



# Lowell City Council

## Regular Meeting Agenda

Michael Q. Geary  
City Clerk

**Date:** April 28, 2020

**Time:** 6:30 PM

**Location:** City Council Chamber, 375 Merrimack Street, 2nd Floor, Lowell, MA

### 1. ROLL CALL

### 2. MAYOR'S BUSINESS

#### 2.1. Communication - Remote Participation.

Pursuant to Governor Baker's Emergency Order modifying the State's Open Meeting Law issued March 12, 2020, meetings will be held using remote participation as follows: Members of the public wishing to speak regarding a specific agenda item shall register to speak in advance by sending email to City Clerk indicating the agenda item and a phone number to call so that you may be conferenced in to the meeting. Email address is [MGEARY@LOWELLMA.GOV](mailto:MGEARY@LOWELLMA.GOV). If no access to email you may contact City Clerk at 978-674-4161.

### 3. CITY CLERK

#### 3.1. Minutes Of City Council Meeting April 14th, For Acceptance.

Documents:

[2020 APRIL 14 CC MINUTES.PDF](#)

### 4. UTILITY PUBLIC HEARING

#### 4.1. New Cingular Wireless (D/B/A AT&T) - Request Permission To Install Small Cell Facility On Existing Pole Located At 319 Market Street.

Documents:

[2020 APRIL 14 ATT SMALL CELL 319 MARKET ST.PDF](#)

#### 4.2. New Cingular Wireless (D/B/A AT&T) - Request Permission To Install Small Cell Facility On Existing Pole Located At 405 Lawrence Street.

Documents:

[2020 APRIL 14 ATT SMALL CELL 405 LAWRENCE.PDF](#)

#### 4.3. New Cingular Wireless (D/B/A AT&T) - Request Permission To Install Small Cell Facility On Existing Pole Located At 56 Oak Street.

Documents:

[2020 APRIL 14 ATT SMALL CELL 56 OAK ST.PDF](#)

- 4.4. New Cingular Wireless (D/B/A AT&T) - Request Permission To Install Small Cell Facility On Existing Pole Located At 60 Lafayette Street.

Documents:

[2020 APRIL 14 ATT SMALL CELL 60 LAFAYETTE ST.PDF](#)

- 4.5. New Cingular Wireless (D/B/A AT&T) - Request Permission To Install Small Cell Facility On Existing Pole Located At 878 Lakeview Avenue.

Documents:

[2020 APRIL 14 ATT SMALL CELL 878 LAKEVIEW AVE.PDF](#)

## **5. COMMUNICATIONS FROM CITY MANAGER**

### 5.1. Motion Responses

- A) Motion Response - Reduced ISP Fees and Charges
- B) Motion Response - Appeals Period for Fines and Tickets
- C) Motion Response - Appleton Mills Handicapped Resident Parking
- D) Motion Response - Tax Relief and Parking Relief During COVID Crisis
- E) Motion Response - Pavement Markings and Striping

Documents:

[C\) MOTION RESPONSE - APPLETON MILLS HANDICAPPED RESIDENT PARKING.PDF](#)  
[D\) MOTION RESPONSE - TAX RELIEF AND PARKING RELIEF DURING COVID CRISIS.PDF](#)  
[E\) MOTION RESPONSE - PAVEMENT MARKINGS AND STRIPING.PDF](#)  
[F\) MOTION RESPONSE - MAYORAL PORTRAIT POLICY.PDF](#)  
[A\) MOTION RESPONSE - REDUCED ISP FEES AND CHARGES.PDF](#)  
[B\) MOTION RESPONSE - APPEALS PERIOD FOR FINES AND TICKETS.PDF](#)

### 5.2. Petition Responses

- G) Petition Response - Residential Parking Program

Documents:

[G\) PETITION RESPONSE - RESIDENTIAL PARKING PROGRAM.PDF](#)

### 5.3. Informational Reports

- H) Informational - Mass DOT Rourke Bridge Presentation

Documents:

[H\) INFORMATIONAL - MASS DOT ROURKE BRIDGE PRESENTATION.PDF](#)

- 5.4. Communication - Reappoint Beverly Gonzalez To The Council On Aging

Documents:

[BEVERLY GONZALEZ REAPPOINT TO COA.PDF](#)

## **6. VOTES FROM THE CITY MANAGER**

### 6.1. Vote - Auth CM Remove Restriction From Deed 39 First St Blvd

Documents:

[VOTE-AUTH CM REMOVE RESTRICTION FROM DEED 39 FIRST ST BLVD.PDF](#)

## **7. REPORTS (SUB/COMMITTEE, IF ANY)**

## **8. PETITIONS**

### 8.1. Claims - (1) Property Damage; (1) Property Damage/Personal Injury.

### 8.2. National Grid - Request Installation Of Underground Electric Conduit For Pedestrian Lighting At 199 Pawtucket Street.

Documents:

[2020 APRIL 28 NATIONAL GRID REQ TO INSTALL 1-3 INCH CONDUIT FROM P 22 TO A METER PEDESTAL FOR PEDESTRIAN LIGHTING PAWTUCKET ST.PDF](#)

### 8.3. National Grid - Request Installation Of Underground Electric Conduit For Power At 70 Fox Street.

Documents:

[2020 APRIL 28 NATIONAL GRID REQ TO INSTALL 40 FEET 1-3 INCH CONDUIT AND SECONDARY CABLE FROM HH1 TO NEW HH5 FOR 70 FOX ST.PDF](#)

## **9. CITY COUNCIL - MOTIONS**

### 9.1. C. Elliott - Req. City Mgr. Provide A Report Regarding The Number Of Health Inspections/Violations Of Health Codes In All City Nursing Homes.

### 9.2. C. Elliott - Req. City Mgr. Provide A Report Regarding The Number Of Health And Safety Complaints Filed At The State Department Of Public Health In The Last Year For The City's Nine Nursing Homes.

### 9.3. C. Elliott - Req. City Mgr. Report On Status Of City Finances And Consider Hiring Freezes And Spending Limits On Only Essential Items.

### 9.4. C. Rourke - Req. City Mgr. Look Into The Availability Of Open Spaces; Such As Cawley Stadium And Lelacheur Park, For School Graduations This Spring That Would Adhere To Current Social Distancing Measures.

### 9.5. C. Rourke - Req. City Mgr. Update Council Regarding The Status Of The Lowell Junior Police Academy And The City's Parks And Recreation Summer Programs.

### 9.6. C. Rourke - Req. City Mgr. Contact The Massachusetts School Building Authority Regarding The Status On The Money Allotted To Lowell Concerning The Renovation

Of Lowell High School.

- 9.7. C. Conway - Req. City Mgr. Conference With The Appropriate Department Heads To Explore The Feasibility Of Offering Certificates And Other Documents On-Line; Example Birth, Marriage And Death Certificates.
- 9.8. C. Conway - Req. City Mgr. Reach Out To Lowell Nursing Home Administrators And The Board Of Health To Discuss The "Merits" Of Asking The National Guard To Provide Covid-19 Test Kits To Each Nursing Home In The Greater Lowell Area For All Their Residents And Staff.
- 9.9. C. Conway - Req. City Mgr. Meet With Law Department For The Purpose Of Exploring And Resolving The Outstanding Contractual Issues Regarding Van/Mini-Bus Transportation Of Special Education Students For The Lowell Public Schools.
- 9.10. C. Chau - Req. City Mgr. Investigate The Possible Use Of CDBG Funds For Emergency Grants/Loans To Lowell Small Businesses Similar To Programs In Worcester, Fitchburg And Cambridge.
- 9.11. C. Samaras - Req. City Mgr. Develop A Task Force To Create A Strategy To Assist Downtown Businesses In Preparation Of Reopening.
- 9.12. C. Drinkwater - Req. City Mgr. Direct Appropriate Departments To Survey Essential Grocery, Retail And Pharmacy Businesses To Asses The Availability And Use Of Personal Protective Equipment Including Face Coverings, Gloves, Hand Sanitizer And Plexiglass Barriers At Point Of Sale; And To Make Recommendations On Any Action Needed To Protect The Safety And Health Of Employees And Customers.
- 9.13. C. Drinkwater - Req. City Mgr. Work With Appropriate Departments To Determine The Feasibility Of Restricting Third Party Delivery Services From Charging Restaurants A Fee Per Online Order Of More Than 10% Of The Purchase Price, Until Such Time That The Restaurants Are Allowed To Serve Customers In Their Establishment At Full Capacity.

**10. ANNOUNCEMENTS**

**11. ADJOURNMENT**

**Office of the City Clerk - 375 Merrimack Street - Phone: 978.674.4161**



# Lowell City Council

## *Regular Meeting Minutes*

Michael Q. Geary  
City Clerk

**Date:** April 14, 2020

**Time:** 6:30 PM

**Location:** City Council Chamber, 375 Merrimack Street, 2nd Floor, Lowell, MA

### 1. ROLL CALL

Roll Call showed 9 present.

M. Leahy presiding. Meeting was conducted via teleconference with audio stream by LTC and recorded due to Covid-19 pandemic.

C. Mercier requested moment of silence in darkened chamber for Albert Daigle. C. Nuon requested moment of silence in darkened chamber for Michael Heath. M. Leahy requested moment of silence in darkened chamber for Beverly Conroy. C. Elliott recognized all of those who have passed due to Covid-19.

### 2. MAYOR'S BUSINESS

#### 2.1. Communication - Remote Participation

Pursuant to Governor Baker's Emergency Order modifying the State's Open Meeting Law issued March 12, 2020, meetings will be held using remote participation as follows: Members wishing to speak regarding a specific agenda item shall register to speak in advance by sending email to City Clerk indicating the agenda item and a phone number to call so that you may be conferenced in to the meeting. Email address is [mgeary@lowellma.gov](mailto:mgeary@lowellma.gov). If no access to email you may contact City Clerk at 978-674-4161.

In City Council, **Motion** "To accept and place on file" by C. Elliott, seconded by C. Drinkwater. So voted.

### 3. CITY CLERK

#### 3.1. Minutes of City Council Meeting March 24th, for acceptance.

In City Council, minutes read, **Motion** "To accept and place on file" by C. Samaras, seconded by C. Nuon. So voted.



#### **4. AUDITOR BUSINESS**

##### **4.1. Communication - Memo FY19 Audited Financial Statements.**

In City Council, **Motion** to refer matter to Finance SC by C. Elliott, seconded by C. Nuon. So voted.

##### **4.2. Communication - Memo Free Cash Certification.**

In City Council, **Motion** to refer matter to Finance SC by C. Elliott, seconded by C. Nuon. So voted. C. Elliott noted that the report was impressive and the financial team's efforts were noteworthy. M. Leahy commented on the effort of the financial team.

**Motion** to suspend rules to take Item #11.1 out of order by C. Mercier, seconded by C. Nuon. So voted.

#### **5. GENERAL PUBLIC HEARINGS**

##### **5.1. Ordinance-Amend certain sections of 10.3 entitled Hamilton Canal District Form Based Code.**

In City Council, hearing held. No Remonstrants. **Motion** to adopt by C. Mercier, seconded by C. Elliott. Adopted per Roll Call vote 9 yeas. So voted. C. Mercier commented on helping investors in that area and the surrounding area noting that parking spaces are at a premium and that efforts should be made to increase parking in that area. Manager Donoghue noted that there are many investors interested in developing parking garages and working with DPD and that she would provide report regarding efforts in that area.

#### **6. COMMUNICATIONS FROM CITY MANAGER**

##### **6.1. Motion Responses.**

In City Council, **Motion** "To accept and place on file" by C. Mercier, seconded by C. Samaras. So voted.

**A) Motion Response - Councilors Holding Multiple Elective Offices** – C. Mercier noted that a home rule petition would not be successful but it should be put forward. **Motion** by C. Mercier, seconded by C. Chau to take Item #7.6 out of order. So voted.

**B) Motion Response - Residency Requirement** – **Motion** by C. Nuon, seconded by C. Rourke to refer matter to Personnel SC. So voted. C. Rourke requested M. Leahy bring matter before the School Committee.



**C) Motion Response - Sick Bank – Motion** by C. Drinkwater, seconded by C. Chau to refer matter to Personnel SC. So voted. C. Drinkwater commented on federal legislation being put in place.

**D) Motion Response - Christian Ave** – C. Mercier noted that there was a long list and that it will be covered.

**E) Motion Response - City-wide Spring Cleaning Schedule** – C. Nuon requested information be put on website and with LYC.

**F) Motion Response - Yard Waste Pick-Up Schedule** – C. Nuon requested information be put on website and with LYC.

**G) Motion Response - Middlesex Street Sign Removal** – C. Elliott noted there was a third sign to be removed. C. Rourke questioned if signage had been installed to direct people to the new courthouse. Manager Donoghue noted she would contact Transportation Engineer on the matter.

**H) Motion Response - Illegal Dumping** – C. Nuon commented that there must be a more aggressive approach to combatting the issue. C. Rourke commented on the problem area and that clearing brush out may help with the problem. C. Mercier commented on the amount of debris at St. Hilaire car wash that needs to be addressed.

**I) Motion Response - Homeless Resources Booklet** – C. Mercier commented on the need for information to be updated and distributed in a small package of which she requested a copy. Manager Donoghue noted that the book is complete but information must be updated.

**J) Motion Response - Vacant-Dilapidated Properties in the Acre Redevelopment Plan** – C. Elliott commented on the updated report noted that there would be more discussion of the matter in the future.

