ DRAINAGE ARROW
- 57.0 CONTOUR LINE
- 57.0 SPOT ELEVATION
- T/F TOP OF FOUNDATION
- T/C TOP OF CONCRETE/CAISSON
- FF FINISHED FLOOR
- A.G.L. ABOVE GROUND LEVEL
- BOUNDARY LINE
- CONCRETE
- ASPHALT
- GRAVEL
- BRICK
- NEW BUILDING/EQUIPMENT
- EXISTING BUILDING
- LEASE SITE
- ACCESS EASEMENT

SITE PLAN

SCALE: 1" = 20'-0"



NOTES:

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- ELECTRIC UTILITY FINAL PATH SUBJECT TO SITE WALK WITH UTILITY COMPANY AFTER SITE LOCATION IS APPROVED
- FIBER ROUTE TO BE PROVIDED IN SEPARATE SUBMITTAL T.B.D.

LEGEND

- ⊕ IM BENCHMARK
- US PARCEL LINE
- MBTA RIGHT OF WAY LINE
- CLEARANCE LINE
- OHW OVERHEAD ELECTRIC (LAND TRACKER DATA)
- F PROPOSED ELECTRIC

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 ELMHURST, IL 60126

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 OAKBROOK TERRACE, IL 60181

DRAFT

DATE SIGNED: _____

**BOSTHH012
 ANDOVER 5**

326 BALLARDVALE ST
 ANDOVER, MA 01810

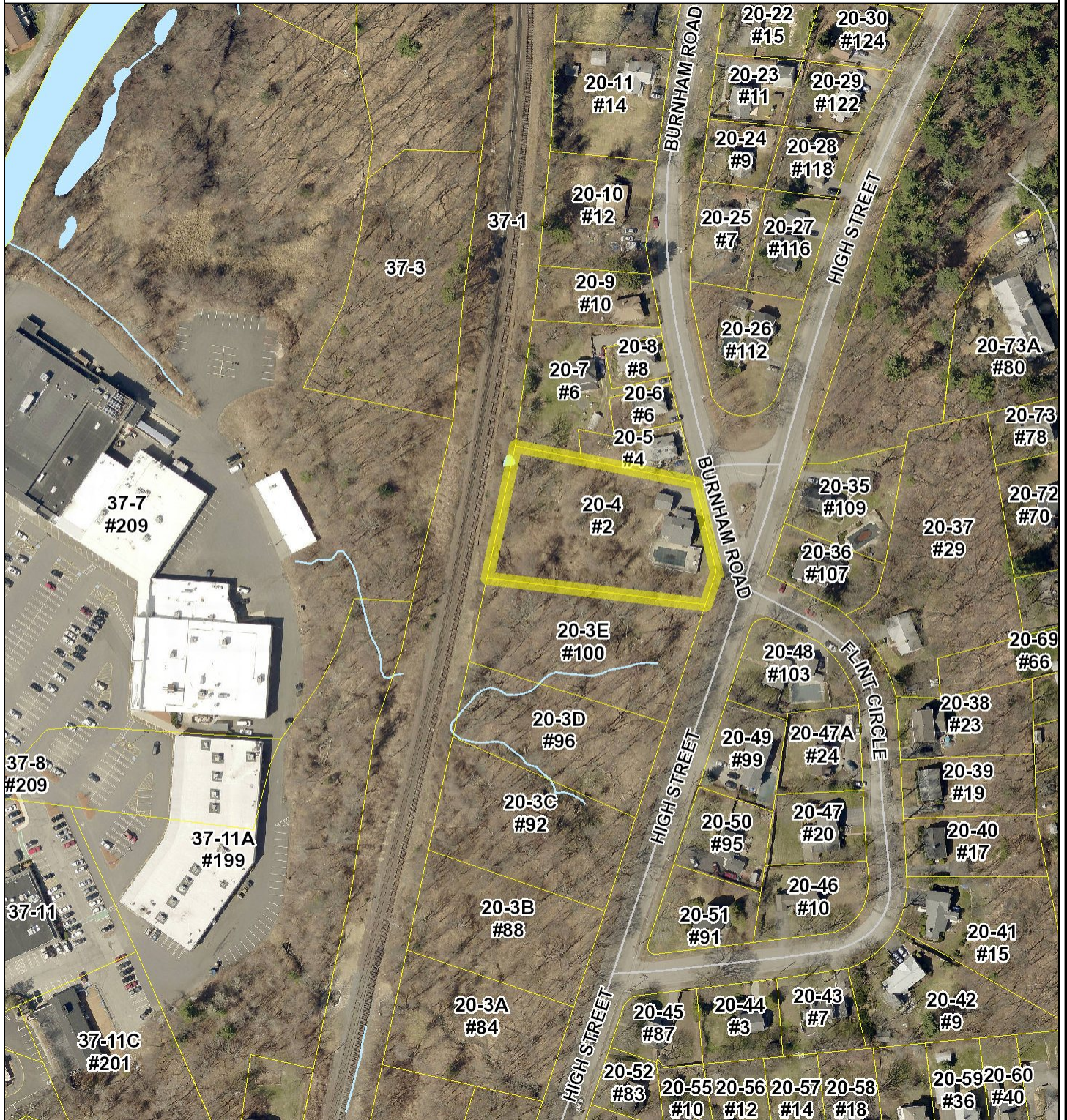
RAWLAND

FORGE PROJECT NO: 6827		
DRAWN BY: AL		
CHECKED BY: TD		
REV	DATE	DESCRIPTION
A	09/03/2015	PRELIM. MBTA APPROVAL

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SITE PLAN

C1.1



- Parcels
- Roads
- Hydrographic Features
- Streams

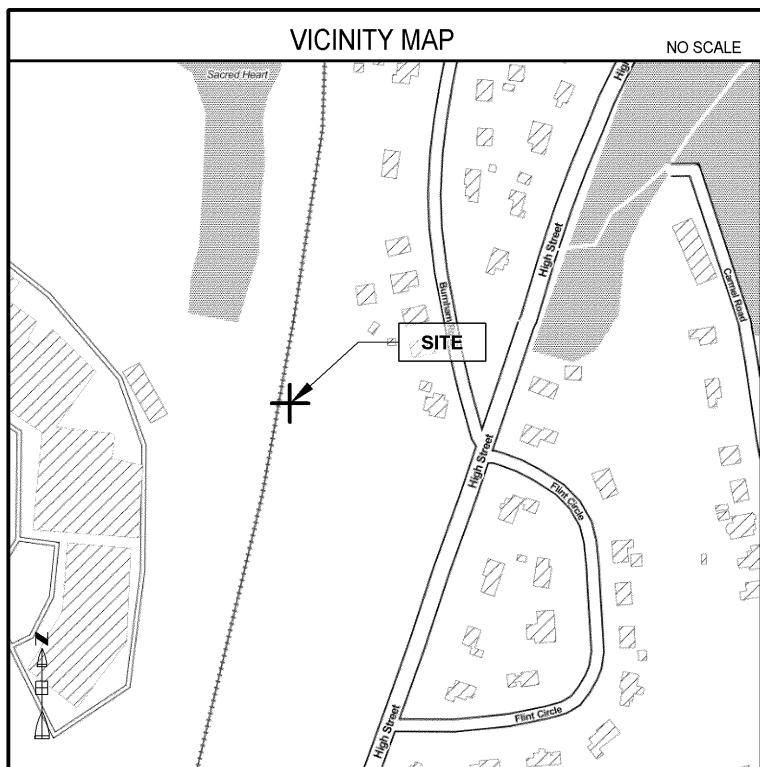
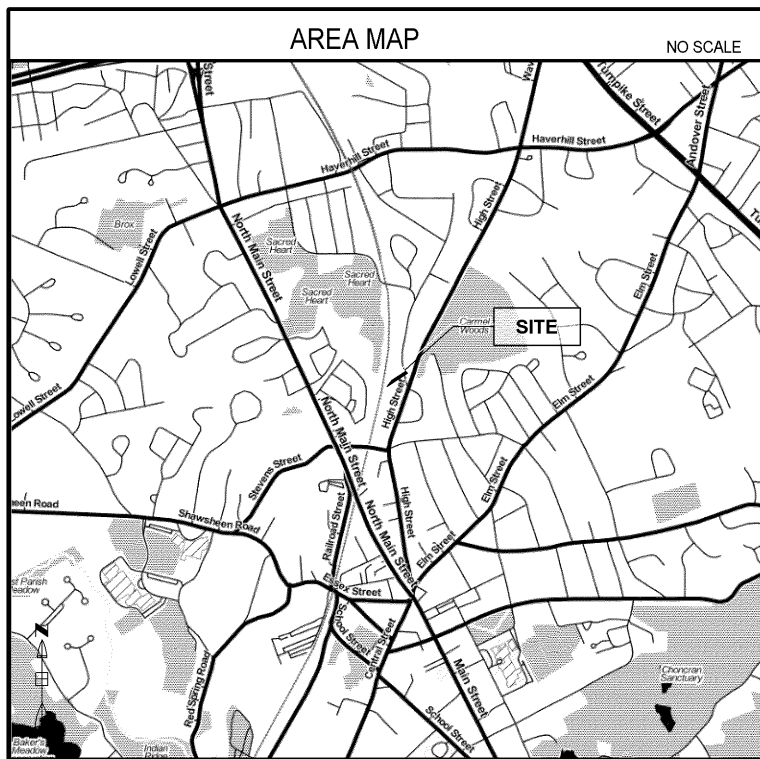
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1" = 180 ft



MBTA WIFI PROJECT BOSTHH009 ANDOVER 2

SITE TYPE
RAWLAND

STRUCTURE HEIGHT: **65'-0" AGL**
 STRUCTURE TYPE: **MONOPOLE**
 ANTENNA QTY: **8 WAYSIDE, 2 MW ANTENNAS**
 ANTENNA HEIGHT (CL): **SEE SHEET C2.1**
 EQUIPMENT MOUNTING: **POLE MOUNTED**

SITE INFORMATION

PROPERTY OWNER: MASSACHUSETTS BAY TRANSPORTATION AUTHORITY (MBTA)
 10 PARK PLAZA, SUITE 3910
 BOSTON, MA 02116

SITE ADDRESS (APPROXIMATE): 2 BURNHAM RD
 ANDOVER, MA 01810

NETWORK PROVIDER: INMOTION
 655 W GRAND AVE
 ELMHURST, IL 60126

PROJECT CONTACT: REZA KAZEMINIA
 (713) 294-9901

COUNTY: ESSEX

BUILDING CODE: MBTA RAILROAD OPERATIONS DIRECTORATE

LATITUDE: 42°39'54.58"N (42.665160°N) (NAD 83)
 LONGITUDE: 071°08'32.11"W (071.142253°W) (NAD 83)
 GROUND ELEVATION: 75 FEET (NGVD 29)