**K) Motion Response - Opportunity Zones** – C. Elliott commented on the report and the program.

**L) Motion Response - Small Business Earmark** - C. Elliott commented on the report and the possible negative effect due to pandemic. Manager Donoghue commented on state finances.

**M) Motion Response - Lord Overpass Parking** – C. Mercier noted report and attempt to think outside of the box.



**N) Motion Response - Rourke Bridge Update** – C. Nuon commented on the need for public engagement. Manager Donoghue noted the scheduling of MassDOT to make a presentation. C. Elliott indicated that State wishes to move forward the City should be involved as well.

**O) Motion Response - Bicentennial Planning** – C. Nuon noted planning was moving forward.

## **6.2. Informational Reports**

**P) Informational - Coronavirus Response and Preparedness** – Manager Donoghue outlined report providing update regarding number of cases; City responses; data reports provided to public; work of Health Department; homelessness issue; rapid testing sites; social distancing; City Hall operations; and first responders. C. Conway commented on the report noting rapid testing and the efforts of the Health Department. C. Conway commented on revising the economy and preparation of municipal buildings once public and employees return. Manager Donoghue outlined the sanitizing of City and school buildings. C. Samaras commented on the number of ventilators available and if that would be sufficient. Manager Donoghue noted that Lowell General Hospital was confident with their approach to the pandemic. C. Nuon commented on the efforts of the City with all their partners. Manager Donoghue noted that efforts are being made to protect all. C. Rourke questioned process as to the selection of a City school for a shelter. Manager Donoghue outlined the process and noted the State involvement with that process. C. Rourke questioned the security, staffing and cleaning of the school during and after use. Manager Donoghue noted there was a plan in place for that transition no matter when it happens and that staff are not City employees. C. Rourke questioned oversight of nursing homes. Manager Donoghue noted that was a State function but the City is providing added resources as well. C. Chau noted efforts for crisis management and noted plans for restoring school after use as a shelter. C. Chau commented on the operations of test sites. C. Mercier noted test sites should be available to all risk groups. C. Drinkwater commented on priorities of the testing centers. Manager Donoghue commented on the preference procedures at the sites. C. Drinkwater noted importance of assisting nursing homes. C. Elliott commented on testing procedures; surge information; and nursing home oversight.

**Q) Informational - FY2019 Audit Memo – Motion** to refer to Finance SC by C. Elliott, seconded by C. Nuon. So voted.

**R) Informational - Construction Projects** – Natasha Vance (Transportation Engineer) outlined memo noting construction is deemed essential and additional State regulations.



**6.3. Communication - Planning Board recommendation regarding zoning amendments of 10.3 Hamilton Canal District Form Based Code.**

In City Council, **Motion** "To accept and place on file" by C. Elliott, seconded by C. Chau. So voted.

**6.4. Communication - Accept Resignation of Jeffrey Wilson from Lowell Commission on Disability.**

In City Council, **Motion** "To accept and place on file" by C. Conway, seconded by C. Chau. So voted.

**6.5. Communication - Appoint Mary Katherine Lapinski to Board of Parks.**

In City Council, read, **Motion** to adopt by C. Mercier, seconded by C. Elliott. Adopted per Roll Call vote 9 yeas. So voted.

**7. VOTES FROM THE CITY MANAGER**

**7.1. Vote - Appropriate \$7,462,706 from 7.1.19 Certified Free Cash.**

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Elliott, seconded by C. Rourke. Adopted per Roll Call vote 9 yeas. So voted. C. Elliott commented on building up the reserve fund noting it was prudent financial practice. Conor Baldwin (CFO) outlined the transfer.

**7.2. Vote-Auth CM Accept Expend \$1,125 from Massachusetts Board of Library Commissioners.**

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Elliott, seconded by C. Samaras. Adopted per Roll Call vote 9 yeas. So voted.

**7.3. Vote-Auth CM Accept Expend \$125,000 from Comm of MA via the Executive Office of Labor and Workforce Dev.**

In City Council, matter was withdrawn per request of Manager Donoghue.

**7.4. Vote-Auth CM Accept Expend 10K from Mass State Historical Records Advisory Bd and Mass Genl Court.**

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Drinkwater, seconded by C. Nuon. Adopted per Roll Call vote 9 yeas. So voted.



**7.5. Vote-Auth CM Execute Amendment #2-Mass Dept of Transportation - RMV Lease.**

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Drinkwater, seconded by C. Elliott. Adopted per Roll Call vote 9 yeas. So voted.

**7.6. Vote - Home Rule Petition for City Councilor Restrictions.**

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Mercier, seconded by C. Chau. Adopted per Roll Call vote 5 yeas, 4 nays (C. Conway, C. Drinkwater, C. Nuon, C. Samaras). So voted.

**8. RESOLUTIONS**

**8.1. Resolution-Support HD4935 Moratorium on Evictions and Foreclosures during COVID 19 Emergency.**

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Elliott, seconded by C. Mercier. Adopted per Roll Call vote 9 yeas. So voted. C. Mercier questioned process to sign resolution.

**9. REPORTS (SUB/COMMITTEE, IF ANY)**

In City Council, none.

**10. PETITIONS**

**10.1. Claim - (1) Personal Injury.**

In City Council, **Motion** to refer to Law Department for report and recommendation by C. Conway, seconded by C. Samaras. So voted.

In City Council **Motion** to bundle Items #10.2 to #10.6, inclusive, and refer each of them to a public hearing on April 28, 2014 at 7 PM by C. Elliott, seconded by C. Nuon. So voted.

**10.2. New Cingular Wireless (d/b/a AT&T) - Request permission to install small cell facility on existing pole located at 319 Market Street.**

In City Council, Given 1<sup>st</sup> Reading, **Motion** to refer to public hearing on April 28, 2020 at 7PM by C. Elliott, seconded by C. Nuon. So voted.



**10.3. New Cingular Wireless (d/b/a AT&T) - Request permission to install small cell facility on existing pole located at 405 Lawrence Street.**

In City Council, Given 1<sup>st</sup> Reading, **Motion** to refer to public hearing on April 28, 2020 at 7PM by C. Elliott, seconded by C. Nuon. So voted.

**10.4. New Cingular Wireless (d/b/a AT&T) - Request permission to install small cell facility on existing pole located at 56 Oak Street.**

In City Council, Given 1<sup>st</sup> Reading, **Motion** to refer to public hearing on April 28, 2020 at 7PM by C. Elliott, seconded by C. Nuon. So voted.

**10.5. New Cingular Wireless (d/b/a AT&T) - Request permission to install small cell facility on existing pole located at 60 Lafayette Street.**

In City Council, Given 1<sup>st</sup> Reading, **Motion** to refer to public hearing on April 28, 2020 at 7PM by C. Elliott, seconded by C. Nuon. So voted.

**10.6. New Cingular Wireless (d/b/a AT&T) - Request permission to install small cell facility on existing pole located at 878 Lakeview Avenue.**

In City Council, Given 1<sup>st</sup> Reading, **Motion** to refer to public hearing on April 28, 2020 at 7PM by C. Elliott, seconded by C. Nuon. So voted.

**11. CITY COUNCIL - MOTIONS**

**11.1. C. Mercier - Req. City Mgr. have Parking Director develop a plan to allow handicap residents from the Appleton Mills Apartments to have first access to the handicap spaces once the garage is finished and allow handicap residents to park in the UMass-Lowell lot in the interim.**

In City Council, seconded by C. Nuon, referred to City Manager. So voted. Registered speaker, Steve Perez, addressed the Council. C. Mercier commented on the parking concerns of residents in the area and that their request should be honored. C. Conway questioned if Disability Commission were involved in parking plans of the City. Manager Donoghue noted that accommodation plans for the disable are part of all parking projects in the City and that she would provide report in response to motion.

**11.2. C. Mercier - Req. City Mgr. find ways and means to have City vendors that are responsible for sending out property tax bill, excise tax bills, etc. offer a grace period for payment during these difficult times.**



In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Mercier noted citizens need assistance during these times and other private and government agencies have provided same. C. Chau noted all motions seeking relief are helpful. M. Leahy noted that City has obligations as well. Manager Donoghue noted that City Hall has and will remain open for business though not accessible by the public. Items #11.3 and #11.5 were discussed as well.

**11.3. C. Nuon - Req. City Mgr. due to Covid-19 crisis, extend the appeals period for any citation, ticket or fine issued by the City; in addition relax any time lines for late fees and/or municipal licenses until Emergency Orders are lifted.**

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Nuon commented on the economic hit caused by the pandemic.

**11.4. C. Nuon - Req. City Mgr. and Law Department, due to Covid-19 crisis, consult with Non-Profit Housing Organizations (CTI, CBA, Merrimack Valley Housing Partnership) in order to use Community Preservation Act (CPA) for rental assist programs.**

In City Council, seconded by C. Mercier, referred to City Manager/Law Department. So voted. C. Nuon noted that affordable housing was a part of the CPA regulations.

**11.5. C. Elliott - Req. City Mgr. have proper department suspend parking ticketing during Stay At Home Order.**

In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Elliott noted it as a gesture for relief during difficult times.

**11.6. C. Chau - Req. City Mgr. contact Comcast, Verizon and other internet providers to the City and request/negotiate reduced fees and service charges during the Covid-19 emergency period.**

In City Council, seconded by C. Nuon, referred to City Manager. So voted. C. Chau noted that public utilities could not be discontinued during these times and that people have having difficulty paying basic bills.

**11.7. C. Chau - Req. City Mgr. incorporate the standardized Covid-19 information provided by the Commonwealth of Massachusetts into a comprehensive neighborhood report regarding Covid-19 cases.**



In City Council, seconded by C. Mercier, referred to City Manager. So voted. C. Chau noted importance of passing on valuable information to public.

## 12. ANNOUNCEMENTS

In City Council, C. Mercier noted the efforts of the MIS Department. C. Chau noted the Cambodian New Year Celebration.

## 13. ADJOURNMENT

In City Council, **Motion** to Adjourn C. Samaras, seconded by C. Conway. So voted.

Meeting adjourned at 8:50 PM.

---

Michael Q. Geary, City Clerk

## Review of Utility Company Request for New Conduit/Pole Location

**Applicant Information**

**Project Address**

Utility Gas Electric Telephone

Utility Pole #4 Near 319 Market St

(circle one) Other

Lowell, MA

Reason Install Wireless Small Cell Facility on an

Existing Utility Pole in the Public Right of Way

Date Submitted March 17, 2020

Review done by Richard Biagini

**Sidewalk Material**

Concrete Asphalt Other

**Note: material to be replaced in kind (Concrete in full panels)**

Sidewalk Vaults present Y N

Work on Street under a Paving Moratorium Y N

Is this location within the Flood Plain? Y N

Are ADA requirements being met? Y N

**Comments**

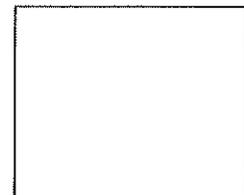
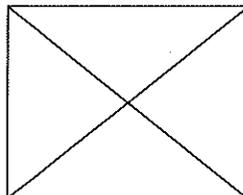
1. Contractor shall notify abutters at least 72 hours prior to beginning work.

**Outcome of Review**

Approved

Approved With  
Comments

Denied



John Gleason, Interim City  
Engineer

*[Handwritten Signature]*

# brownrudnick

Edward D. Pare, Jr., Esq.  
direct dial: 401-276-2839  
epare@brownrudnick.com

February 3, 2020

City Council  
City of Lowell  
c/o City Clerk  
Lowell City Hall  
375 Merrimack Street  
1st Floor, Room 31  
Lowell, MA 01852

Christine Clancy, P.E.  
City Engineer  
City of Lowell  
Lowell City Hall  
375 Merrimack Street  
3rd Floor, Room 61  
Lowell, MA 01852

**RE: Application of New Cingular Wireless PCS, LLC (d/b/a AT&T) for a Grant of Location for a Wireless Small Cell Facility, Including Telecommunication Wires and Wireless Attachments and Appurtenances on an Existing Utility Pole in the Public Right of Way at the Following Location:**

**Pole #4 - Near 319 Market Street, Lowell, MA 01852**

Dear Honorable Members of the Lowell City Council:

As you may recall, we represent New Cingular Wireless PCS, LLC (d/b/a "AT&T") with respect to its deployment of small cell facilities in the City of Lowell and the Commonwealth of Massachusetts. AT&T is licensed by the Federal Communications Commission (the "FCC") to provide wireless communications services in the City of Lowell and throughout the Commonwealth of Massachusetts.

On behalf of AT&T and while reserving all rights, please accept this submission as an application for approval for a grant of location (the "Application") for one (1) small cell facility on an existing utility pole located in the public right of way near the above referenced address (the "Site"). The Application is filed pursuant to the federal Telecommunications Act of 1996 (the "Act"), the Declaratory Ruling and Third Report and Order 18-133 (the "Order") issued by the FCC in September 2018 [https://docs.fcc.gov/public/attachments/FCC-18-133A1\\_Rcd.pdf](https://docs.fcc.gov/public/attachments/FCC-18-133A1_Rcd.pdf) and Massachusetts General Laws Chapter 166, Sections 21, 22 and 25A for telecommunication wires and wireless attachments and appurtenances attached to utility poles.

AT&T has entered into a Pole Attachment Agreement with National Grid and we have included a letter of authorization from National Grid to AT&T to submit the Application. The



existing pole complies with and is in accordance with the Act, the Order and Massachusetts state law.

We have also provided a detailed set of drawings (the "Plans") and map for this small cell facility. Additionally, we have provided photographs of a similar small cell installation installed by AT&T and located at 8 General Street, Lawrence, Massachusetts for use as an example. Also enclosed, please find a generic small cell facility report demonstrating compliance with applicable emissions standards established by the FCC.

AT&T proposes this small cell facility in the City of Lowell to deal with the rapidly increasing demands on AT&T's wireless network. This small cell facility will work in conjunction with the existing macro sites installed on rooftops, towers and other structures in and around the City of Lowell. AT&T's radio frequency engineers targeted the proposed location due to the high traffic and data demands on AT&T's network in these areas. AT&T's existing macro cell sites are not providing adequate data capacity near the Site due to population, vehicular and foot traffic, multiple wireless devices in use and other contributing factors. This small cell facility will work to offload the demands on the macro sites and allow for increased data capacity and speed within the immediate vicinity of the Sites and near AT&T's existing macro sites.

This small cell facility will be installed using standard commercially accepted methods in accordance with all applicable federal, state and local laws, regulations and orders. As depicted on the Plans, this small cell installation on the existing utility pole will include: fiber optic cable(s); remote radios in a small equipment cabinet 39" in height by 23" wide by 15" deep (7.8 cubic feet in volume) mounted to the pole at least 12'9" above ground level; an unobtrusive pole top antenna measuring 25" long and 10" in diameter (1.132 cubic feet in volume); conduits and cable protectors; and, an electrical meter 8' above ground level with shutoff switch and grounding rod. The Plans also provide the proposed location, pole height, mounting height and equipment specifications.

#### The Telecommunications Act of 1996

Without the installation, AT&T would be unable to provide specifically established coverage and capacity objectives. The existing utility pole is located within the limited geographic area whereby AT&T's radio frequency engineers determined that a wireless facility is required. The Act imposes substantial restrictions affecting the standard for granting the requested relief. The Act provides that: no laws or actions by any local government or planning or zoning board may prohibit, or have the effect of prohibiting, the placement, construction, or modification of communications towers, antennas, or other wireless facilities in any particular geographic area, see 47 U.S.C. §332(c)(7)(B)(i); local government or planning or zoning boards may not unreasonably discriminate among providers of functionally equivalent services, see 47 U.S.C. §332(c)(7)(B)(i); health concerns may not be considered so long as the emissions comply with the applicable standards of the FCC, see 47 U.S.C. §332(c)(7)(B)(iv); and,



City Council  
City of Lowell  
February 3, 2020  
Page 3

decisions must be rendered within a reasonable period of time, see 47 U.S.C. §332(c)(7)(B)(ii) and the Order commonly referenced as the applicable “shot clocks”. The FCC shot clock in this instance is sixty (60) days from the date of submission of the Application.

We respectfully assert that AT&T's proposed small cell facility is reasonable and reasonably complies with the requirements of the City of Lowell in light of the Act, the Order and state law. AT&T is willing to work cooperatively with the City of Lowell with respect the deployment of its small cell facilities and we look forward to your feedback. For the convenience of the City Council, AT&T has provided a proposed Form of Order for your consideration.

If you have any questions, please don't hesitate to contact me. We look forward to presenting the Application at an upcoming meeting.

Sincerely,

BROWN RUDNICK LLP

---

Edward D. Pare, Jr., Esq.

Enclosures: Plans  
Structural Report  
Letter of Authorization from National Grid  
Photograph of Existing Small Cell Facility  
Emissions Report



**ORDER FOR LOCATION FOR TELECOMMUNICATIONS WIRES AND WIRELESS ATTACHMENTS AND APPURTENANCES**

By the City Council

Of the City of Lowell, Massachusetts, \_\_\_\_\_, 2020

ORDERED:

That pursuant to the federal Telecommunication Act of 1996 and Massachusetts General Laws, Chapter 166, NEW CINGULAR WIRELESS PCS, LLC ("AT&T") is hereby granted a location for and permission to construct and maintain telecommunications wires and wireless attachments and appurtenances, including fiber optic cable(s), remote nodes and pole top antennas, to be attached to a National Grid utility pole, located upon, along and under the public ways within the City of Lowell, as substantially shown on the plans filed with said petition.

The forgoing permission is subject to the following condition: the telecommunications wires and wireless attachments and appurtenances shall be installed and operated in compliance with all applicable federal and state laws and regulations.

I hereby certify that the foregoing was adopted at a meeting of the City Council of the City of Lowell, Massachusetts, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

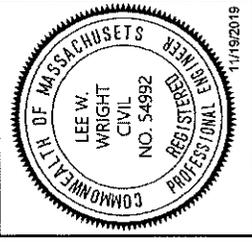
\_\_\_\_\_  
City Clerk





SUBMITTALS	
DATE	REVISION
11/20/01	1. INITIAL
11/20/01	2. REVISED
11/20/01	3. REVISED
11/20/01	4. REVISED
11/20/01	5. REVISED
11/20/01	6. REVISED
11/20/01	7. REVISED
11/20/01	8. REVISED
11/20/01	9. REVISED
11/20/01	10. REVISED

DRAWN BY: AAK  
 CHECKED BY: JOW  
 APPROVED BY: LWJ



USID: 282143  
 SITE ADDRESS:  
 319 MARKET STREET  
 LOWELL, MA 01862

PA LOCATION:  
 14942026

SITE NAME:  
 CRAN\_RCTB\_LWLL\_06

SHEET TITLE  
 GENERAL NOTES

SHEET NUMBER  
 GN-1

**GENERAL CONSTRUCTION**

- FOR THE PURPOSE OF CONSTRUCTION DRAWINGS, THE FOLLOWING DEFINITIONS SHALL APPLY:
  - CONTRACTOR - AT&T WIRELESS
  - GENERAL CONTRACTOR - TBD
- ALL SITE WORK SHALL BE COMPLETED AS INDICATED ON THE DRAWINGS AND AT&T SPECIFICATIONS PROJECT.
- CONTRACTOR SHALL VISIT THE SITE AND SHALL FAMILIARIZE THEMSELVES WITH ALL CONDITIONS AFFECTING THE PROPOSED WORK AND SHALL MAKE PROVISIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR FAMILIARIZING THEMSELVES WITH ALL CONTRACT REQUIREMENTS AND CONDITIONS PRIOR TO BEGINNING CONSTRUCTION. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO THE COMMENCEMENT OF WORK.
- ALL MATERIALS FURNISHED AND INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS, AND ORDINANCES. CONTRACTOR SHALL ISSUE ALL NECESSARY PERMITS AND OBTAIN ALL NECESSARY APPROVALS FROM ALL APPLICABLE AGENCIES AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY REGARDING THE PERFORMANCE OF WORK.
- ALL WORK CARRIED OUT SHALL COMPLY WITH ALL APPLICABLE MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS AND LOCAL JURISDICTIONAL CODES, ORDINANCES AND APPLICABLE REGULATIONS.
- EQUIPMENT, APPURTENANCES, AND LABOR NECESSARY TO COMPLETE ALL INSTALLATIONS AS INDICATED ON THE DRAWINGS.
- PLANS ARE NOT TO BE SCALED. THESE PLANS ARE INTENDED TO BE A DIAGRAMMATIC OUTLINE ONLY UNLESS OTHERWISE NOTED. DIMENSIONS SHOWN ARE TO FINISH SURFACES UNLESS OTHERWISE NOTED. SPACING BETWEEN EQUIPMENT IS THE MINIMUM UNLESS OTHERWISE NOTED. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING A CLARIFICATION FROM THE ENGINEER PRIOR TO PROCEEDING WITH THE WORK. DETAILS ARE INTENDED TO SHOW DESIGN INTENT. MODIFICATIONS MAY BE REQUIRED TO SUIT JOB DIMENSIONS OR CONDITIONS AND SUCH MODIFICATIONS SHALL BE INCLUDED AS PART OF WORK AND THE CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS UNLESS SPECIFICALLY STATED OTHERWISE.
- IF THE SPECIFIED EQUIPMENT CANNOT BE INSTALLED AS SHOWN ON THESE DRAWINGS, THE CONTRACTOR SHALL PROPOSE AN ALTERNATIVE INSTALLATION SPACE FOR REVIEW BY THE ENGINEER PRIOR TO PROCEEDING.
- ADJACENT AREAS AND BUILDING OCCUPANTS THAT ARE LIKELY TO BE AFFECTED BY THE WORK UNDER THIS CONTRACT, WORK SHALL CONFORM TO ALL OSHA REQUIREMENTS AND THE LOCAL JURISDICTION.
- CONTRACTOR SHALL COORDINATE WORK AND SCHEDULE WORK ACTIVITIES WITH OTHER TRADES.
- WORK SHALL BE DONE IN A WORKMANLIKE MANNER BY THE BEST EXPERIENCED PERSONNEL IN ACCORDANCE WITH APPLICABLE CODES AND THE ACCEPTED PRACTICES. ALL MEMBERS SHALL BE LAID PLUMB AND TRUE AS INDICATED ON THE DRAWINGS.
- WORK PREVIOUSLY COMPLETED IS REPRESENTED BY LIGHT SHADDED LINES AND NOTES. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL EXISTING CONDITIONS PRIOR TO BEGINNING CONSTRUCTION.
- CONTRACTOR SHALL PROVIDE WRITTEN NOTICE TO THE CONSTRUCTION MANAGER 48 HOURS PRIOR TO COMMENCEMENT OF WORK.
- THE GENERAL CONTRACTOR SHALL PROTECT EXISTING IMPROVEMENTS, PAVEMENTS, UTILITIES, AND STRUCTURES. ANY DAMAGED PARTS SHALL BE REPAIRED AT CONTRACTOR'S EXPENSE. THE CONTRACTOR SHALL CONFORM TO ALL OSHA REQUIREMENTS AND THE LOCAL JURISDICTION.
- THE GENERAL CONTRACTOR SHALL CONTACT UTILITY LOCATING SERVICES PRIOR TO THE START OF CONSTRUCTION.
- CONTRACTOR SHALL COORDINATE AND MAINTAIN ACCESS FOR ALL TRADES AND CONTRACTORS TO THE SITE AND/OR BUILDING.
- THE GENERAL CONTRACTOR SHALL MAINTAIN IN GOOD CONDITION ONE COMPLETE SET OF PLANS WITH ALL REVISIONS, ADDENDA, AND CHANGE ORDERS ON THE PREMISES AT ALL TIMES.
- THE GENERAL CONTRACTOR SHALL PROVIDE PORTABLE FIRE EXTINGUISHERS WITH A MINIMUM OF ONE EXTINGUISHER TO EACH 2500 SQ. FT. OF WORK AREA. EXTINGUISHERS SHALL BE WITHIN 25 FEET OF TRAVEL DISTANCE TO ALL PORTIONS OF WHERE THE WORK IS BEING COMPLETED DURING CONSTRUCTION.
- ALL EXISTING ACTIVE SEWER, WATER, GAS, ELECTRIC, AND OTHER UTILITIES SHALL BE PROTECTED AT ALL TIMES AND WHERE REQUIRED FOR THE PROPER EXECUTION OF THE WORK, SHALL BE RELOCATED AS DIRECTED BY THE ENGINEER. EXTREME CAUTION SHALL BE EXERCISED BY THE CONTRACTOR TO PREVENT DAMAGE TO EXISTING PIPES AND/OR NEARBY UTILITIES. REPAIRS TO EXISTING UTILITIES SHALL BE MADE IN ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS, AND ORDINANCES. CONTRACTOR SHALL PROVIDE PROTECTION, B) CONFINED SPACE, C) ELECTRICAL SAFETY, AND D) TRENCHING & EXCAVATION.
- ALL EXISTING INACTIVE SEWER, WATER, GAS, ELECTRIC, AND OTHER UTILITIES WHICH ARE NOT TO BE REMOVED SHALL BE PROTECTED AND MAINTAINED. ALL UTILITIES NOT TO BE REMOVED SHALL BE DISCONNECTED AT POINTS WHICH WILL INTERFERE WITH THE EXECUTION OF THE WORK, AS DIRECTED BY THE RESPONSIBLE ENGINEER, AND SUBJECT TO THE APPROVAL OF THE OWNER AND/OR LOCAL UTILITIES.
- THE AREAS OF THE OWNERS PROPERTY DISTURBED BY THE WORK AND NOT COVERED BY THE POLE, EQUIPMENT OR DRIVEWAY, SHALL BE GRADED TO A UNIFORM SLOPE, AND STABILIZED TO THE NEXT ELEVATION.

**ANTENNA MOUNTING**

- DESIGN AND CONSTRUCTION OF ANTENNA SUPPORTS SHALL CONFORM TO CURRENT ANSIS/A22.2 OR APPLICABLE LOCAL CODES.
- ALL STEEL MATERIALS SHALL BE GALVANIZED AFTER FABRICATION IN ACCORDANCE WITH ASTM A123 (ZINC-ROT-DIP GALVANIZED) COATINGS ON IRON AND STEEL PRODUCTS, UNLESS NOTED OTHERWISE.
- ALL GALVANIZED SURFACES SHALL BE GALVANIZED IN ACCORDANCE WITH ASTM A153 (ZINC-COATING (HOT-DIP) ON IRON AND STEEL HARDWARE), UNLESS NOTED OTHERWISE.
- DAMAGED GALVANIZED SURFACES SHALL BE REPAIRED BY COLD GALVANIZING IN ACCORDANCE WITH ASTM A790.
- INSTALL WITH LOCK NUTS, DOUBLE NUTS AND SHALL BE TORQUED TO MANUFACTURER'S RECOMMENDATIONS.
- GENERAL CONTRACTOR SHALL INSTALL ANTENNA PER MANUFACTURER'S RECOMMENDATION FOR INSTALLATION AND GROUNDING.
- GENERAL CONTRACTOR SHALL ENSURE THAT ALL ANTENNA SYSTEMS SHALL BE TERMINATED WITH A 50-OHM LOAD TO ENSURE PROPER PERFORMANCE.
- GENERAL CONTRACTOR SHALL RECORD THE SERIAL #, SECTOR, AND POSITION OF EACH ANTENNA INSTALLED AT THE ANTENNAS AND PROVIDE THE INFORMATION TO A&T.