DRAWING INDEX

TOTAL PAGES: 4

NO.	SHEET NO.	SHEET TITLE	REVISIONS
1	T1.1	TITLE SHEET	
2	C1.1	SITE PLAN	
3	C2.1	ELEVATION	
4	C3.1	EROSION CONTROL PLAN	

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DATE SIGNED: _____

BOSTHH009
ANDOVER 2
2 BURNHAM RD
ANDOVER, MA 01810
RAWLAND

FORGE PROJECT NO: 6830

DRAWN BY: VJ

CHECKED BY: TD

REV	DATE	DESCRIPTION
A	09/09/2015	PRELIM. MBTA APPROVAL
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TITLE SHEET

T1.1

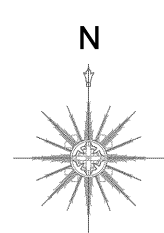
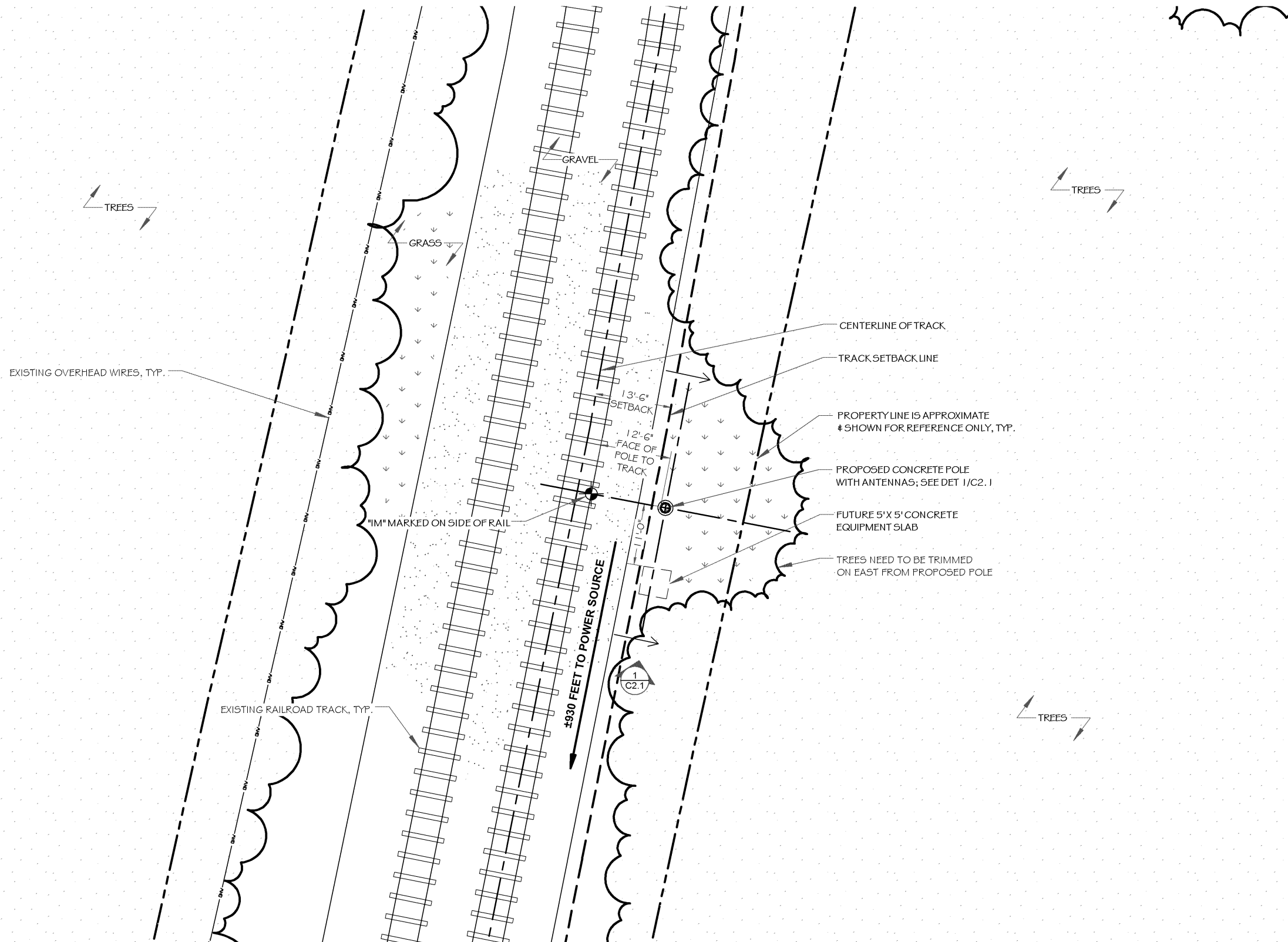
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THIS DRAWING IS SCALED FOR 11x17 PAPER (U.S. GOVT. "TABLOID")

LEGEND

- ⊙ MANHOLE/VALVE VAULT
- ⊕ CATCH BASIN
- ⊞ CURB INLET
- ⊕ VALVE (INDIVIDUAL SERVICE)
- ⊕ FIRE HYDRANT
- ⊗ STREET LIGHT/LIGHT POST
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- ⊞ CHAIN LINK FENCE
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- ▬ CONCRETE CURB & GUTTER
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- CONCRETE
- ASPHALT
- GRAVEL
- BRICK
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- EXISTING BUILDING
- LEASE SITE
- ACCESS EASEMENT

1 SITE PLAN
SCALE: 1" = 20'-0"



NOTES:

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RAWLAND

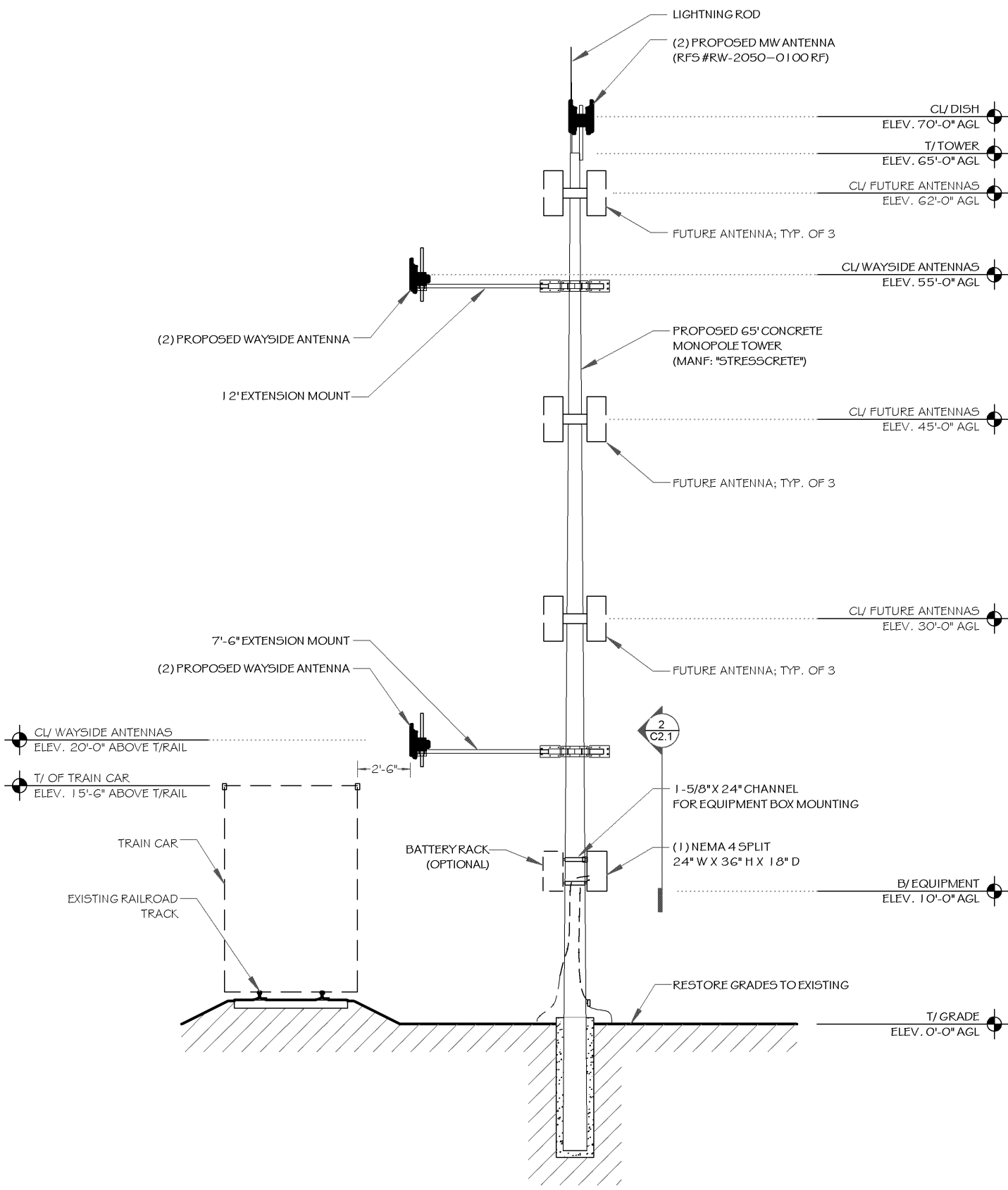
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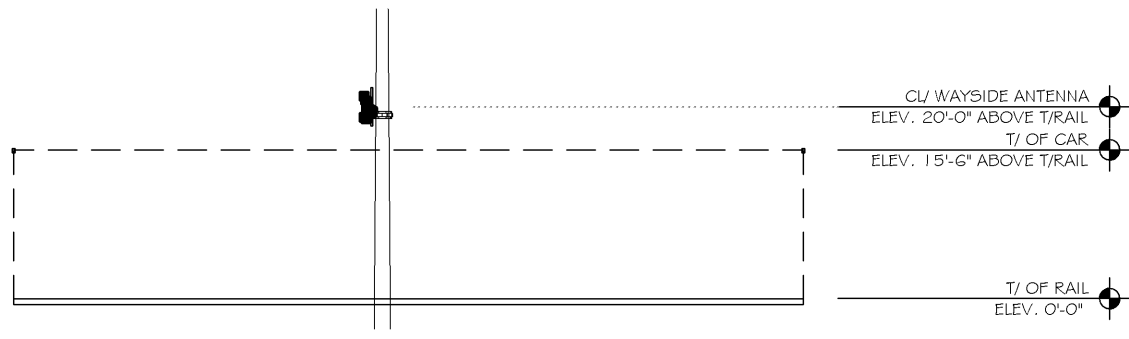
SITE PLAN