**TORQUE REQUIREMENTS**

- ALL RF CONNECTIONS, GROUNDING HARDWARE AND ANTENNA HARDWARE SHALL HAVE A TORQUE MARK INSTALLED IN A CONTINUOUS STRAIGHT LINE FROM BOTH SIDES OF THE CONNECTION.
- CONNECTIONS ON BOTH SIDES OF THE CONNECTOR.
- GROUNDING AND ANTENNA HARDWARE ON THE NUT SIDE STARTING FROM THE THREADS TO THE SOLID SURFACE. EXAMPLE OF SOLID SURFACE, GROUND BAR, ANTENNA BRACKET METAL.

**CABLE MOUNTING**

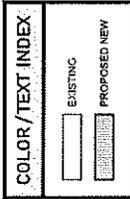
- TYPE AND SIZE OF THE ANTENNA CABLE ARE BASED ON ESTIMATED LENGTHS. PRIOR TO ORDERING CABLE, CONTRACTOR SHALL VERIFY ACTUAL LENGTH BASED ON CONSTRUCTION LAYOUT AND NOTIFY THE PROJECT MANAGER IF ACTUAL LENGTHS EXCEED ESTIMATED LENGTHS.
- GENERAL CONTRACTOR SHALL BE REQUIRED TO THE DESIGNED SUPPORT STRUCTURE, IN AN APPROVED MANNER AT DISTANCES NOT TO EXCEED 42" OC.
- GENERAL CONTRACTOR SHALL FOLLOW ALL MANUFACTURER'S INSTRUCTIONS REGARDING BOTH THE INSTALLATION AND GROUNDING OF ALL COAXIAL CABLES, CONNECTORS, ANTENNAS, AND ALL OTHER EQUIPMENT, INCLUDING ANTENNAS, RET MOTORS, TUNES, COAX CABLES, AND RET CONTROL CABLES AS A COMPLETE SYSTEM. GROUNDING SHALL BE EXECUTED BY QUALIFIED WIREMEN IN COMPLIANCE WITH MANUFACTURER'S SPECIFICATION AND RECOMMENDATION.

**GENERAL CABLE AND EQUIPMENT NOTES**

- GENERAL CONTRACTOR SHALL BE RESPONSIBLE TO VERIFY ANTENNA, AND COAX CONFIGURATION, MAKE AND MODELS PRIOR TO INSTALLATION.
- ALL CONNECTIONS FOR HANGERS, SUPPORTS, BRACING, ETC. SHALL BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS.
- GENERAL CONTRACTOR SHALL REFERENCE THE POLE STRUCTURAL ANALYSIS/DESIGN DRAWINGS FOR DIRECTIONS ON CABLE DISTRIBUTION/ROUTING.
- ALL OUTDOOR RF CONNECTOR CONNECTIONS SHALL BE WEATHERPROOFED, EXCEPT THE RET CONNECTORS, USING BUTYL TAPE AFTER INSTALLATION AND FINAL CONNECTIONS SHALL BE WEATHERPROOFED. ALL WIRE CONNECTIONS SHALL BE WEATHERPROOFED. EACH TURN AND EACH LAYER SHALL BE WRAPPED THREE TIMES. WEATHERPROOFING SHALL BE SMOOTH WITHOUT BUCKLING. BUTYL BLEEDING IS NOT ALLOWED.
- IF REQUIRED TO PAINT ANTENNAS AND/OR COAX:
  - TEMPERATURE SHALL BE ABOVE 50° F BY BUILDING OWNER/LANDLORD.
  - FOR PAINTED TOWERS, PAINT/GRAD APPROVED PAINT IS REQUIRED.
  - DO NOT PAINT OVER COLOR CODING OR ON EQUIPMENT MODEL NUMBERS.
  - ALL CABLES SHALL BE GROUNDING WITH COAXIAL CABLE GROUND KITS. FOLLOW THE MANUFACTURER'S SPECIFICATIONS.
  - GROUNDING THE ANTENNA LEVEL.
  - GROUNDING AT BASE OF POLE PRIOR TO TURNING HORIZONTAL.

**GROUNDING NOTES**

- THE GENERAL CONTRACTOR SHALL REVIEW AND INSPECT THE EXISTING FACILITY GROUNDING SYSTEM AND LIGHTNING PROTECTION SYSTEM (AS DESIGNED AND INSTALLED) FOR STRICT COMPLIANCE WITH THE NEC AS ADOPTED BY THE AUI. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE EXISTING GROUNDING SYSTEM SHALL REPORT ANY VIOLATIONS OR ADVERSE FINDINGS TO THE CONTRACTOR FOR RESOLUTION.
- ALL GROUND ELECTRODE SYSTEMS (INCLUDING TELECOMMUNICATION, RADIO, LIGHTNING PROTECTION, ETC.) SHALL BE INSTALLED IN ACCORDANCE WITH THE NEC. THE GENERAL CONTRACTOR SHALL PERFORM IEEE FALL-OF-POTENTIAL RESISTANCE TO EARTH TESTING PER IEEE 1190 AND 81) FOR NEW GROUND ELECTRODE SYSTEMS. THE GENERAL CONTRACTOR SHALL VERIFY THE RESISTANCE TO EARTH OF ALL GROUNDING ELECTRODES AS NEEDED TO ACHIEVE A TEST RESULT OF 5 OHMS OR LESS.
- CONDUCTOR, STRANDED COPPER CONDUCTORS WITH GREEN INSULATION, SIZED IN ACCORDANCE WITH THE NEC, SHALL BE FURNISHED AND INSTALLED WITH THE POWER EACH BITS CABINET FRAME SHALL BE DIRECTLY CONNECTED TO THE MASTER GROUND BAR WITH GREEN INSULATED SUPPLEMENTAL EQUIPMENT GROUND WIRES, 6 AWG STRANDED COPPER OR LARGER FOR INDOOR BITS 2 AWG STRANDED COPPER FOR OUTDOOR BITS. WELDS SHALL BE USED FOR ALL GROUNDING CONNECTIONS BELOW GRADE. APPROVED ANTI-OXIDANT COATINGS (I.E. CONDUCTIVE GEL OR PASTE) SHALL BE USED FOR ALUMINUM CONDUCTOR OR COPPER CLAD STEEL. CONDUCTOR SHALL NOT BE USED FOR WELDED JOINTS OR ELECTRICAL METAL BOXES, FRAMES AND WELDED JOINTS.
- ALL WELDED JOINTS SHALL BE BONDED TO THE GROUND ROD, IN ACCORDANCE WITH THE NEC. METAL CONDUIT SHALL BE MADE ELECTRICALLY CONTINUOUS WITH LISTED BONDING FITTINGS OR BY BONDING ACROSS THE DISCONTINUITY WITH 6 AWG COPPER WIRE UL APPROVED GROUNDING TYPE CONDUIT CLAMPS.



**NOTE**  
 GENERAL NOTES APPLY IN APPLICABLE SITUATIONS ONLY

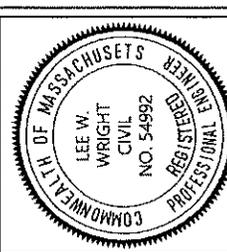






DATE	DESCRIPTION	REV	ISSUED BY

DRAWN BY: AAK  
 CHECKED BY: JDM  
 APPROVED BY: LWM



USD: 2822143

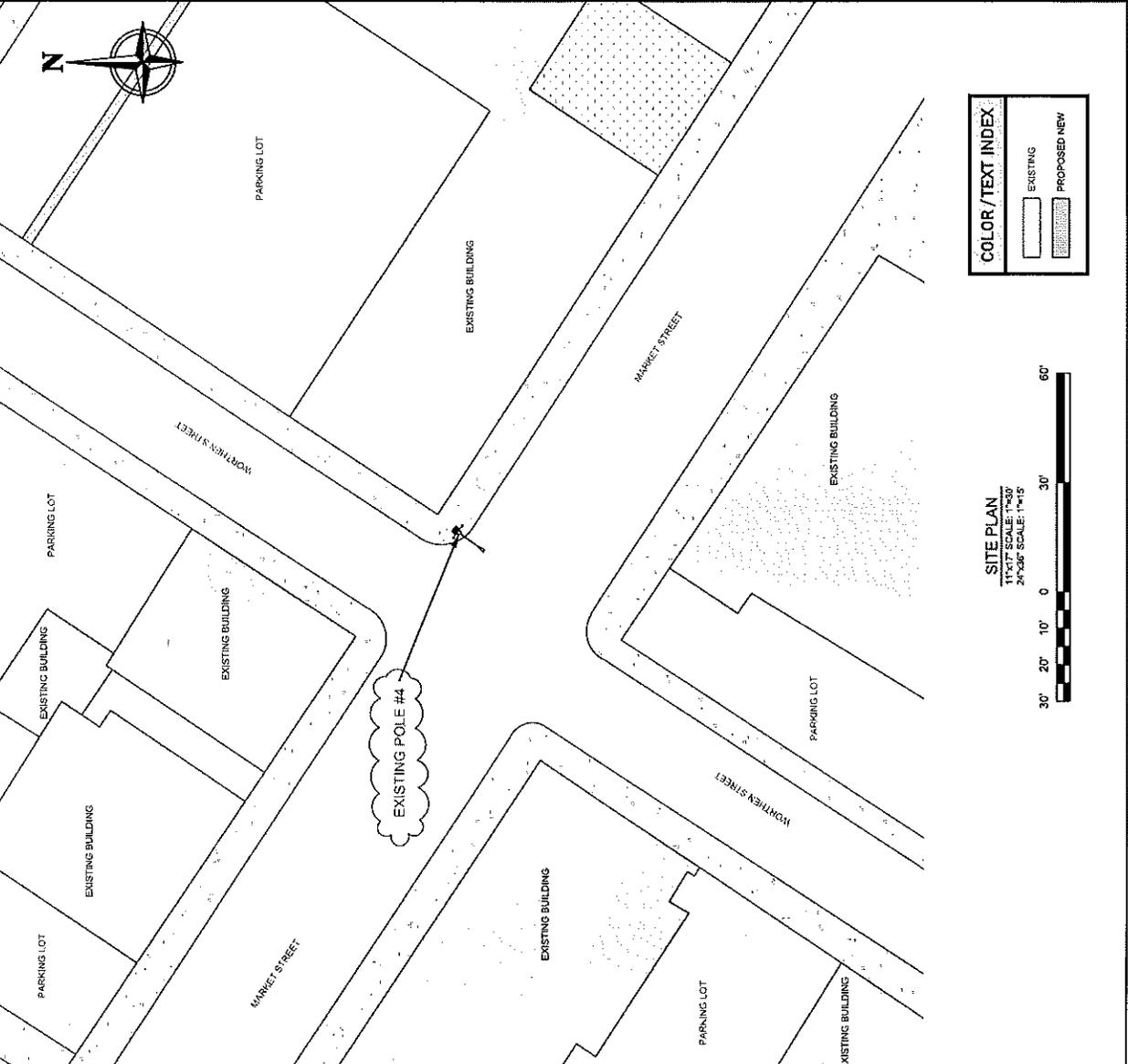
SITE ADDRESS:  
319 MARKET STREET  
LOWELL, MA 01852

FA LOCATION:  
14942026

SITE NAME:  
CRAN\_RCTB\_LWLL\_06

SHEET TITLE:  
SITE PLAN

SHEET NUMBER:  
C-1

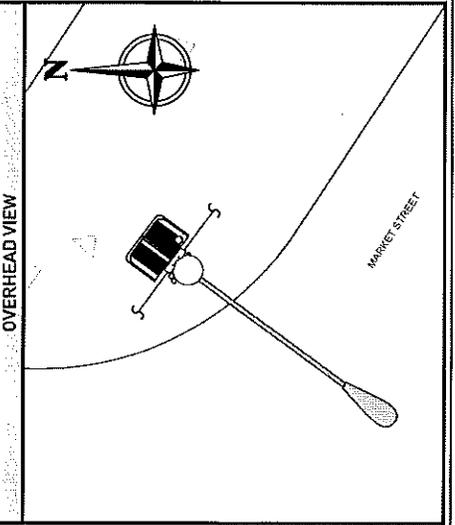
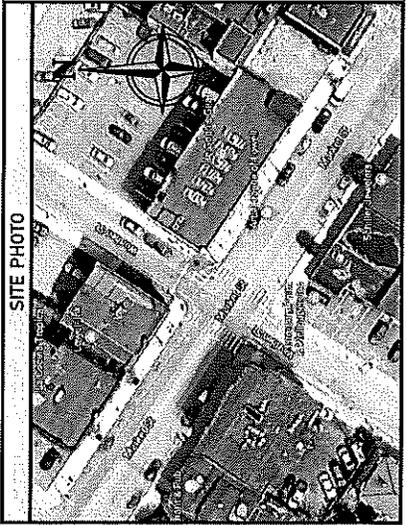


**NOTE**

SITE PLAN INFORMATION CONTAINED HEREIN IS TAKEN FROM THE DOCUMENTS PROVIDED BY THE CLIENT AND IS NOT GUARANTEED AS TO THE ACCURACY OR THE COMPLETENESS OF THE CORPDED SURVEY/SITE PLAN INFORMATION.