C1.1

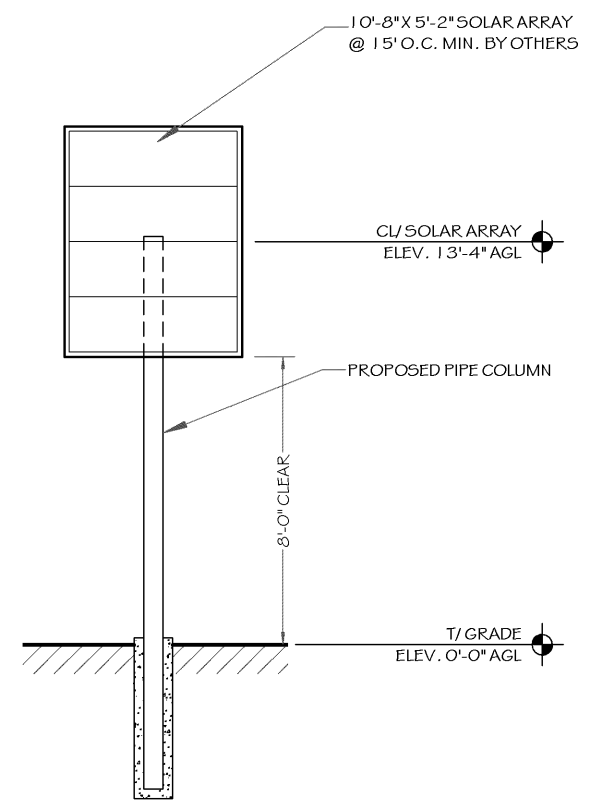
1 ELEVATION
SCALE: NTS



2 ELEVATION
SCALE: NTS



3 STANDARD SOLAR ELEVATION (OPTION)
SCALE: NTS



- NOTES:
- ALL BANDING TO BE 3/4" SS BANDING W/ SINGLE BOLT FLARED LEG BRACKET (MANF. "BAND-IT" OR EQUAL); CONTRACTOR TO USE MANF. RECOMMENDED PARTS FOR DIAMETER OF POLE AND APPLICATION
 - ALL MOUNTING STEEL INCLUDING BOLTS, NUTS, WASHERS, BANDING, PIPES, CLAMPS, CHANNEL, ETC. TO BE HOT-DIPPED GALVANIZED OR STAINLESS STEEL
 - AN ANALYSIS OF THE TOWER HAS NOT BEEN PERFORMED. AN ANALYSIS SHALL BE PROVIDED AND ANTENNA ELEVATIONS WILL SUPERCEDE THIS ELEVATION.
 - ELEVATION DEPICTS TOWER HEIGHT AND IS NOT TO BE USED FOR CONSTRUCTION. SEE TOWER DRAWINGS PREPARED BY OTHERS.
 - POWER TO BE VERIFIED WITH LOCAL POWER COMPANY. THE SOLAR PANEL OPTION MAY BE USED IF EXISTING POWER IS NOT AVAILABLE.
 - THE STRUCTURAL ENGINEERING OF THE TOWER AND ITS FOUNDATION IS UNDER A SEPARATE CONTRACT. REQUIREMENTS SET FORTH BY THIS ENGINEER MAY OR MAY NOT BE KNOWN OR REFLECTED IN THESE DRAWINGS.
 - CONTRACTOR SHALL MODIFY TOWER ONLY IN ACCORDANCE WITH TOWER STRUCTURAL DESIGN, DETAILS, AND REPORT UNDER SEPARATE CONTRACT AND UNDER SEPARATE COVER.
 - ANY CHANGE OR OMISSION MUST BE APPROVED IN WRITING BY TOWER STRUCTURAL ENGINEER; ALL REPRESENTATIONS OF TOWER AND TOWER FOUNDATION ARE FOR REPRESENTATIONAL PURPOSES ONLY

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F: (630) 985-3267
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ELMHURST, IL 60120

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F: (630) 985-3267
15660 MIDWEST RD, STE. 140
OAKBROOK TERRACE, IL 60181

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DATE SIGNED: _____

**BOSTHH009
ANDOVER 2**

2 BURNHAM RD
ANDOVER, MA 01810

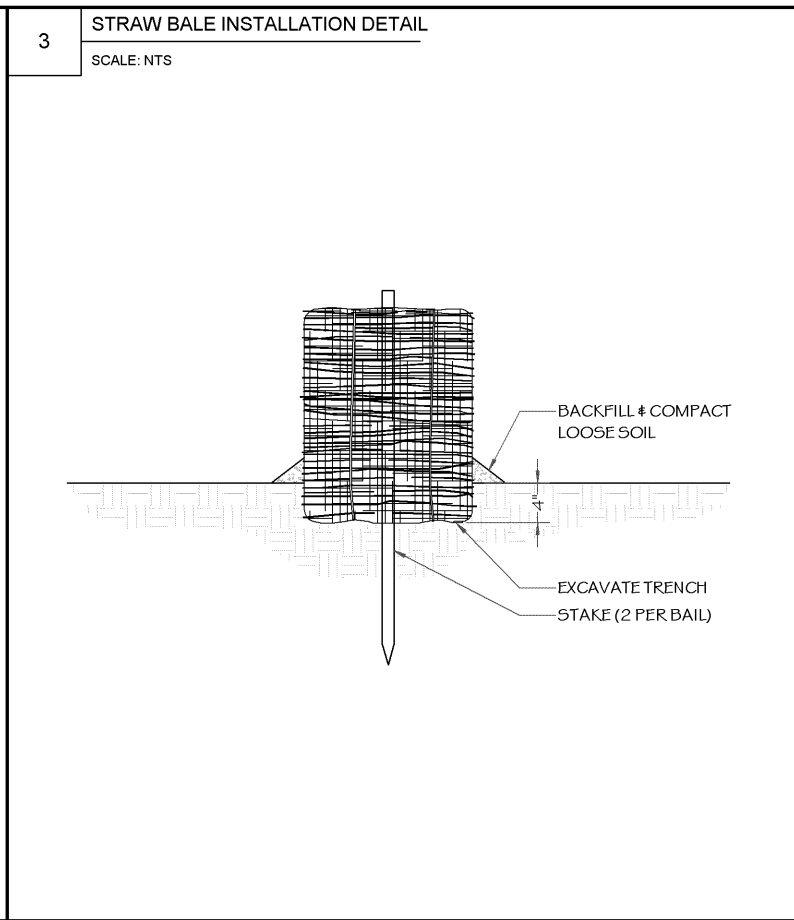
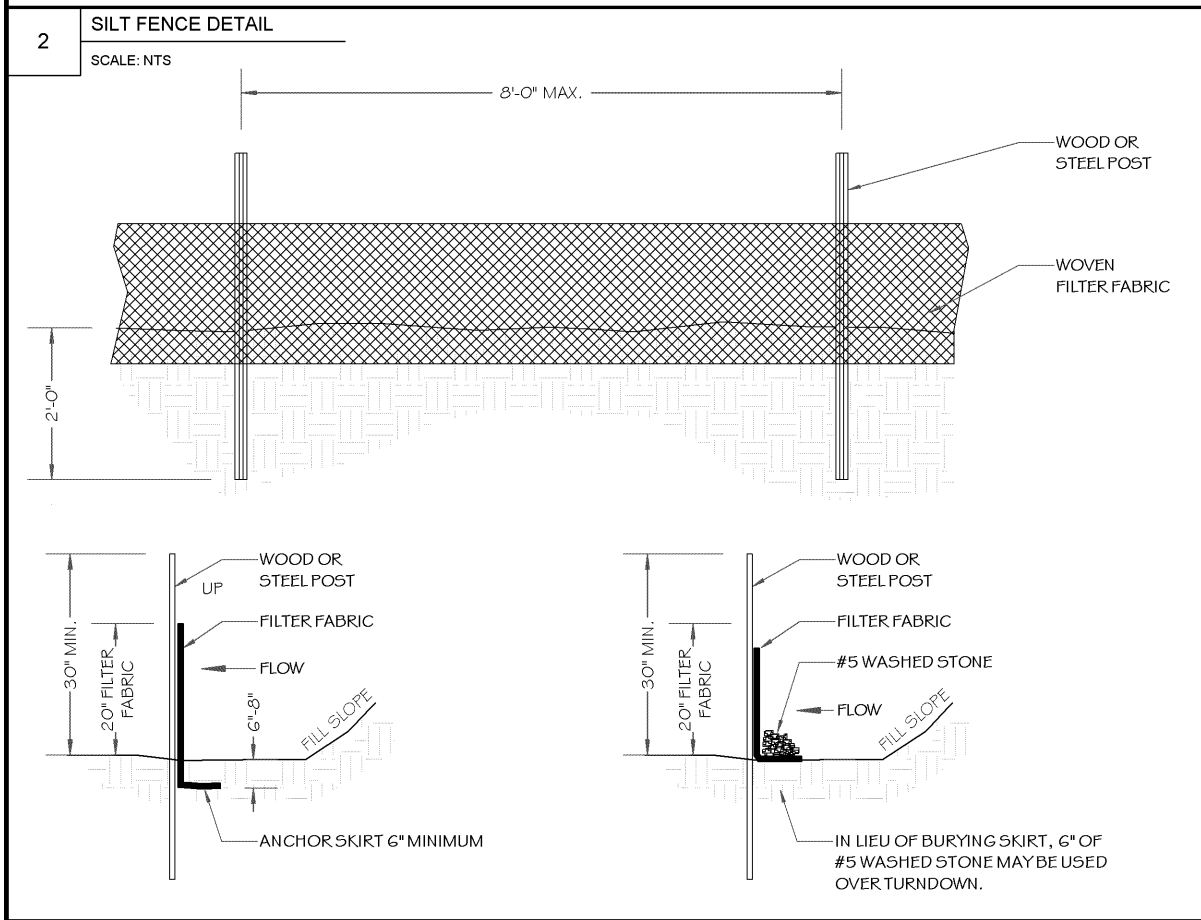
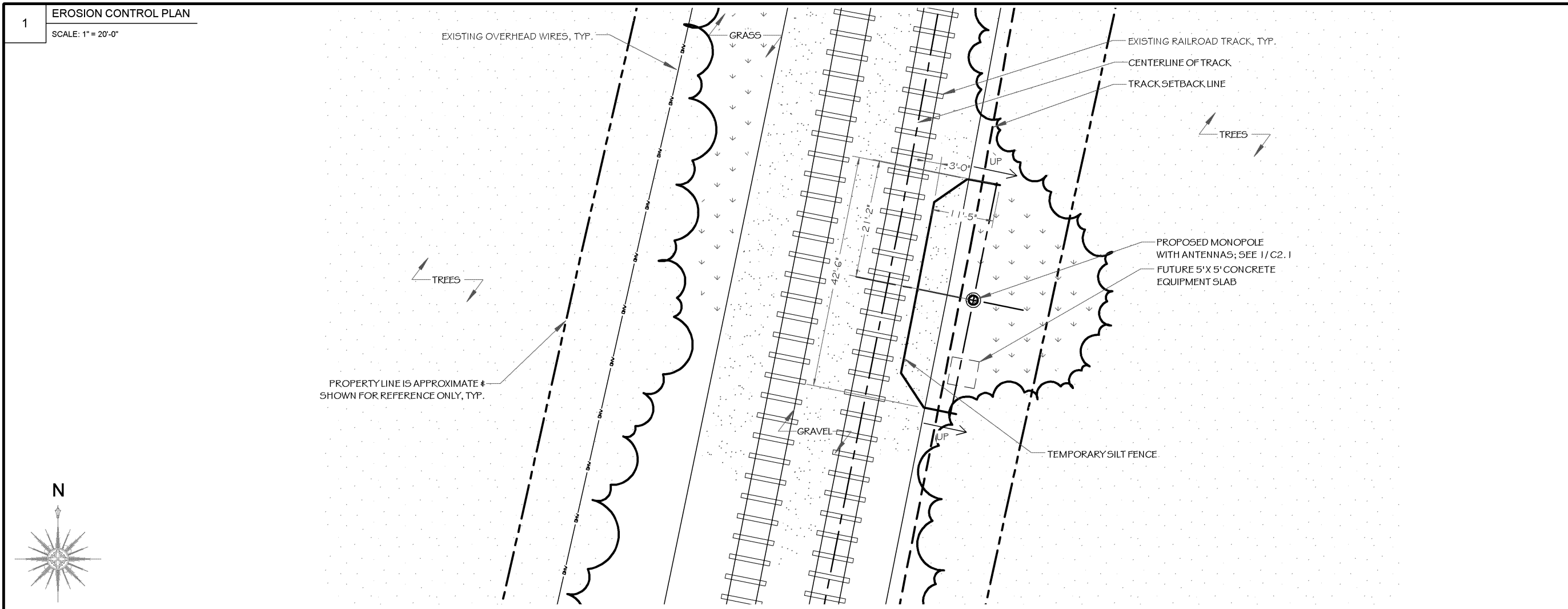
RAWLAND