**SITE NOTES**

- GC RESPONSIBLE FOR SUBMITTING A 48 HOUR NOTICE PRIOR TO MOBILIZATION TO THE SITE.
- A PRE-CONSTRUCTION MEETING IS REQUIRED PRIOR TO CONSTRUCTION START TO REVIEW SCOPE OF WORK AND EXPECTATIONS.
  - A RIGGING PLAN MAY BE REQUIRED AND SHALL BE SUBMITTED WITH THE 48 HOUR
  - GC RESPONSIBLE FOR ENSURING THE SAFETY CLIMB IS NOT TRAPPED OR OTHERWISE OBSTRUCTED WITH REASONABLE BUILDING PRACTICES.
- GC RESPONSIBLE FOR COORDINATING DAILY LOG-IN AND LOG-OUT WITH THE POLE OWNER, WHERE APPLICABLE.
- GC WILL BE RESPONSIBLE FOR THE POLE OWNER CLOSEOUT PACKAGE WITH REDLINES OF THE COE OF THE EQUIPMENT INSTALLED TO BE SUBMITTED WITHIN 7 DAYS OF CONSTRUCTION COMPLETE.



## Review of Utility Company Request for New Conduit/Pole Location

**Applicant Information**

**Project Address**

Utility Gas Electric Telephone

Utility Pole #6-84 Near 405 Lawrence St

(circle one) Other

Lowell, MA

Reason Install Wireless Small Cell Facility on an Existing Utility Pole in the Public Right of Way

Date Submitted March 17, 2020

Review done by Richard Biagini

**Sidewalk Material**

Concrete Asphalt Other

**Note: material to be replaced in kind (Concrete in full panels)**

Sidewalk Vaults present	Y	<u>N</u>
Work on Street under a Paving Moratorium	Y	<u>N</u>
Is this location within the Flood Plain?	Y	<u>N</u>
Are ADA requirements being met?	<u>Y</u>	N

**Comments**

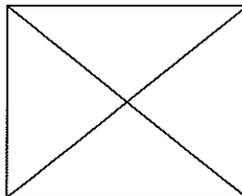
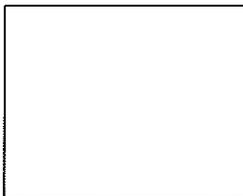
1. Contractor shall notify abutters at least 72 hours prior to beginning work.

**Outcome of Review**

Approved

Approved With  
Comments

Denied



John Gleason, Interim City Engineer

# brownrudnick

Edward D. Pare, Jr., Esq.  
direct dial: 401-276-2639  
epare@brownrudnick.com

February 3, 2020

City Council  
City of Lowell  
c/o City Clerk  
Lowell City Hall  
375 Merrimack Street  
1st Floor, Room 31  
Lowell, MA 01852

Christine Clancy, P.E.  
City Engineer  
City of Lowell  
Lowell City Hall  
375 Merrimack Street  
3rd Floor, Room 61  
Lowell, MA 01852

**RE: Application of New Cingular Wireless PCS, LLC (d/b/a AT&T) for a Grant of Location for a Wireless Small Cell Facility, Including Telecommunication Wires and Wireless Attachments and Appurtenances on an Existing Utility Pole in the Public Right of Way at the Following Location:**

**Pole #6-84 - Near 405 Lawrence Street, Lowell, MA 01852**

Dear Honorable Members of the Lowell City Council:

As you may recall, we represent New Cingular Wireless PCS, LLC (d/b/a "AT&T") with respect to its deployment of small cell facilities in the City of Lowell and the Commonwealth of Massachusetts. AT&T is licensed by the Federal Communications Commission (the "FCC") to provide wireless communications services in the City of Lowell and throughout the Commonwealth of Massachusetts.

On behalf of AT&T and while reserving all rights, please accept this submission as an application for approval for a grant of location (the "Application") for one (1) small cell facility on an existing utility pole located in the public right of way near the above referenced address (the "Site"). The Application is filed pursuant to the federal Telecommunications Act of 1996 (the "Act"), the Declaratory Ruling and Third Report and Order 18-133 (the "Order") issued by the FCC in September 2018 [https://docs.fcc.gov/public/attachments/FCC-18-133A1\\_Red.pdf](https://docs.fcc.gov/public/attachments/FCC-18-133A1_Red.pdf) and Massachusetts General Laws Chapter 166, Sections 21, 22 and 25A for telecommunication wires and wireless attachments and appurtenances attached to utility poles.

AT&T has entered into a Pole Attachment Agreement with National Grid and we have included a letter of authorization from National Grid to AT&T to submit the Application. The



existing pole complies with and is in accordance with the Act, the Order and Massachusetts state law.

We have also provided a detailed set of drawings (the "Plans") and map for this small cell facility. Additionally, we have provided photographs of a similar small cell installation installed by AT&T and located at 8 General Street, Lawrence, Massachusetts for use as an example. Also enclosed, please find a generic small cell facility report demonstrating compliance with applicable emissions standards established by the FCC.

AT&T proposes this small cell facility in the City of Lowell to deal with the rapidly increasing demands on AT&T's wireless network. This small cell facility will work in conjunction with the existing macro sites installed on rooftops, towers and other structures in and around the City of Lowell. AT&T's radio frequency engineers targeted the proposed location due to the high traffic and data demands on AT&T's network in these areas. AT&T's existing macro cell sites are not providing adequate data capacity near the Site due to population, vehicular and foot traffic, multiple wireless devices in use and other contributing factors. This small cell facility will work to offload the demands on the macro sites and allow for increased data capacity and speed within the immediate vicinity of the Sites and near AT&T's existing macro sites.

This small cell facility will be installed using standard commercially accepted methods in accordance with all applicable federal, state and local laws, regulations and orders. As depicted on the Plans, this small cell installation on the existing utility pole will include: fiber optic cable(s); remote radios in a small equipment cabinet 39" in height by 23" wide by 15" deep (7.8 cubic feet in volume) mounted to the pole at least 12'9" above ground level; an unobtrusive pole top antenna measuring 25" long and 10" in diameter (1.132 cubic feet in volume); conduits and cable protectors; and, an electrical meter 8' above ground level with shutoff switch and grounding rod. The Plans also provide the proposed location, pole height, mounting height and equipment specifications.

#### The Telecommunications Act of 1996

Without the installation, AT&T would be unable to provide specifically established coverage and capacity objectives. The existing utility pole is located within the limited geographic area whereby AT&T's radio frequency engineers determined that a wireless facility is required. The Act imposes substantial restrictions affecting the standard for granting the requested relief. The Act provides that: no laws or actions by any local government or planning or zoning board may prohibit, or have the effect of prohibiting, the placement, construction, or modification of communications towers, antennas, or other wireless facilities in any particular geographic area, see 47 U.S.C. §332(c)(7)(B)(i); local government or planning or zoning boards may not unreasonably discriminate among providers of functionally equivalent services, see 47 U.S.C. §332(c)(7)(B)(i); health concerns may not be considered so long as the emissions comply with the applicable standards of the FCC, see 47 U.S.C. §332(c)(7)(B)(iv); and,



City Council  
City of Lowell  
February 3, 2020  
Page 3

decisions must be rendered within a reasonable period of time, see 47 U.S.C. §332(c)(7)(B)(ii) and the Order commonly referenced as the applicable “shot clocks”. The FCC shot clock in this instance is sixty (60) days from the date of submission of the Application.

We respectfully assert that AT&T's proposed small cell facility is reasonable and reasonably complies with the requirements of the City of Lowell in light of the Act, the Order and state law. AT&T is willing to work cooperatively with the City of Lowell with respect the deployment of its small cell facilities and we look forward to your feedback. For the convenience of the City Council, AT&T has provided a proposed Form of Order for your consideration.

If you have any questions, please don't hesitate to contact me. We look forward to presenting the Application at an upcoming meeting.

Sincerely,

BROWN RUDNICK LLP

---

Edward D. Pare, Jr., Esq.

Enclosures: Plans  
Structural Report  
Letter of Authorization from National Grid  
Photograph of Existing Small Cell Facility  
Emissions Report



**ORDER FOR LOCATION FOR TELECOMMUNICATIONS WIRES AND WIRELESS ATTACHMENTS AND APPURTENANCES**

By the City Council

Of the City of Lowell, Massachusetts, \_\_\_\_\_, 2020

**ORDERED:**

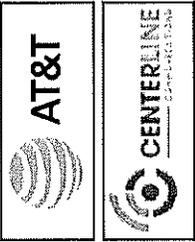
That pursuant to the federal Telecommunication Act of 1996 and Massachusetts General Laws, Chapter 166, NEW CINGULAR WIRELESS PCS, LLC ("AT&T") is hereby granted a location for and permission to construct and maintain telecommunications wires and wireless attachments and appurtenances, including fiber optic cable(s), remote nodes and pole top antennas, to be attached to a National Grid utility pole, located upon, along and under the public ways within the City of Lowell, as substantially shown on the plans filed with said petition.

The forgoing permission is subject to the following condition: the telecommunications wires and wireless attachments and appurtenances shall be installed and operated in compliance with all applicable federal and state laws and regulations.

I hereby certify that the foregoing was adopted at a meeting of the City Council of the City of Lowell, Massachusetts, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

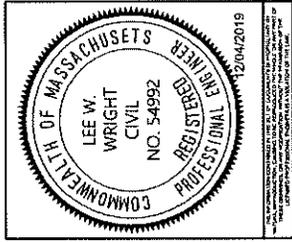
\_\_\_\_\_  
City Clerk





DATE	DESCRIPTION	REV	ISSUED BY
11/20/2019	PERMITS	A	LWW
11/20/2019	CONSTRUCTION	B	LWW

DRAWN BY: JMW  
 CHECKED BY: AWK  
 APPROVED BY: LWW



USID: 262142  
 405 LAWRENCE STREET  
 LOWELL, MA 01852

PROJECT ADDRESS:  
 405 LAWRENCE STREET  
 LOWELL, MA 01852

PROJECT LOCATION:  
 14941812

SHEET TITLE:  
 GENERAL NOTES

SHEET NUMBER:  
 GN-1

**TORQUE REQUIREMENTS**

- ALL RF CONNECTIONS, GROUNDING HARDWARE AND ANTENNA HARDWARE SHALL HAVE A TORQUE MARK INSTALLED IN A CONTINUOUS STRAIGHT LINE FROM BOTH SIDES OF THE CONNECTION.
- GROUNDING AND ANTENNA HARDWARE ON THE NUT SIDE STARTING FROM THE ANTENNA BRACKET METAL.

**CABLE MOUNTING**

- TYPES AND SIZES OF THE ANTENNA CABLE ARE BASED ON ESTIMATED LENGTHS. PRIOR TO ORDERING CABLE, CONTRACTOR SHALL VERIFY ACTUAL LENGTH BASED ON ESTIMATED LENGTHS.
- CONTRACTOR SHALL NOTIFY THE PROJECT MANAGER IF ACTUAL LENGTHS EXCEED APPROVED LENGTHS.
- CONTRACTOR SHALL BE REQUIRED TO DESIGN SUPPORT STRUCTURE, IN AN APPROVED MANNER, AT DISTANCES NOT TO EXCEED 42" OC.
- GENERAL CONTRACTOR SHALL FOLLOW ALL MANUFACTURER'S RECOMMENDATIONS REGARDING BOTH THE INSTALLATION AND GROUNDING OF ALL COAXIAL CABLES, CONNECTORS, ANTENNAS, AND ALL OTHER EQUIPMENT.
- CONTRACTOR SHALL VERIFY ALL ANTENNAS, INCLUDING ANTENNAS, SET MOTORS, TRASS, COAX CABLES, AND RET. CONTROL CABLES AS A COMPLETE SYSTEM. GROUNDING SHALL BE EXECUTED BY QUALIFIED WIREMEN IN COMPLIANCE WITH MANUFACTURER'S SPECIFICATION AND RECOMMENDATION.

**GENERAL CABLE AND EQUIPMENT NOTES**

- GENERAL CONTRACTOR SHALL BE RESPONSIBLE TO VERIFY ANTENNA, AND COAX CONFIGURATION, MAKE AND MODELS PRIOR TO INSTALLATION.
- ALL CONNECTIONS FOR HANGERS, SUPPORTS, BRACING, ETC. SHALL BE INSTALLED PER GENERAL CONTRACTOR'S SPECIFICATIONS.
- GENERAL CONTRACTOR SHALL REFERENCE THE POLE STRUCTURAL ANALYSIS DESIGN DRAWINGS FOR DIRECTIONS ON CABLE DISTRIBUTION/ROUTING.
- ALL OUTDOOR RF CONNECTORS/CONNECTIONS SHALL BE WEATHERPROOFED, EXCEPT THE RET CONNECTORS. USING BUTYL TAPE AFTER INSTALLATION AND FINAL CONNECTIONS SHALL BE SMOOTH WITHOUT BLOCKING. BUTYL BLEEDING IS NOT ALLOWED.
- IF REQUIRED TO PAINT ANTENNAS AND/OR COAX:
  - TEMPERATURE SHALL BE ABOVE 50° F, BUILDING OWNER/LANDLORD.
  - PAINT SHALL BE APPROVED BY PA/FCO APPROVED PAINT IS REQUIRED.
  - DO NOT PAINT OVER COLOR CODING OR ON EQUIPMENT MODEL NUMBERS.
  - ALL CABLES SHALL BE GROUNDING WITH COAXIAL CABLE GROUND KITS. FOLLOW THE MANUFACTURER'S SPECIFICATIONS.
  - CONDUCTORS AT THE ANTENNA LEVEL.
  - GROUNDING AT BASE OF POLE PRIOR TO TURNING HORIZONTAL.

**GROUNDING NOTES**

- THE GENERAL CONTRACTOR SHALL REVIEW AND INSPECT THE EXISTING FACILITY GROUNDING SYSTEM AND LIGHTNING PROTECTION SYSTEM (AS DESIGNED AND INSTALLED) FOR STRICT COMPLIANCE WITH THE NEC (AS ADOPTED BY THE AHJ), THE SITE SPECIFIC (UL, LP, OR NFPA) LIGHTNING PROTECTION CODE, AND GENERAL CONTRACTOR SHALL REPORT ANY VIOLATIONS OR ADVERSE FINDINGS TO THE CONTRACTOR FOR RESOLUTION.
- ALL GROUND ELECTRODE SYSTEMS (INCLUDING TELECOMMUNICATION, RADIO, LIGHTNING PROTECTION, AND ACP POWER(S)) SHALL BE BONDING TO THE SAME OR TO THE SAME POINT BY TWO OR MORE COPPER BONDING CONDUCTORS IN ACCORDANCE WITH THE NEC.
- THE GENERAL CONTRACTOR SHALL PERFORM IEEE FALL-OF-POTENTIAL RESISTANCE TO EARTH TESTING (PER IEEE 1100 AND #1) FOR NEW GROUND ELECTRODE SYSTEMS. THE GENERAL CONTRACTOR SHALL PROVIDE RECORDS OF ALL TESTING TO THE OWNER. GROUND ELECTRODES AS NEEDED TO ACHIEVE A TEST RESULT OF 5 OHMS OR LESS.
- CONDUCTIVE METAL RACEWAY SHALL NOT BE USED AS THE NEC REQUIRED EQUIPMENT GROUND ACCORDANCE WITH THE NEC. STRANDED COPPER CONDUCTORS WITH GREEN INSULATION SHALL BE USED FOR THE NEC. SHALL BE FURNISHED AND INSTALLED WITH THE POWER FACTS CABINET FRAME SHALL BE DIRECTLY CONNECTED TO THE MASTER GROUND BAR WITH GREEN INSULATED SUPPLEMENTAL EQUIPMENT GROUND WIRES, 6 AWG STRANDED COPPER OR LARGER FOR INDOOR BTS, 2 AWG STRANDED COPPER FOR OUTDOOR BTS.
- ALL BONDING SHALL BE USED FOR ALL GROUNDING CONNECTIONS BELOW GRADE. PROVIDED ANTI-OXIDANT COATINGS (I.E. CONDUCTIVE GEL OR PASTE) SHALL BE USED ON ALL ALUMINUM CONDUCTOR OR COPPER CLAD STEEL. CONDUCTOR SHALL NOT BE USED FOR GROUNDING CONNECTIONS.
- NON-ELECTRICAL METAL BOLTS, FRAMES AND SUPPORTS SHALL BE BONDED TO THE GROUND ROD, IN ACCORDANCE WITH THE NEC. METAL CONDUIT SHALL BE MADE ELECTRICALLY CONTINUOUS WITH LISTED BONDING FITTINGS OR BY BONDING ACROSS THE DISCONTINUITY WITH 6 AWG COPPER WIRE UL APPROVED BONDING TYPE CONDUIT CLAMPS.

**GENERAL CONSTRUCTION**

- GENERAL CONTRACTOR SHALL MINIMIZE DISTURBANCE TO THE EXISTING SITE DURING CONSTRUCTION. EROSION CONTROL MEASURES, IF REQUIRED DURING CONSTRUCTION, SHALL BE IN CONFORMANCE WITH THE FEDERAL AND LOCAL JURISDICTION FOR EROSION AND SEDIMENT CONTROL.
- ALL MATERIALS SHALL BE PLACED ON FROZEN GROUND, FROZEN MATERIALS, SNOW OR ICE SHALL NOT BE PLACED ON ANY FILL OR EMBANKMENT.
- THE SUBGRADE SHALL BE BROUGHT TO A SMOOTH UNIFORM GRADE AND COMPACTED TO 98 PERCENT STANDARD PROCTOR DENSITY UNDER PAVEMENT AND STRUCTURES AND 90 PERCENT STANDARD PROCTOR DENSITY IN OPEN SPACE. ALL TRENCHES IN PUBLIC RIGHT OF WAY SHALL BE FLOORED WITH FLOABLE FILL OR OTHER MATERIAL PRE-APPROVED BY THE LOCAL JURISDICTION.
- ALL NECESSARY RUBBISH, STUMPS, DEBRIS STICKS, STONES, AND OTHER REFUSE SHALL BE REMOVED FROM THE SITE AND DISPOSED OF IN A LAWFUL MANNER.
- ALL BROUHERS, OPERATING AND MAINTENANCE MANUALS, CATALOGS, SHOP DRAWINGS, AND SPECIFICATIONS SHALL BE MADE AVAILABLE TO THE CONTRACTOR AT COMPLETION OF CONSTRUCTION AND PRIOR TO PAYMENT.
- GENERAL CONTRACTOR SHALL SUBMIT A COMPLETE SET OF AS-BUILT REQUIRES TO THE GENERAL CONTRACTOR UPON COMPLETION OF PROJECT AND PRIOR TO FINAL PAYMENT.
- GENERAL CONTRACTOR SHALL LEAVE PREMISES IN A CLEAN CONDITION.
- OR SEWER SERVICE, AND IS NOT FOR HUMAN HABITAT (NO HANDICAP REQUIREMENTS), OCCUPANCY IS LIMITED TO PERIODIC MAINTENANCE AND INSPECTION, APPROXIMATELY 2 TIMES PER MONTH, BY AT&T TECHNICIANS.
- NO OUTDOOR STORAGE OR SOLID WASTE CONTAINERS ARE PROPOSED.
- ALL MATERIALS AND EQUIPMENT SHALL BE STORED IN ACCORDANCE WITH THE LATEST REVISION AT&T MOBILITY GROUNDING STANDARD TECHNICAL SPECIFICATION FOR FACILITY GROUNDING. IN CASE OF A CONFLICT BETWEEN THE CONSTRUCTION SPECIFICATION AND THE DRAWINGS, THE DRAWINGS GOVERN.
- ALL STEEL SHALL BE GALVANIZED AFTER FABRICATION IN ACCORDANCE WITH ASTM A152 Z24 (HOT-DIP GALVANIZED) COATINGS ON IRON AND STEEL PRODUCTS, UNLESS NOTED OTHERWISE.
- ALL STEEL BOLTS AND NUTS, INCLUDING MISCELLANEOUS HARDWARE SHALL BE GALVANIZED IN ACCORDANCE WITH ASTM A152 Z24 (HOT-DIP GALVANIZED) COATINGS ON IRON AND STEEL HARDWARE, UNLESS NOTED OTHERWISE.
- DAMAGED GALVANIZED SURFACES SHALL BE REPAIRED BY COLD GALVANIZING IN ACCORDANCE WITH ASTM A760.
- INSTALL WITH LOCK NUTS, DOUBLE NUTS AND SHALL BE TOUGH TO MANUFACTURER'S RECOMMENDATIONS.
- GENERAL CONTRACTOR SHALL INSTALL ANTENNA PER MANUFACTURER'S RECOMMENDATION FOR INSTALLATION AND GROUNDING.
- ALL UNUSED PORTS ON ANY ANTENNAS SHALL BE TERMINATED WITH A 50-OHM LOAD TO PREVENT REFLECTIONS.
- GENERAL CONTRACTOR SHALL RECORD THE SERIAL #, SECTOR, AND POSITION OF EACH ACTUATOR INSTALLED AT THE ANTENNAS AND PROVIDE THE INFORMATION TO AT&T.

**ANTENNA MOUNTING**

- DESIGN AND CONSTRUCTION OF ANTENNA SUPPORTS SHALL CONFORM TO CURRENT AT&T SPECIFICATIONS.
- ALL STEEL MATERIALS SHALL BE GALVANIZED AFTER FABRICATION IN ACCORDANCE WITH ASTM A152 Z24 (HOT-DIP GALVANIZED) COATINGS ON IRON AND STEEL PRODUCTS, UNLESS NOTED OTHERWISE.
- ALL STEEL BOLTS AND NUTS, INCLUDING MISCELLANEOUS HARDWARE SHALL BE GALVANIZED IN ACCORDANCE WITH ASTM A152 Z24 (HOT-DIP GALVANIZED) COATINGS ON IRON AND STEEL HARDWARE, UNLESS NOTED OTHERWISE.
- DAMAGED GALVANIZED SURFACES SHALL BE REPAIRED BY COLD GALVANIZING IN ACCORDANCE WITH ASTM A760.
- INSTALL WITH LOCK NUTS, DOUBLE NUTS AND SHALL BE TOUGH TO MANUFACTURER'S RECOMMENDATIONS.
- GENERAL CONTRACTOR SHALL INSTALL ANTENNA PER MANUFACTURER'S RECOMMENDATION FOR INSTALLATION AND GROUNDING.
- ALL UNUSED PORTS ON ANY ANTENNAS SHALL BE TERMINATED WITH A 50-OHM LOAD TO PREVENT REFLECTIONS.
- GENERAL CONTRACTOR SHALL RECORD THE SERIAL #, SECTOR, AND POSITION OF EACH ACTUATOR INSTALLED AT THE ANTENNAS AND PROVIDE THE INFORMATION TO AT&T.

**GENERAL CONSTRUCTION**

- FOR THE PURPOSE OF CONSTRUCTION DRAWINGS, THE FOLLOWING DEFINITIONS SHALL APPLY:
  - CONTRACTOR - AT&T WIRELESS
  - OWNER - AT&T WIRELESS
  - GENERAL CONTRACTOR - TBD
- ALL WORK SHALL BE COMPLETED AS INDICATED ON THE DRAWINGS AND AT&T SPECIFICATIONS PROJECT.
- CONTRACTOR SHALL VISIT THE SITE AND SHALL FAMILIARIZE THEMSELVES WITH ALL CONDITIONS AFFECTING THE PROPOSED WORK AND SHALL MAKE PROVISIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR FAMILIARIZING THEMSELVES WITH ALL CONTRACT DOCUMENTS, FIELD CONDITIONS, DIMENSIONS, AND CONFIRMING THAT THE WORK MAY BE COMPLETED WITHIN THE SPECIFIED TIME FRAME. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROPRIATE NOTICES AND CONFIRMING THAT THE WORK MAY BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
- ALL WORK CARRIED OUT SHALL COMPLY WITH ALL APPLICABLE MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS AND LOCAL JURISDICTIONAL CODES, ORDINANCES, AND APPLICABLE REGULATIONS.
- UNLESS NOTED OTHERWISE, THE WORK SHALL INCLUDE FURNISHING MATERIALS, AS INDICATED ON THE DRAWINGS.
- PLANS ARE NOT TO BE SCALED. THESE PLANS ARE INTENDED TO BE A DIAGRAMMATIC OUTLINE UNLESS OTHERWISE NOTED. DIMENSIONS SHOWN ARE TO FINISH SURFACES UNLESS OTHERWISE NOTED. SPACING BETWEEN EQUIPMENT IS THE MINIMUM REQUIRED CLEARANCE. THEREFORE, IT IS CRITICAL TO FIELD VERIFY DIMENSIONS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING A CLARIFICATION FROM THE ENGINEER PRIOR TO PROCEEDING WITH THE WORK. DETAILS ARE INTENDED TO SHOW DESIGN INTENT. MODIFICATIONS MAY BE REQUIRED TO SUIT JOB DIMENSIONS OR CONDITIONS AND SUCH MODIFICATIONS SHALL BE INCLUDED AS PART OF WORK AND APPROVED BY THE ENGINEER PRIOR TO PROCEEDING WITH WORK.
- MANUFACTURER'S RECOMMENDATIONS UNLESS SPECIFICALLY STATED OTHERWISE. IF THE SPECIFIED EQUIPMENT CANNOT BE INSTALLED AS SHOWN IN THESE DRAWINGS, THE CONTRACTOR SHALL PROPOSE AN ALTERNATIVE INSTALLATION SPACE FOR APPROVAL BY THE ENGINEER PRIOR TO PROCEEDING.
- GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF WORK AREA UNDER THE CONTRACT. WORK SHALL CONFORM TO ALL OSHA REQUIREMENTS AND THE LOCAL JURISDICTION.
- CONTRACTOR SHALL COORDINATE WORK AND SCHEDULE WORK ACTIVITIES WITH OTHER DISCIPLINES.
- SECTION SHALL BE DONE IN A WORKMANLIKE MANNER BY COMPETENT EXPERIENCED PERSONNEL. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE DRAWINGS AND THE PRACTICE. ALL MEMBERS SHALL BE LAID PLUMB AND TRUE AS INDICATED ON THE DRAWINGS.
- WORK PREVIOUSLY COMPLETED IS REPRESENTED BY LIGHT SHADINGS LINES AND NOTES. CONTRACTOR SHALL NOTIFY THE CONTRACTOR OF ANY EXISTING CONDITIONS PRIOR TO COMMENCEMENT OF WORK.
- CONTRACTOR SHALL PROVIDE WRITTEN NOTICE TO THE CONSTRUCTION MANAGER 48 HOURS PRIOR TO COMMENCEMENT OF WORK.
- THE GENERAL CONTRACTOR SHALL PROTECT EXISTING IMPROVEMENTS, PAVEMENTS, CURBS, LANDSCAPING AND STRUCTURES. ANY DAMAGED PARTS SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE TO THE SATISFACTION OF THE OWNER.
- THE GENERAL CONTRACTOR SHALL CONTACT UTILITY LOCATING SERVICES PRIOR TO THE START OF CONSTRUCTION.
- CONTRACTOR SHALL COORDINATE AND MAINTAIN ACCESS FOR ALL TRADES AND CONTRACTORS TO THE SITE AND/OR BUILDING.
- THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR SECURITY OF THE SITE FOR THE DURATION OF CONSTRUCTION. UNDER NO CIRCUMSTANCES SHALL ONE COMPLETE SET OF PLANS WITH ALL REVISIONS, ADDENDUMS, AND CHANGE ORDERS ON THE PREMISES AT ALL TIMES.
- THE GENERAL CONTRACTOR SHALL PROVIDE PORTABLE FIRE EXTINGUISHERS WITH A RATING OF NOT LESS THAN 2A TO 2A-10BC AND SHALL BE WITHIN 25 FEET OF TRAVEL DISTANCE TO ALL PORTIONS OF WHERE THE WORK IS BEING COMPLETED DURING ALL EXISTING ACTIVE SEWER, WATER, GAS, ELECTRIC, AND OTHER UTILITIES SHALL BE PROTECTED AT ALL TIMES, AND WHERE REQUIRED FOR THE PROPER EXECUTION OF THE WORK, SHALL BE RELOCATED AS DIRECTED BY THE ENGINEER. EXTREME CAUTION SHOULD BE USED BY THE GENERAL CONTRACTOR WHEN EXCAVATING OR DRILLING PIERS FOR THE WORKING CONDITIONS SHALL INCLUDE BUT NOT BE LIMITED TO: FALL PROTECTION, BY CONFINED SPACE, OF ELECTRICAL SAFETY, AND D) TRENCHING & EXCAVATION.
- ALL EXISTING INACTIVE SEWER, WATER, GAS, ELECTRIC, AND OTHER UTILITIES WHICH INTERFERE WITH THE EXECUTION OF THE WORK, SHALL BE REMOVED, CAPPED, PLUGGED OR OTHERWISE PROTECTED BY THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE EXCLUSION OF THE WORK, AS DIRECTED BY THE RESPONSIBLE ENGINEER, AND SUBJECT TO THE APPROVAL OF THE OWNER AND/OR LOCAL UTILITIES.
- THE AREAS OF THE OWNERS PROPERTY DISTURBED BY THE WORK AND NOT COVERED BY THE POLE, EQUIPMENT OR DRIVEWAY, SHALL BE GRADED TO A UNIFORM SLOPE, AND STABILIZED TO PREVENT EROSION.