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A	09/09/2015	PRELIM. MBTA APPROVAL
B	12/29/2015	ISSUED FOR REVIEW

CONSTRUCT ONLY FROM DRAWINGS
MARKED "ISSUED FOR CONSTRUCTION"

ELEVATION

C2.1



- GENERAL NOTES:**
- FILTER FABRIC FENCE SHALL BE A MINIMUM OF 32" IN WIDTH AND SHALL HAVE A MINIMUM OF 6 LINE WIRES WITH 12" STAYS SPACING.
 - WOVEN FILTER FABRIC TO BE USED WHERE SILT FENCE IS TO REMAIN FOR A PERIOD OF MORE THAN 30 DAYS.
 - STEEL POSTS SHALL BE 5'-0" IN HEIGHT AND BE OF THE SELF-FASTENER ANGLE STEEL TYPE.
 - TURN SILT FENCE UP SLOPE AT ENDS.
 - ORANGE SAFETY FENCE IS REQUIRED AT BACK OF SILT FENCE WHEN GRADING IS ADJACENT TO SWIM BUFFERS, STREAMS OR WETLANDS (REFER TO SWIM BUFFER GUIDELINES). THE COLOR ORANGE IS RESEVED FOR VISUAL IDENTIFICATION OF ENVIRONMENTALLY SENSITIVE AREAS.
 - DRAINAGE AREA CAN NOT BE GREATER THAN 1/4 ACRE PER 100 FT OF FENCE.
 - DO NOT INSTALL SEDIMENT FENCE ACROSS STREAMS, DITCHES, WATERWAYS OR OTHER AREAS OF CONCENTRATED FLOW.
 - SILT FENCE TO BE PLACED ACCORDING TO PLAN PRIOR TO START OF CONSTRUCTION AND BE IN PLACE UNTIL ALL EARTHWORK IS COMPLETE; FOLLOW ALL LOCAL CODES REGARDING SILT FENCE REQUIREMENTS.
- MAINTENANCE NOTES:**
- FILTER BARRIERS SHALL BE INSPECTED BY THE FINANCIALLY RESPONSIBLE PARTY OR HIS AGENT IMMEDIATELY AFTER EACH RAIN FALL AND AT LEAST DAILY DURING PROLONGED RAINFALL. ANY REPAIRS NEEDED SHALL BE MADE IMMEDIATELY.
 - SHOULD THE FABRIC DECOMPOSE OR BECOME INEFFECTIVE PRIOR TO THE END OF THE EXPECTED USABLE LIFE AND THE BARRIER STILL IS NECESSARY, THE FABRIC SHALL BE REPLACED PROMPTLY.
 - SEDIMENT DEPOSITS SHOULD BE REMOVED WHEN DEPOSITS REACH APPROX. HALF THE HEIGHT OF THE BARRIER. ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER THE SILT FENCE IS REMOVED SHALL BE DRESSED TO CONFORM TO THE EXISTING GRADE, PREPARED AND SEEDED.

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F: (630) 985-3267
655 WEST GRAND AVENUE
ELMHURST, IL 60120

forge
FORGE SERVICES, INC.
T: (630) 985-3267
F: (630) 985-3267
15660 MIDWEST RD. STE. 140
OAKBROOK TERRACE, IL 60181

DRAFT

DATE SIGNED: _____

BOSTHH009
ANDOVER 2
2 BURNHAM RD
ANDOVER, MA 01810
RAWLAND

FORGE PROJECT NO: **6830**
DRAWN BY: **VJ**
CHECKED BY: **TD**

REV	DATE	DESCRIPTION
A	09/09/2015	PRELIM. MBTA APPROVAL
B	12/29/2015	ISSUED FOR REVIEW

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EROSION CONTROL PLAN

C3.1

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THIS DRAWING IS SCALED FOR 11x17 PAPER (U.S. GOVT. "TABLOID")



- Parcels
- Roads
- Hydrographic Features
- Streams

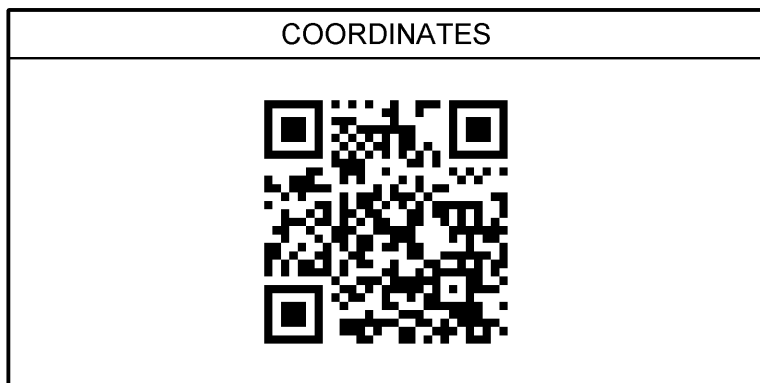
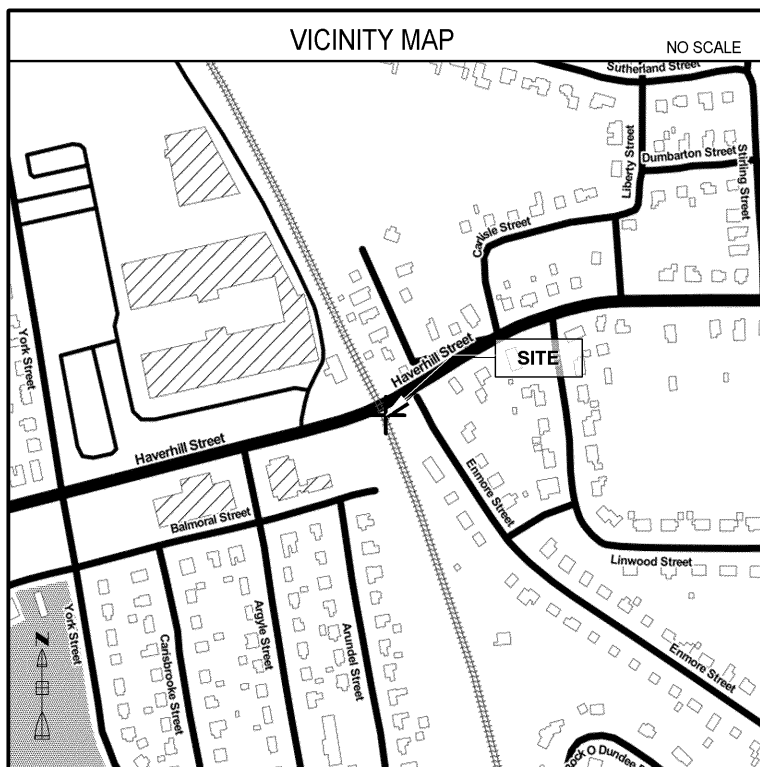
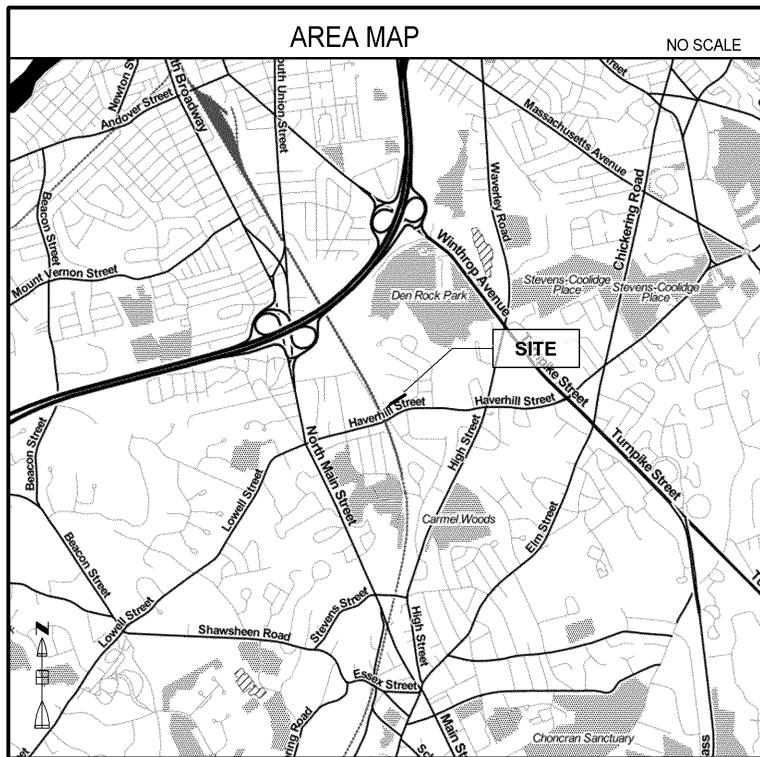
Horizontal Datum: MA Stateplane Coordinate System, Datum NAD83, Feet Data Sources: The data for this map was produced by Merrimack Valley Planning Commission (MVPC) using data provided by the Town of Andover. Additional data provided by the Executive Office of Environmental Affairs/MassGIS.

The information depicted on this map is for planning purposes only. It may not be adequate for legal boundary definition or regulatory interpretation.

THE TOWN OF ANDOVER MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE TOWN OF ANDOVER DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION



1" = 93 ft



MBTA WIFI PROJECT BOSTHH008 ANDOVER 1

SITE TYPE
RAWLAND

STRUCTURE HEIGHT: **65'-0" AGL**
 STRUCTURE TYPE: **CONCRETE MONOPOLE**
 ANTENNA QTY: **4 WAYSIDE, 2 MW ANTENNAS**
 ANTENNA HEIGHT (CL): **SEE SHEET C2.1**
 EQUIPMENT MOUNTING: **POLE MOUNTED**

SITE INFORMATION

PROPERTY OWNER: MASSACHUSETTS BAY TRANSPORTATION AUTHORITY (MBTA)
 10 PARK PLAZA, SUITE 3910
 BOSTON, MA 02116

SITE ADDRESS (APPROXIMATE): 49 HAVERHILL ST
 ANDOVER, MA 01810

NETWORK PROVIDER: INMOTION
 655 W GRAND AVE
 ELMHURST, IL 60126

PROJECT CONTACT: REZA KAZEMINIA
 (713) 294-9901

COUNTY: ESSEX

BUILDING CODE: MBTA RAILROAD OPERATIONS DIRECTORATE

LATITUDE: 42°40'23.85"N (42.673292°N) (NAD 83)
 LONGITUDE: 071°08'37.82"W (071.143840°W) (NAD 83)
 GROUND ELEVATION: 50 FEET (NGVD 29)

DRAWING INDEX

TOTAL PAGES: 3

NO.	SHEET NO.	SHEET TITLE	REVISIONS
1	T1.1	TITLE SHEET	
2	C1.1	SITE PLAN	
3	C2.1	ELEVATION	

APPROVALS

	PRINT NAME	SIGNATURE	DATE
MBTA REAL ESTATE			
MBTA CONSTRUCTION:			
RAIL ROAD OPERATIONS:			
INMOTION RF:			
INMOTION DEVELOPMENT:			

GENERAL NOTES

NOTES TO BE DOWNLOADED AT [HTTP://FORGE-INC.COM/FTP/CONSTRUCTION_NOTES.PDF](http://FORGE-INC.COM/FTP/CONSTRUCTION_NOTES.PDF)

IF CONTRACTOR CANNOT FOR ANY REASON DOWNLOAD THESE NOTES THEY ARE TO NOTIFY FORGE SERVICES, INC. AT INFO_FORGE@FORGE-INC.COM

PROJECT TEAM

forge

FORGE SERVICES, INC.
 1S660 MIDWEST RD. STE. 140
 OAKBROOK TERRACE, IL 60181
 Tel. (888) 985-8267
 Fax. (888) 985-8267
 WWW.FORGE-INC.COM

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 655 WEST GRAND AVENUE
 ELMHURST, IL 60126
 Tel. (630) 474-6699



Know what's below.
Call before you dig.

MASSACHUSETTS ONE-CALL SYSTEM
CALL BEFORE YOU DIG

THIS NOTICE MUST BE AT LEAST 72 HOURS /THREE WORKING DAYS PRIOR TO THE START OF EXCAVATION



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DRAFT

DATE SIGNED: _____

BOSTHH008
ANDOVER 1

49 HAVERHILL ST
ANDOVER, MA 01810

RAWLAND

FORGE PROJECT NO: 6831

DRAWN BY: TL

CHECKED BY: TD

REV	DATE	DESCRIPTION
A	09/08/2015	PRELIM. MBTA APPROVAL

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MARKED "ISSUED FOR CONSTRUCTION"

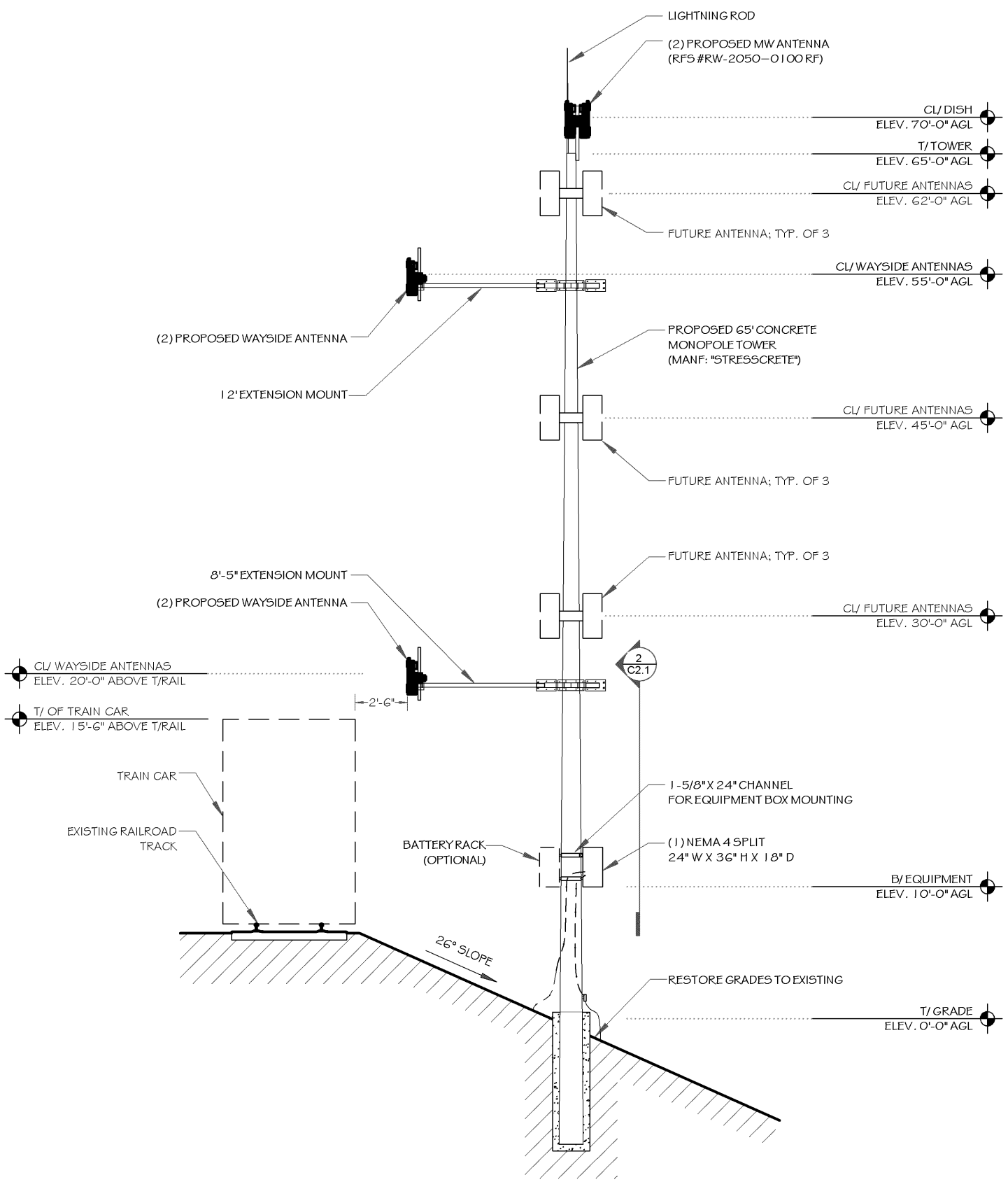
TITLE SHEET

T1.1

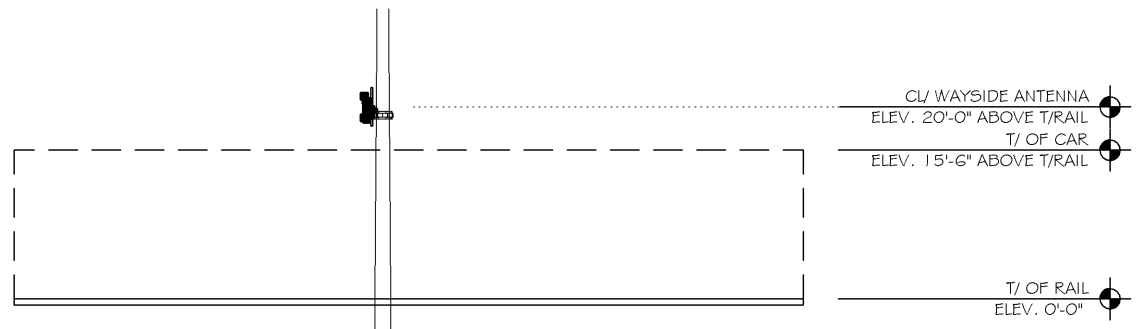
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THIS DRAWING IS SCALED FOR 11x17 PAPER (U.S. GOVT. "TABLOID")