**COLOR/TEXT INDEX**

COLOR	TEXT
(White)	EXISTING
(Black)	PROPOSED NEW

**NOTE**

GENERAL NOTES APPLY IN APPLICABLE SITUATIONS ONLY



## Review of Utility Company Request for New Conduit/Pole Location

Applicant Information

Project Address

Utility Gas Electric Telephone

Utility Pole #5 Near 56 Oak St

(circle one) Other

Lowell, MA

Reason Install Wireless Small Cell Facility on an

Existing Utility Pole in the Public Right of Way

Date Submitted March 17, 2020

Review done by Richard Biagini

Sidewalk Material

Concrete Asphalt Other

Note: material to be replaced in kind (Concrete in full panels)

Sidewalk Vaults present Y N

Work on Street under a Paving Moratorium Y N

Is this location within the Flood Plain? Y N

Are ADA requirements being met? Y N

Comments

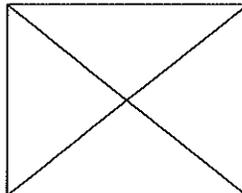
1. Contractor shall notify abutters at least 72 hours prior to beginning work.

Outcome of Review

Approved



Approved With  
Comments



Denied



John Gleason, Interim City  
Engineer

# brownrudnick

Edward D. Pare, Jr., Esq.  
direct dial: 401-276-2639  
epare@brownrudnick.com

February 3, 2020

City Council  
City of Lowell  
c/o City Clerk  
Lowell City Hall  
375 Merrimack Street  
1st Floor, Room 31  
Lowell, MA 01852

Christine Clancy, P.E.  
City Engineer  
City of Lowell  
Lowell City Hall  
375 Merrimack Street  
3rd Floor, Room 61  
Lowell, MA 01852

**RE: Application of New Cingular Wireless PCS, LLC (d/b/a AT&T) for a Grant of Location for a Wireless Small Cell Facility, Including Telecommunication Wires and Wireless Attachments and Appurtenances on a Replacement Utility Pole in the Public Right of Way at the Following Location:**

**Pole #5 - Near 56 Oak Street, Lowell, MA 01852**

Dear Honorable Members of the Lowell City Council:

As you may recall, we represent New Cingular Wireless PCS, LLC (d/b/a "AT&T") with respect to its deployment of small cell facilities in the City of Lowell and the Commonwealth of Massachusetts. AT&T is licensed by the Federal Communications Commission (the "FCC") to provide wireless communications services in the City of Lowell and throughout the Commonwealth of Massachusetts.

On behalf of AT&T and while reserving all rights, please accept this submission as an application for approval for a grant of location (the "Application") for one (1) small cell facility on an existing utility pole located in the public right of way near the above referenced address (the "Site"). The Application is filed pursuant to the federal Telecommunications Act of 1996 (the "Act"), the Declaratory Ruling and Third Report and Order 18-133 (the "Order") issued by the FCC in September 2018 [https://docs.fcc.gov/public/attachments/FCC-18-133A1\\_Rcd.pdf](https://docs.fcc.gov/public/attachments/FCC-18-133A1_Rcd.pdf) and Massachusetts General Laws Chapter 166, Sections 21, 22 and 25A for telecommunication wires and wireless attachments and appurtenances attached to utility poles.

AT&T has entered into a Pole Attachment Agreement with National Grid and we have included a letter of authorization from National Grid to AT&T to submit the Application. For the proposed installation which is the subject of this request, National Grid requires that the pole

selected by AT&T for the small cell facility be replaced due to leaning, space limitations, age or other physical conditions or limitations. The existing pole is 35'10" above ground level and the replacement pole will be 38'6" above ground level. The replacement pole complies with and is in accordance with the Act, the Order and state law.

We have also provided a detailed set of drawings (the "Plans") and map for this small cell facility. Additionally, we have provided photographs of a similar small cell installation installed by AT&T and located at 8 General Street, Lawrence, Massachusetts for use as an example. Also enclosed, please find a generic small cell facility report demonstrating compliance with applicable emissions standards established by the FCC.

AT&T proposes this small cell facility in the City of Lowell to deal with the rapidly increasing demands on AT&T's wireless network. This small cell facility will work in conjunction with the existing macro sites installed on rooftops, towers and other structures in and around the City of Lowell. AT&T's radio frequency engineers targeted the proposed location due to the high traffic and data demands on AT&T's network in these areas. AT&T's existing macro cell sites are not providing adequate data capacity near the Site due to population, vehicular and foot traffic, multiple wireless devices in use and other contributing factors. This small cell facility will work to offload the demands on the macro sites and allow for increased data capacity and speed within the immediate vicinity of the Sites and near AT&T's existing macro sites.

This small cell facility will be installed using standard commercially accepted methods in accordance with all applicable federal, state and local laws, regulations and orders. As depicted on the Plans, this small cell installation on the replacement utility pole will include: fiber optic cable(s); remote radios in a small equipment cabinet 39" in height by 23" wide by 15" deep (7.8 cubic feet in volume) mounted to the pole at least 12'9" above ground level; an unobtrusive pole top antenna measuring 25" long and 10" in diameter (1.132 cubic feet in volume); conduits and cable protectors; and, an electrical meter 8' above ground level with shutoff switch and grounding rod. The Plans also provide the proposed location, pole height, mounting height and equipment specifications.

#### The Telecommunications Act of 1996

Without the installation, AT&T would be unable to provide specifically established coverage and capacity objectives. The existing utility pole is located within the limited geographic area whereby AT&T's radio frequency engineers determined that a wireless facility is required. The Act imposes substantial restrictions affecting the standard for granting the requested relief. The Act provides that: no laws or actions by any local government or planning or zoning board may prohibit, or have the effect of prohibiting, the placement, construction, or modification of communications towers, antennas, or other wireless facilities in any particular geographic area, see 47 U.S.C. §332(c)(7)(B)(i); local government or planning or zoning boards may not unreasonably discriminate among providers of functionally equivalent services, see



City Council  
City of Lowell  
February 3, 2020  
Page 3

47 U.S.C. §332(c)(7)(B)(i); health concerns may not be considered so long as the emissions comply with the applicable standards of the FCC, see 47 U.S.C. §332(c)(7)(B)(iv); and, decisions must be rendered within a reasonable period of time, see 47 U.S.C. §332(c)(7)(B)(ii) and the Order commonly referenced as the applicable “shot clocks”. The FCC shot clock in this instance is ninety (90) days from the date of submission of the Application.

We respectfully assert that AT&T's proposed small cell facility is reasonable and reasonably complies with the requirements of the City of Lowell in light of the Act, the Order and state law. AT&T is willing to work cooperatively with the City of Lowell with respect to the deployment of its small cell facilities and we look forward to your feedback. For the convenience of the City Council, AT&T has provided a proposed Form of Order for your consideration.

If you have any questions, please don't hesitate to contact me. We look forward to presenting the Application at an upcoming meeting.

Sincerely,

BROWN RUDNICK LLP

---

Edward D. Pare, Jr., Esq.

Enclosures: Plans  
Structural Report  
Letter of Authorization from National Grid  
Photograph of Existing Small Cell Facility  
Emissions Report



**ORDER FOR LOCATION FOR TELECOMMUNICATIONS WIRES AND WIRELESS ATTACHMENTS AND APPURTENANCES**

By the City Council

Of the City of Lowell, Massachusetts, \_\_\_\_\_, 2020

**ORDERED:**

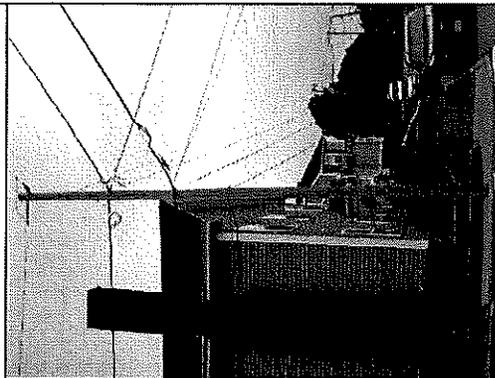
That pursuant to the federal Telecommunication Act of 1996 and Massachusetts General Laws, Chapter 166, NEW CINGULAR WIRELESS PCS, LLC ("AT&T") is hereby granted a location for and permission to construct and maintain telecommunications wires and wireless attachments and appurtenances, including fiber optic cable(s), remote nodes and pole top antennas, to be attached to a National Grid utility pole, located upon, along and under the public ways within the City of Lowell, as substantially shown on the plans filed with said petition.

The forgoing permission is subject to the following condition: the telecommunications wires and wireless attachments and appurtenances shall be installed and operated in compliance with all applicable federal and state laws and regulations.

I hereby certify that the foregoing was adopted at a meeting of the City Council of the City of Lowell, Massachusetts, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
City Clerk

**SITE PHOTO**



**PROJECT:** SMALL CELL- CRAN  
**ADDRESS:** 56 OAK STREET  
 LOWELL, MA 01852  
**JURISDICTION:** MIDDLESEX COUNTY  
**OWNER:** NATIONAL GRID / VERIZON  
**PACE #:** MRCTB039023  
**SITE NAME:** CRAN\_RCTB\_LWLL\_04

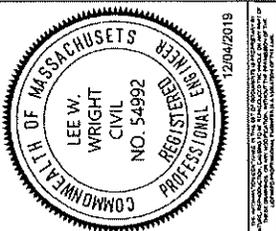
**INDEX OF DRAWINGS**

SHEET NO.	TITLE SHEET	SHEET DESCRIPTION
T-1	GENERAL NOTES	
G-1	SITE PLAN	
G-2	POLE ELEVATION PLAN	
G-3	EQUIPMENT DETAILS	
G-4	EQUIPMENT DETAILS	
G-5	CABLES NOTES AND COLOR CODING	
G-6	ELECTRICAL AND GROUNDING DETAILS	



SUBMITTALS	
DATE	REVISION
11/22/2019	A
	B
	C
	D
	E
	F
	G
	H
	I
	J
	K
	L
	M
	N
	O
	P
	Q
	R
	S
	T
	U
	V
	W
	X
	Y
	Z

DRAWN BY: JMW  
 CHECKED BY: ASK  
 APPROVED BY: LWW



USID: 262146

SITE ADDRESS:  
 56 OAK STREET  
 LOWELL, MA 01852

PA LOCATION:  
 1484-1813

SITE NAME:  
 CRAN\_RCTB\_LWLL\_04

SHEET TITLE  
 SHEET

SHEET NUMBER  
 T-1

**SPECIAL NOTES**

THIS DOCUMENT IS THE CREATION, DESIGN, PROPERTY AND COPYRIGHTED WORK OF A.E.T. ANY DUPLICATION OR USE WITHOUT EXPRESS WRITTEN CONSENT IS STRICTLY PROHIBITED. DUPLICATION AND USE BY GOVERNMENT AGENCIES FOR THE PURPOSES OF CONDUCTING THEIR LAWFULLY AUTHORIZED REGULATORY AND ADMINISTRATIVE FUNCTIONS IS PERMITTED. THIS DOCUMENT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. THIS FACILITY IS AN UNMANNED PRIVATE AND SECURED EQUIPMENT INSTALLATION. IT IS ONLY ACCESSIBLE BY TRAINED TECHNICIANS FOR PERIODIC ROUTINE MAINTENANCE AND THEREFORE DOES NOT REQUIRE ANY SANITARY SEWER OR WATER SERVICE. THE FACILITY IS GOVERNED BY REGULATIONS REQUIRING PUBLIC ACCESS PERIODIC REQUIREMENTS. CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE A/E/T MOBILITY OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME. CONSTRUCTION DRAWINGS ARE VALID FOR SIX MONTHS AFTER ENGINEER OF RECORDS STAMPED AND SIGNED SUBMITTAL DATE LISTED HEREIN. ALL DIMENSIONS COURTESY OF 800.854.2473.