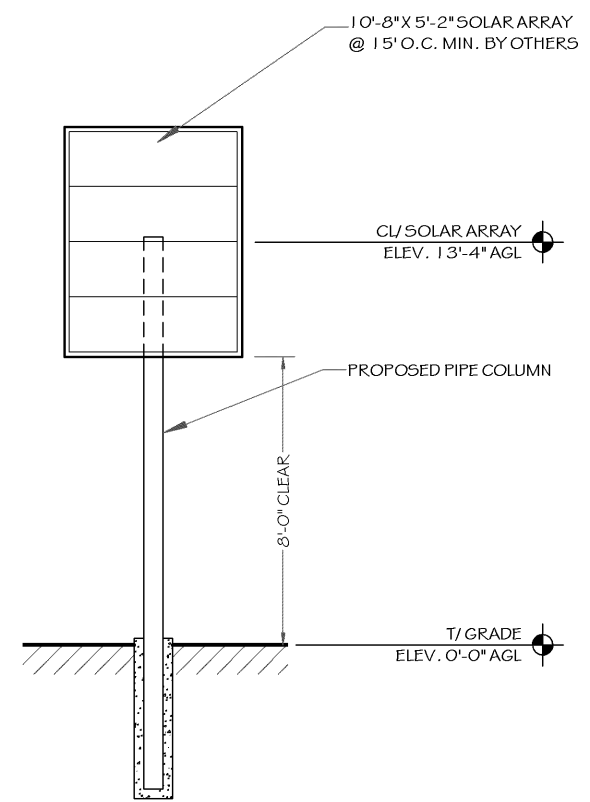
1 ELEVATION
SCALE: NTS



2 ELEVATION
SCALE: NTS



3 STANDARD SOLAR ELEVATION (OPTION)
SCALE: NTS



- NOTES:
- ALL BANDING TO BE 3/4" SS BANDING W/ SINGLE BOLT FLARED LEG BRACKET (MANF. "BAND-IT" OR EQUAL); CONTRACTOR TO USE MANF. RECOMMENDED PARTS FOR DIAMETER OF POLE AND APPLICATION
 - ALL MOUNTING STEEL INCLUDING BOLTS, NUTS, WASHERS, BANDING, PIPES, CLAMPS, CHANNEL, ETC. TO BE HOT-DIPPED GALVANIZED OR STAINLESS STEEL
 - AN ANALYSIS OF THE TOWER HAS NOT BEEN PERFORMED. AN ANALYSIS SHALL BE PROVIDED AND ANTENNA ELEVATIONS WILL SUPERCEDE THIS ELEVATION.
 - ELEVATION DEPICTS TOWER HEIGHT AND IS NOT TO BE USED FOR CONSTRUCTION. SEE TOWER DRAWINGS PREPARED BY OTHERS.
 - POWER TO BE VERIFIED WITH LOCAL POWER COMPANY. THE SOLAR PANEL OPTION MAY BE USED IF EXISTING POWER IS NOT AVAILABLE.
 - THE STRUCTURAL ENGINEERING OF THE TOWER AND ITS FOUNDATION IS UNDER A SEPARATE CONTRACT. REQUIREMENTS SET FORTH BY THIS ENGINEER MAY OR MAY NOT BE KNOWN OR REFLECTED IN THESE DRAWINGS.
 - CONTRACTOR SHALL MODIFY TOWER ONLY IN ACCORDANCE WITH TOWER STRUCTURAL DESIGN, DETAILS, AND REPORT UNDER SEPARATE CONTRACT AND UNDER SEPARATE COVER.
 - ANY CHANGE OR OMISSION MUST BE APPROVED IN WRITING BY TOWER STRUCTURAL ENGINEER; ALL REPRESENTATIONS OF TOWER AND TOWER FOUNDATION ARE FOR REPRESENTATIONAL PURPOSES ONLY

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BOSTHH008
ANDOVER 1
49 HAVERHILL ST
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ELEVATION

C2.1

GRANTOR: Andover Village Improvement Society
GRANTEE: Town of Andover Conservation Commission
ADDRESS OF PREMISES: off River Road, Andover, MA
FOR GRANTOR'S TITLE SEE: North Essex Registry of Deeds at Book 15037, page 130.

CONSERVATION RESTRICTION

We, the Andover Village Improvement Society (AVIS), a non-profit corporation of PO Box 5097, Andover, MA 01810, being sole owner, for our successors and assigns (“Grantor”), acting pursuant to Sections 31, 32, and 33 of Chapter 184 of the Massachusetts General Laws, grant with QUITCLAIM COVENANTS to **Inhabitants of the Town of Andover, Essex County, Massachusetts, acting by and through its Conservation Commission (the “Town”), having a usual place of business address of PO Box 5097, Andover, MA 01810 by authority of Section 8C of Chapter 40 of the Massachusetts General Laws** and its permitted successors and assigns (“Grantee”), **for and inconsideration of One Dollar (\$1.00) and of other good and valuable consideration, the receipt of which is hereby acknowledged,** IN PERPETUITY AND EXCLUSIVELY FOR CONSERVATION PURPOSES, the following **perpetual** Conservation Restriction on land (“Property”) located in **Andover, MA**, containing **the entirety of a 26.6 acre** (“Premises”), and more particularly described in Exhibit A and the attached sketch plan attached hereto.

I. PURPOSES:

This Conservation Restriction is defined in and authorized by Sections 31-33 of Chapter 184 of the General Laws and otherwise by law. The purpose of this Conservation Restriction is to assure that the Premises will be maintained in perpetuity for conservation purposes, in a natural, scenic and undeveloped condition, and to prevent any use or change that would materially impair or interfere with its conservation and preservation values (“conservation values”).

The Premises was acquired with a Conservation Partnership Grant CT ENN 011170000000002217.

The conservation values include the following:

- Open Space Preservation. The Premises contributes to the protection of the scenic and natural character of **Andover, MA** and the protection of the Premises will enhance the open-space value of these and nearby lands **and the Bay Circuit Trail**.
- Scenic Protection. The Premises are located within the 1992 Massachusetts Landscape Inventory Report.
- Public access trails for passive recreation, education, and nature study, **including the Bay Circuit Trail**.
- Core Habitat. Premises consist of **about 15 acres on BioMap2 Core Habitat**.
- Species of Conservation Concern. **About 15 acres on BioMap2 Priority Habitats of Rare Species and about 15 acres on BioMap2 Estimated Habitats of Rare Wildlife**.

<ul style="list-style-type: none"> • Forest Cores. Entire parcel identified as Prime Forest Land of statewide important on BioMap2
--

- Water Quality Protection. **The water supply intakes for Andover, Lawrence and Methuen are located on the Merrimack River, less than five miles downstream of this property.**
- Historical Purposes. **Native Americans surely camped along the Merrimack.**
- Prime Farmland Soils, Prime Forest Soils, Zone I, II, A, B, Rivers, Farms/Agriculture. **This parcel was part of the Hood Farm where CP Hood raised award winning Guernsey cows.**

II. PROHIBITED ACTS AND USES, EXCEPTIONS THERETO, AND PERMITTED USES

A. Prohibited Acts and Uses

Subject to the exceptions set forth herein, the Grantor will not perform or allow others to perform the following acts and uses which are prohibited on, above, and below the Premises:

- (1) Constructing, placing or allowing to remain any temporary or permanent building, tennis court, landing strip, mobile home, swimming pool, asphalt or concrete pavement, sign, fence, billboard or other advertising display, antenna, utility pole, tower, conduit, line or other temporary or permanent structure or facility on, above or under the Premises;

- (2) Mining, excavating, dredging or removing from the Premises of soil, loam, peat, gravel, sand, rock or other mineral resource or natural deposit or otherwise making topographical changes to the area;
- (3) Placing, filling, storing or dumping of soil, refuse, trash, vehicle bodies or parts, rubbish, debris, junk, waste or other substance or material whatsoever or the installation of underground storage tanks;
- (4) Cutting, removing or otherwise destroying trees, grasses or other vegetation;
- (5) Activities detrimental to drainage, flood control, water conservation, water quality, erosion control, soil conservation, or archaeological conservation;
- (6) Use, parking or storage of vehicles including motorcycles, mopeds, all-terrain vehicles, trail bikes, or any other motorized vehicles on the Premises except for vehicles necessary for public safety (i.e., fire, police, ambulance, other government officials) in carrying out their official duties;
- (7) Subdivision or conveyance of a part or portion of the Premises alone, or division or subdivision of the Premises (as compared to conveyance of the Premises in its entirety which shall be permitted), and no portion of the Premises may be used towards building or development requirements on this or any other parcel;
- (8) The use of the Premises for more than *de minimis* commercial recreation, business, residential or industrial use;
- (9) The disruption, removal, or destruction of any stone walls or granite fence posts on the Premises;
- (10) Any other use of the Premises or activity which is inconsistent with the purpose of this Conservation Restriction or which would materially impair its conservation values.

B. Reserved Rights and Exceptions

The Grantor reserves the right to conduct or permit the following activities and uses on the Premises, but only if such uses and activities do not materially impair the conservation values or purposes of this Conservation Restriction:

- (1) Permits. The exercise of any right reserved by Grantor under this Paragraph B shall be in compliance with zoning, the Wetlands Protection Act, and all other applicable federal, state and local laws, rules, regulations, and permits. The inclusion of any reserved right requiring a permit from a public agency does not imply that the Grantee or the Commonwealth takes any position whether such permit should be issued.

- (2) Vegetation Management. In accordance with generally accepted forest management practices, selective minimal removing of brush, pruning and cutting to prevent, control or remove hazards, disease, insect or fire damage, or to preserve the present condition of the Premises, including vistas, woods roads, fence lines and trails and meadows;
- (3) Non-native or nuisance species. The removal of non-native or invasive species, the interplanting of native species, and the control of species in a manner that minimizes damage to surrounding, non-target species and preserves water quality;
- (4) Composting. The stockpiling and composting of stumps, trees and brush limbs and similar biodegradable materials originating on the Premises, provided that such stockpiling and composting is in locations where the presence of such activities will not have a deleterious impact on the purposes (including scenic values) of this Restriction. No such activities will take place closer than one hundred (100) feet from any wetland, waterbody or stream. All exercise of this Reserved Right shall take into account sensitive areas and avoid harm to nesting species during nesting season;
- (5) Wildlife Habitat Improvement. With the prior written permission of Grantee, measures designed to restore native biotic communities, or to maintain, enhance or restore wildlife, wildlife habitat, or rare or endangered species including selective planting of native trees, shrubs and plant species;
- (6) Archaeological Investigations. The conduct of archaeological activities, including without limitation survey, excavation and artifact retrieval, following submission of an archaeological field investigation plan and its approval in writing by Grantee and the State Archaeologist of the Massachusetts Historical Commission (or appropriate successor official).
- (7) Trails. The marking, clearing and maintenance of existing footpaths, as well as the construction of new trails, bridges and boardwalks. Trails are to be not wider than six (6) feet for the public;
- (8) Signs. The erection, maintenance and replacement of signs with respect to trespass, trail access, identity and address of the occupants, sale of the Premises, the Grantee's interest in the Premises, and the protected conservation values; Forestry, Agriculture, other reserved rights.
- (9) Outdoor Passive Recreational Activities. Fishing, boating, hunting, (**hunting may only be allowed in compliance with the Town of Andover hunting regulations in locations identified by the grantee**), hiking, horseback riding, cross-country skiing and other non-motorized outdoor recreational activities that do not materially alter the landscape, do not degrade environmental quality, or do not involve more than minimal use for commercial recreational activities;

- (10) Maintenance Vehicles. The limited use of motorized vehicles only as necessary and appropriate for performance of the maintenance and construction of trails, bridges and boardwalks, to be kept to the extent possible on existing woods roads and trails.

C. Notice and Approval.

Whenever notice to or approval by Grantee is required, Grantor shall notify Grantee in writing not less than 60 days prior to the date Grantor intends to undertake the activity in question. The notice shall describe the nature, scope, design, location, timetable and any other material aspect of the proposed activity in sufficient detail to permit the Grantee to make an informed judgment as to its consistency with the purposes of this Conservation Restriction. Where Grantee's approval is required, Grantee shall grant or withhold approval in writing within 60 days of receipt of Grantor's request. Grantee's approval shall not be unreasonably withheld, but shall only be granted upon a showing that the proposed activity shall not materially impair the purposes of this Conservation Restriction.

Failure of Grantee to respond in writing within 60 days shall be deemed to constitute approval by Grantee of the request as submitted, so long as the request sets forth the provisions of this section relating to deemed approval after 60 days in the notice, the requested activity is not prohibited herein, and the activity will not materially impair the conservation values or purposes of this Conservation Restriction.

III. LEGAL REMEDIES OF THE GRANTEE

A. Legal and Injunctive Relief.

The rights hereby granted shall include the right to enforce this Conservation Restriction by appropriate legal proceedings and to obtain injunctive and other equitable relief against any violations, including, without limitation, relief requiring restoration of the Premises to their condition prior to the time of the injury complained of (it being agreed that the Grantee will have no adequate remedy at law). The rights hereby granted shall be in addition to, and not in limitation of, any other rights and remedies available to the Grantee for the enforcement of this Conservation Restriction. Grantee agrees to cooperate for a reasonable period of time prior to resorting to legal means in resolving issues concerning violations provided Grantor ceases objectionable actions and Grantee determines there is no ongoing diminution of the conservation values of the Conservation Restriction.

Grantor covenants and agrees to reimburse to Grantee all reasonable costs and expenses (including reasonable counsel fees) incurred in enforcing this Conservation Restriction or in taking reasonable measures to remedy, abate or correct any violation thereof, provided that a violation of this Conservation Restriction is acknowledged by Grantor or determined by a court of competent jurisdiction to have occurred. In the event of a dispute over the boundaries of the Conservation Restriction, Grantor shall pay for a survey and to have the boundaries permanently marked.

B. Non-Waiver.

Enforcement of the terms of this Conservation Restriction shall be at the discretion of Grantee. Any election by the Grantee as to the manner and timing of its right to enforce this Conservation Restriction or otherwise exercise its rights hereunder shall not be deemed or construed to be a waiver of such rights.

C. Disclaimer of Liability

By acceptance of this conservation restriction, the Grantee does not undertake any liability or obligation relating to the condition of the Premises pertaining to compliance with and including, but not limited to, hazardous materials, zoning, environmental laws and regulations, or acts not caused by the Grantee or its agents.

D. Acts Beyond the Grantor's Control

Nothing contained in this Conservation Restriction shall be construed to entitle the Grantee to bring any actions against the Grantor for any injury to or change in the Premises resulting from causes beyond the Grantor's control, including but not limited to fire, flood, storm and earth movement, or from any prudent action taken by the Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Premises resulting from such causes. In the event of any such occurrence, the Grantor and Grantee will cooperate in the restoration of the Premises, if desirable and feasible.

IV. ACCESS

The Grantor hereby grants to the Grantee, or its duly authorized agents or representatives, the right to enter the Premises upon reasonable notice and at reasonable times, for the purpose of inspecting the Premises to determine compliance with or to enforce this Conservation Restriction. The Grantor also grants to the Grantee, after notice of a violation and failure of the Grantor to cure said violation, the right to enter the Premises for the purpose of taking any and all actions with respect to the Premises as may be necessary or appropriate to remedy or abate any violation hereof, including but not limited to the right to perform a survey of boundary lines.

The Grantor also grants to the public **the right to access the property during daylight hours.**

V. EXTINGUISHMENT

A. If circumstances arise in the future such as render the purpose of this CR impossible to accomplish, this restriction can only be terminated or extinguished, whether in whole or in part, by a court of competent jurisdiction under applicable law after review and approval by the Massachusetts Secretary of Energy and Environmental Affairs. If any change in conditions ever gives rise to extinguishment or other release of the CR under applicable law, then Grantees, on a subsequent sale, exchange, or involuntary conversion of the Premises, shall be entitled to a portion of the proceeds in accordance with paragraph B below, subject, however, to any applicable law which expressly provides for a different disposition of the proceeds and after

complying with the terms of any gift, grant, or funding requirements. Grantees shall use its share of the proceeds in a manner consistent with the conservation purpose set forth herein.

B. Proceeds. Grantor and Grantee agree that the donation of this Conservation Restriction gives rise to a real property right, immediately vested in the Grantee, with a fair market value that is at least equal to the proportionate value that this Conservation Restriction bears to the value of the unrestricted property. Such proportionate value of the Grantee's property right shall remain constant. Any proceeds will be distributed only after complying with the terms of any gift, grant, or other funding requirements.

C. Grantor/Grantee Cooperation Regarding Public Action. Whenever all or any part of the Premises or any interest therein is taken by public authority under power of eminent domain or other act of public authority, then the Grantor and the Grantee shall cooperate in recovering the full value of all direct and consequential damages resulting from such action. All related expenses incurred by the Grantor and the Grantee shall first be paid out of any recovered proceeds, and the remaining proceeds shall be distributed between the Grantor and Grantee in accordance with paragraph V. B – above, after complying with the terms of any law, gift, grant, or funding requirements. If a less than fee interest is taken, the proceeds shall be equitably allocated according to the nature of the interest taken. The Grantee shall use its share of the proceeds like a continuing trust in a manner consistent with the conservation purposes of this grant.

VI. ASSIGNABILITY

A. Running of the Burden. The burdens of this Conservation Restriction shall run with the Premises in perpetuity, and shall be enforceable against the Grantor and the successors and assigns of the Grantor holding any interest in the Premises.

B. Execution of Instruments. The Grantee is authorized to record or file any notices or instruments appropriate to assuring the perpetual enforceability of this Conservation Restriction; the Grantor, on behalf of herself and her successors and assigns, appoint the Grantee their attorney-in-fact to execute, acknowledge and deliver any such instruments on her behalf. Without limiting the foregoing, the Grantor and her successors and assigns agree themselves to execute any such instruments upon request.

C. Running of the Benefit. The benefits of this Conservation Restriction shall run to the Grantee, shall be in gross and shall not be assignable by the Grantee, except in the following instances:

As a condition of any assignment, the Grantee shall require that the purpose of this Conservation Restriction continues to be carried out; that the Assignee is not an owner of the fee in the Property, and the Assignee, at the time of the assignment, qualifies under Section 170(h) of the Internal Revenue Code of 1986, as amended, and applicable regulations thereunder, and is a donee eligible to receive this Conservation Restriction under Section 32 of Chapter 184 of the General Laws of Massachusetts. Any assignment will comply with article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, if applicable.

VII. SUBSEQUENT TRANSFERS

The Grantor agrees to incorporate by reference the terms of this Conservation Restriction in any deed or other legal instrument which grants any interest in all or a portion of the Premises, including a leasehold interest and to notify the Grantee within 20 days of such transfer. Failure to do any of the above shall not impair the validity or enforceability of this Conservation Restriction. Any transfer will comply with article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, if applicable.

The Grantor shall not be liable for violations occurring after their ownership. Liability for any acts or omissions occurring prior to any transfer and liability for any transfer if in violation of this Conservation Restriction shall survive the transfer. Any new owner shall cooperate in the restoration of the Premises or removal of violations caused by prior owner(s) and may be held responsible for any continuing violations.

VIII. ESTOPPEL CERTIFICATES

Upon request by the Grantor, the Grantee shall, within sixty (60) days execute and deliver to the Grantor any document, including an estoppel certificate, which certifies the Grantor's compliance with any obligation of the Grantor contained in this Conservation Restriction.

IX. NON MERGER

The parties intend that any future acquisition of the Premises shall not result in a merger of the Conservation Restriction into the fee. The Grantor agrees that it will not grant, and the Grantee agrees that it will not take title, to any part of the Premises without having first assigned this Conservation Restriction to a non-fee owner that is qualified under Section 170(h) of the Internal Revenue Code of 1986, as amended, and applicable regulations thereunder and is eligible to receive this Conservation Restriction under Section 32 of Chapter 184 of the General Laws of Massachusetts in order to ensure that merger does not occur and that this Conservation Restriction continues to be enforceable by a non-fee owner.

X. AMENDMENT

If circumstances arise under which an amendment to or modification of this Conservation Restriction would be appropriate, Grantor and Grantee may jointly amend this Conservation Restriction; provided that no amendment shall be allowed that will affect the qualification of this Conservation Restriction or the status of Grantee under any applicable laws, including Section 170(h) of the Internal Revenue Code of 1986, as amended, or Sections 31-33 of Chapter 184 of the General laws of Massachusetts. Any amendments to this conservation restriction shall occur only in exceptional circumstances. The Grantee will consider amendments only to correct an error or oversight, to clarify an ambiguity, or where there is a net gain in conservation value. All expenses of all parties in considering and/or implementing an amendment shall be borne by the persons or entity seeking the amendment. Any amendment shall be consistent with the purposes

of this Conservation Restriction, shall not affect its perpetual duration, shall be approved by the Secretary of Energy and Environmental Affairs and if applicable, shall comply with the provisions of Art. 97 of the Amendments to the Massachusetts Constitution, and any gifts, grants or funding requirements. Any amendment shall be recorded in the North Essex Registry of Deeds.

XI. EFFECTIVE DATE

This Conservation Restriction shall be effective when the Grantor and the Grantee have executed it, the administrative approvals required by Section 32 of Chapter 184 of the General Laws have been obtained, and it has been recorded in a timely manner in the North Essex Registry of Deeds..

XII. NOTICES

Any notice, demand, request, consent, approval or communication that either party desires or is required to give to the other shall be in writing and either served personally or sent by first class mail, postage pre-paid, addressed as follows:

To Grantor: President
Andover Village Improvement Society
PO Box 5097
Andover, MA 01810

To Grantee: Andover Conservation Commission
Town Offices
36 Bartlett Street
Andover, MA 01810

or to such other address as any of the above parties shall designate from time to time by written notice to the other or, if notice is returned to sender, to an address that is reasonably ascertainable by the parties.

XIII. GENERAL PROVISIONS

A. Controlling Law. The interpretation and performance of this Conservation Restriction shall be governed by the laws of the Commonwealth of Massachusetts.

B. Liberal Construction. Any general rule of construction to the contrary notwithstanding, this Conservation Restriction shall be liberally construed in favor of the grant to effect the purpose of this Conservation Restriction and the policy and purposes of Massachusetts General Laws Chapter 184, Sections 31-33. If any provision in this instrument is found to be ambiguous, any interpretation consistent with the purpose of this Conservation Restriction that would render the provision valid shall be favored over any interpretation that would render it invalid.

C. Severability. If any provision of this Conservation Restriction or the application thereof to any person or circumstance is found to be invalid, the remainder of the provision of this Conservation Restriction shall not be affected thereby.

D. Entire Agreement. This instrument sets forth the entire agreement of the parties with respect to this Conservation Restriction and supersedes all prior discussions, negotiations, understandings or agreements relating to the Conservation Restriction, all of which are merged herein.

XIV. MISCELLANEOUS

A. Pre-existing Public Rights. Approval of this Conservation Restriction pursuant to M.G.L. Chapter 184, Section 32 by any municipal officials and by the Secretary of Energy and Environmental Affairs is not to be construed as representing the existence or non-existence of any pre-existing rights of the public, if any, in and to the Premises, and any such pre-existing rights of the public, if any, are not affected by the granting of this Conservation Restriction.

B. Homestead

The Grantor attests that there is no residence on or abutting the Premises (including exclusions) that is occupied or intended to be occupied as a principal residence by a spouse, former spouse, or children of the grantor, or a spouse, former spouse, or children of a beneficiary of the trust, if Premises is owned by a trust.

C. The Grantor agrees to subordinate all liens, mortgages, construction loans and home equity lines of credit to this Conservation Restriction.

D. Attached hereto and incorporated herein by reference are the following:

Signature pages:

Grantor
Grantee Acceptance
Approval by Select Board or City Council
Approval of the Secretary of Energy and Environmental Affairs.

Exhibits:

Exhibit A: legal description
Exhibit B: sketch plan

WITNESS my hand and seal this ____day of _____, 20____,

President, Andover Village Improvement Society

]

COMMONWEALTH OF MASSACHUSETTS

Essex, ss:

On this _____ day of May, 2017, before me, the undersigned notary public, personally appeared Michael Timko, President aforesaid, and proved to me through satisfactory evidence of identification which was personal knowledge to be the person whose name is signed on the proceeding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:

ACCEPTANCE OF GRANT BY TOWN OF ANDOVER, MA CONSERVATION COMMISSION

~~*{Use this Acceptance if Grantee is Conservation Commission}*~~

We, the undersigned, being a majority of the Conservation Commission of the Town of Andover, Massachusetts, hereby certify that at a public meeting duly held on _____ ~~*{ENTER DATE}*~~, the Conservation Commission voted to approve and accept the foregoing Conservation Restriction from the Andover Village Improvement Society, pursuant to M.G.L. Chapter 184 Section 32 and Chapter 40 Section 8(C).

ANDOVER CONSERVATION COMMISSION:

COMMONWEALTH OF MASSACHUSETTS

~~*{Enter County}*~~ ESSEX, ss:

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On this _____ day of _____, 2017, before me, the undersigned notary public, personally appeared _____, and proved to me through satisfactory evidence of identification which was _____ to be the person whose name is signed on the proceeding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:

APPROVAL OF SELECT BOARD

We, the undersigned, being a majority of the Select Board of the Town of Andover, Massachusetts, hereby certify that at a public meeting duly held on _____, 2017, the Select Board voted to approve the foregoing Conservation Restriction from the Andover Village Improvement Society to the Town of Andover Conservation Commission pursuant to Section 32 of Chapter 184 of the General Laws of Massachusetts.

SELECT BOARD:

COMMONWEALTH OF MASSACHUSETTS

[~~ESSEX~~ *Enter County*], ss:

On this _____ day of _____, 2017, before me, the undersigned notary public, personally appeared _____, and proved to me through satisfactory evidence of identification which was _____ to be the person whose name is signed on the proceeding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:

**APPROVAL BY SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
COMMONWEALTH OF MASSACHUSETTS**

The undersigned, Secretary of Executive Office of Energy and Environmental Affairs of the Commonwealth of Massachusetts, hereby certifies that the foregoing Conservation Restriction from [*Grantor's Name*] to [*Grantee's Name*] has been approved in the public interest pursuant to Massachusetts General Laws, Chapter 184, Section 32.

Dated: _____, 2017

MATTHEW A. BEATON
Secretary of Energy and Environmental Affairs

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss:

On this _____ day of _____, 2017, before me, the undersigned notary public, personally appeared MATTHEW A. BEATON, and proved to me through satisfactory evidence of identification which was _____ to be the person whose name is signed on the proceeding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:

EXHIBIT A

Legal Description of Premises

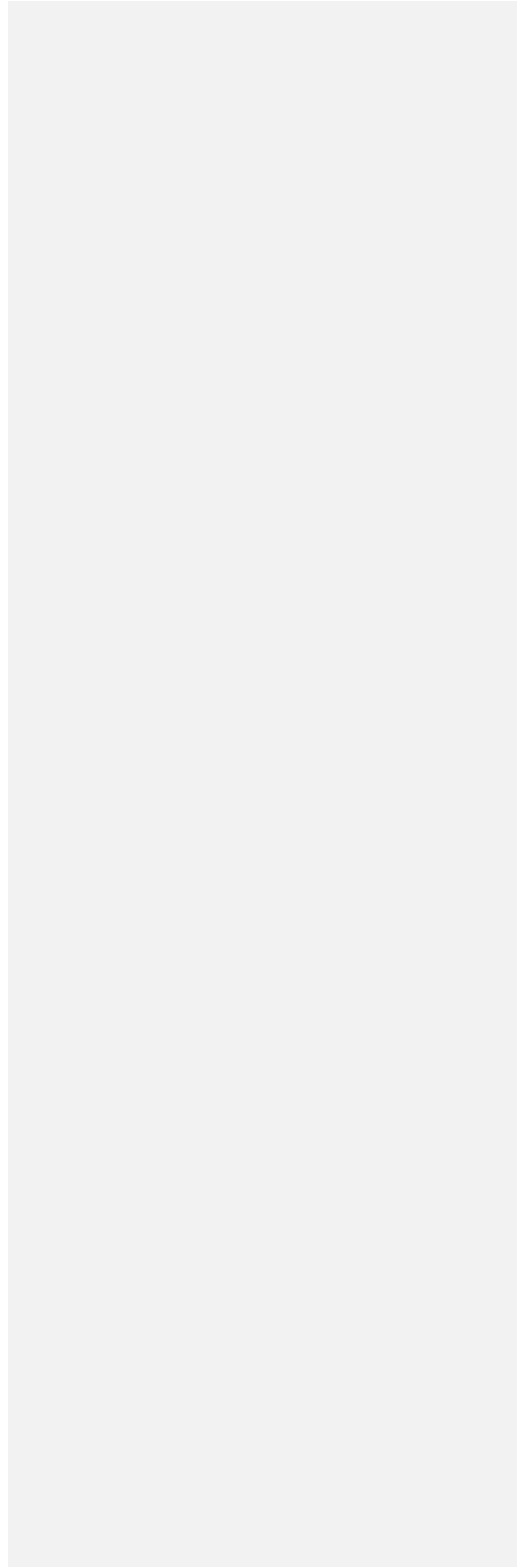


EXHIBIT A

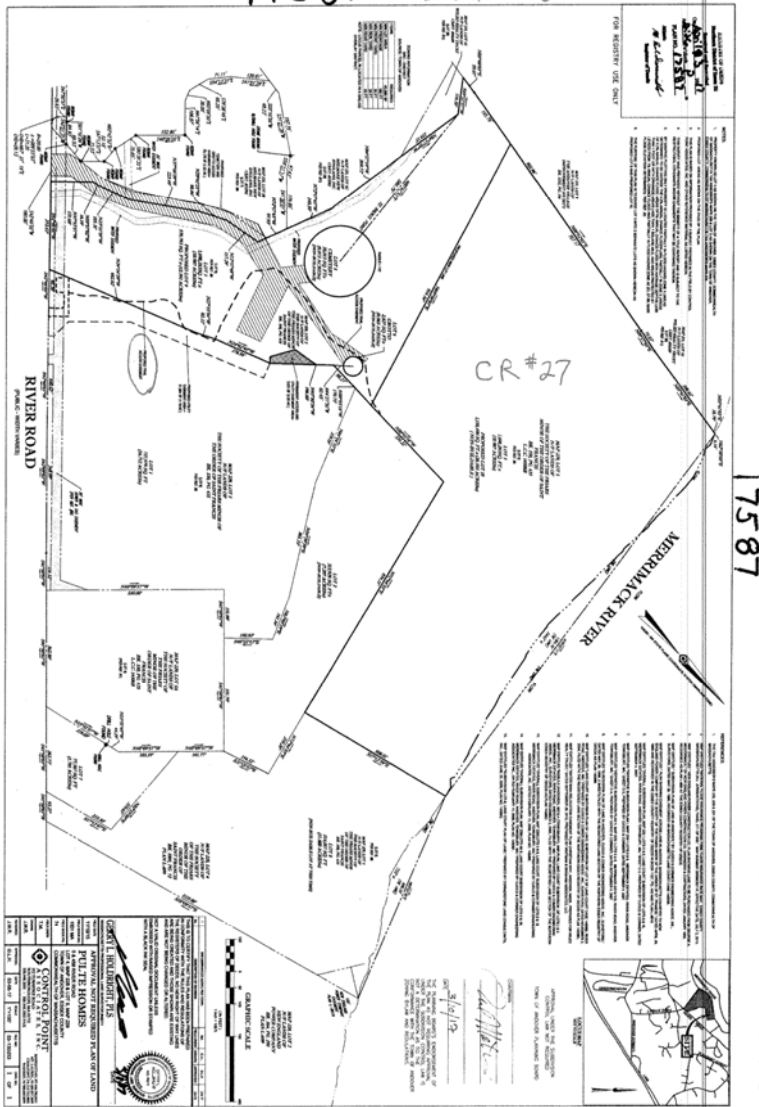
Legal description of premises:

The land located off 459 River Road, Andover, Essex County, Massachusetts and being shown as "Proposed Lot 10" containing 26.595 acres, more or less, on a plan entitled "Approval Not Required Plan of Land Pulte Homes 0 & 459 River Road Lot 4, Map 228 and Lot 5, Map 229 Town of Andover, Essex County Commonwealth of Massachusetts", dated March 8, 2017, prepared by Control Point Associates, Inc. ("ANR Plan") and recorded herewith as Plan #17587.

Together with a perpetual, non-exclusive easement appurtenant to the granted premises for pedestrian access over the area on Proposed Lot 9 on the ANR Plan identified as "Proposed Trail Access Easement", which easement shall be for the benefit of Grantee and of the public at large and shall be used for passive recreational and educational purposes, without a charge or fee therefore being imposed, such that said uses constitute recreational, conservation, scientific, educational, environmental, ecological, research, or charitable purposes, as provided under the so-called Massachusetts "Recreational Use" statute, M.G.L. c. 21, Section 17C, and the Grantee by acceptance and recordation of this Deed covenants and agrees that Grantee and or its successors and or assigns shall at all times permit the public to use the same for such uses at no charge so that Grantor and Grantee (and their respective successors and or assigns) shall be entitled at all times to enjoy the limitations on liability provided by the laws of the Commonwealth of Massachusetts for any injuries incurred by others while using and accessing the Easement Area, including M.G.L. c. 21, Section 17C.

EXHIBIT B

17587 Exhibit B-1



Sketch Plan

Exhibit B-2