**CODE COMPLIANCE**

- 2018 INTERNATIONAL BUILDING CODE
- 2018 INTERNATIONAL RESIDENTIAL CODE
- 2018 INTERNATIONAL MECHANICAL CODE
- 2018 INTERNATIONAL ELECTRICAL CODE
- 2018 INTERNATIONAL EXISTING BUILDING CODE

**SCOPE OF WORK**

THIS IS NOT AN ALL INCLUSIVE LIST. CONTRACTOR SHALL UTILIZE SPECIFIED EQUIPMENT PART OR ENGINEER APPROVED EQUIPMENT. CONTRACTOR SHALL VERIFY ALL NEEDED EQUIPMENT TO PROVIDE A FUNCTIONAL SITE. THE PROJECT GENERALLY CONSISTS OF THE FOLLOWING:

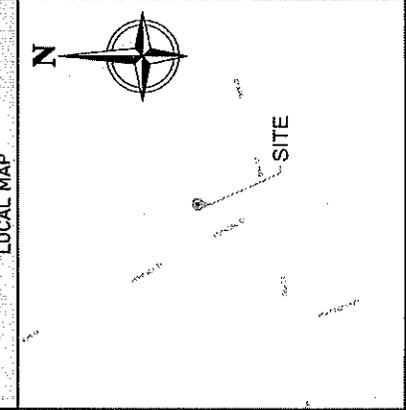
PROCESSED MADE WORK:

- ADD (1) PROPOSED ANTENNA MOUNTING BRACKET
- ADD (1) PROPOSED 1/2" DIA. 1/4" THICK ANCHOR BOLTS
- ADD (1) PROPOSED 1/2" DIA. 1/4" THICK ANCHOR BOLTS
- ADD (1) PROPOSED 1/2" DIA. 1/4" THICK ANCHOR BOLTS
- ADD (1) PROPOSED 1/2" DIA. 1/4" THICK ANCHOR BOLTS
- ADD (1) PROPOSED 1/2" DIA. 1/4" THICK ANCHOR BOLTS
- ADD (1) PROPOSED 1/2" DIA. 1/4" THICK ANCHOR BOLTS
- REMOVE EXISTING POLE AND REPLACE WITH (1) PROPOSED 40 PVC CONDUIT

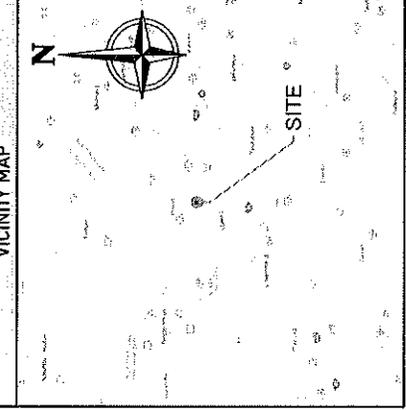
**DO NOT SCALE DRAWINGS**

CONTRACTOR SHALL VERIFY ALL PLANS, EXISTING DIMENSIONS, CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ARCHITECT OR ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

**LOCAL MAP**



**VICINITY MAP**



**UTILITY NOTE**

UNDERGROUND SERVICE ALERT  
 UTILITIES PROTECTION CENTER, INC.  
 811  
 48 HOURS BEFORE YOU DIG

**DIRECTIONS**

DIRECTIONS FROM AT&T OFFICE 550 COCHRAN ROAD FRAMINGHAM, MA 01701

GET ON I-93 (WEST) SOUTH OF FRAMINGHAM. TAKE EXIT 10A TO GET ON ROUTE 1A. FOLLOW ROUTE 1A SOUTH TO THE INTERSECTION WITH ROUTE 102. TURN LEFT ONTO ROUTE 102. FOLLOW ROUTE 102 SOUTH TO THE INTERSECTION WITH ROUTE 102. TURN LEFT ONTO ROUTE 102. FOLLOW ROUTE 102 SOUTH TO THE INTERSECTION WITH ROUTE 102. TURN LEFT ONTO ROUTE 102. FOLLOW ROUTE 102 SOUTH TO THE INTERSECTION WITH ROUTE 102. TURN LEFT ONTO ROUTE 102.

**PROJECT INFORMATION**

SITE NAME: CRAN\_RCTB\_LWLL\_04  
 COUNTY: MIDDLESEX  
 ADDRESS: 56 OAK STREET  
 LOWELL, MA 01852  
 UTILITY POLE  
 USID: 262146  
 LATITUDE: 42.84803  
 LONGITUDE: -71.29758  
 POLE OWNER ID #: 5  
 POLE OWNER: NATIONAL GRID  
 1500 WASHINGTON STREET  
 WALTHAM, MA 02451  
 APPLICANT: AT&T WIRELESS COMMUNICATIONS  
 750 WEST BRIDGEWATER STREET  
 FRAMINGHAM, MA 01701  
 AT&T PROJECT MANAGER: RICHARD DETCH  
 EMAIL: RD258@ATT.COM

**PROJECT CONSULTANTS**

PROJECT MANAGEMENT:  
 CENTERLINE COMMUNICATIONS  
 550 WEST CENTER STREET, SUITE 301  
 WEST BRIDGEWATER, MA 02371  
 CONTACT: VINCENT PAQUETTE  
 EMAIL: VPAQUETTE@CCLINE.COM

SITE ACQUISITION:  
 CENTERLINE COMMUNICATIONS  
 550 WEST CENTER STREET, SUITE 301  
 WEST BRIDGEWATER, MA 02371  
 CONTACT: JULIAN PANCHER  
 EMAIL: JPANCHER@CCLINE.COM

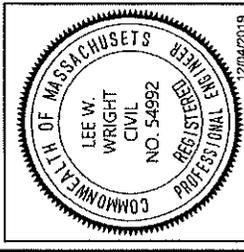
ENGINEERS:  
 CARLSON MCCAIN  
 380 PLEASANT RIDGE DRIVE, SUITE 100  
 WEST BRIDGEWATER, MA 02371  
 CONTACT: LEE W. WRIGHT  
 EMAIL: LWRIGHT@CARLSONMCCAIN.COM







DATE	DESCRIPTION	REV	ISSUED BY



DRAWN BY: JMW

CHECKED BY: AMK

APPROVED BY: LWY

USID:

262146

SITE ADDRESS:

56 OAK STREET  
LOWELL, MA 01852

PL LOCATION:

1494 18 13

SITE NAME:

CRAN\_ROTB\_LWLL\_04

SHEET TITLE:

GENERAL NOTES

SHEET NUMBER:

GN-1

**GENERAL CONSTRUCTION**

- FOR THE PURPOSE OF CONSTRUCTION DRAWINGS, THE FOLLOWING DEFINITIONS SHALL APPLY:
  - CONTRACTOR - AT&T WIRELESS
  - OWNER - AT&T WIRELESS
- ALL SITE WORK SHALL BE COMPLETED AS INDICATED ON THE DRAWINGS AND AT&T CONTRACTOR SHALL VISIT THE SITE AND SHALL FAMILIARIZE THEMSELVES WITH ALL CONDITIONS AFFECTING THE PROPOSED WORK AND SHALL MAKE PROVISIONS FOR THE PROTECTION OF EXISTING UTILITIES AND CONFIRMING THAT THE WORK MAY BE ACCOMPLISHED AS SHOWN PRIOR TO PROCEEDING WITH CONSTRUCTION. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER PRIOR TO THE COMMENCEMENT OF WORK.
- ALL MATERIALS FURNISHED AND INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPROPRIATE NOTICES AND COMPLIANT WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS, AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY REGARDING THE PERFORMANCE OF WORK.
- ALL WORK CAPRIED OUT SHALL COMPLY WITH ALL APPLICABLE MUNICIPAL, STATE, AND FEDERAL COMPANY SPECIFICATIONS AND LOCAL JURISDICTIONAL CODES, ORDINANCES, AND UNLAWFUL NOTICES OTHERWISE, THE WORK SHALL INCLUDE FURNISHING MATERIALS, EQUIPMENT, APPURTENANCES, AND LABOR NECESSARY TO COMPLETE ALL INSTALLATIONS AS INDICATED ON THE DRAWINGS.
- PLANS ARE NOT TO BE SCALED. THESE PLANS ARE INTENDED TO BE A DIAGRAMMATIC OUTLINE ONLY UNLESS OTHERWISE NOTED. DIMENSIONS SHOWN ARE TO FINISH UNLESS OTHERWISE NOTED. IT IS CRITICAL TO FIELD VERIFY DIMENSIONS. REQUIRED CLEARANCE THEREFORE, IT IS CRITICAL TO FIELD VERIFY DIMENSIONS. SHOULD THERE BE ANY QUESTIONS REGARDING THE CONTRACT DOCUMENTS, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING A CLARIFICATION FROM THE ENGINEER PRIOR TO PROCEEDING WITH THE WORK. DETAILS ARE INTENDED TO SHOW DESIGN INTENT. MODIFICATIONS MAY BE REQUIRED TO SUIT JOB DIMENSIONS OR PREPARED BY THE ENGINEER PRIOR TO PROCEEDING WITH WORK.
- THE CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS UNLESS SPECIFICALLY STATED OTHERWISE.
- IF THE SPECIFIED EQUIPMENT CANNOT BE INSTALLED AS SHOWN ON THESE DRAWINGS, THE CONTRACTOR SHALL PROPOSE AN ALTERNATIVE INSTALLATION SPACE FOR APPROVAL BY THE ENGINEER PRIOR TO PROCEEDING WITH THE WORK.
- GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF WORK AREA ADJACENT AREAS AND BUILDING OCCUPANTS THAT ARE LIKELY TO BE AFFECTED BY THE WORK UNDER THIS CONTRACT. WORK SHALL CONFORM TO ALL OSHA REQUIREMENTS AND THE LOCAL JURISDICTION.
- CONTRACTOR SHALL COORDINATE WORK AND SCHEDULE WORK ACTIVITIES WITH OTHER WORKMAN IN ACCORDANCE WITH APPLICABLE CODES AND THE BEST ACCEPTED PRACTICE. ALL MEMBERS SHALL BE LAD PLUMB AND TRUE AS INDICATED ON THE DRAWINGS.
- THESE PLANS, IF COMPLETED IS REPRESENTED BY LIGHT SHADED LINES AND NOTES. CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO BEGINNING CONSTRUCTION. CONTRACTOR SHALL PROVIDE WRITTEN NOTICE TO THE CONSTRUCTION MANAGER 48 HOURS PRIOR TO COMMENCEMENT OF WORK.
- THE GENERAL CONTRACTOR SHALL PROTECT EXISTING IMPROVEMENTS, PAVEMENTS, UTILITIES, AND OTHER UTILITIES. THE CONTRACTOR SHALL BE REPAIRED AT CONTRACTOR'S EXPENSE TO THE SATISFACTION OF THE OWNER.
- START OF CONSTRUCTION.
- CONTRACTOR SHALL COORDINATE AND MAINTAIN ACCESS FOR ALL TRADES AND UTILITIES TO THE SITE AND/OR BUILDING.
- THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR SECURITY OF THE SITE FOR THE DURATION OF CONSTRUCTION UNTIL JOB COMPLETION.
- THE GENERAL CONTRACTOR SHALL MAINTAIN IN GOOD CONDITION ONE COMPLETE SET OF PLANS WITH ALL REVISIONS, ADDENDA, AND CHANGE ORDERS ON THE PREMISES AT ALL TIMES.
- THE GENERAL CONTRACTOR SHALL PROVIDE PORTABLE FIRE EXTINGUISHERS WITH A RATING OF NOT LESS THAN 10 B, 20 A, AND 10 B, AND SHALL BE MAINTAINED AT ALL PORTIONS OF WHERE THE WORK IS BEING COMPLETED DURING CONSTRUCTION.
- ALL EXISTING ACTIVE SEWER, WATER, GAS, ELECTRIC, AND OTHER UTILITIES SHALL BE LOCATED AT ALL TIMES AND WHERE REQUIRED FOR THE PROPER EXECUTION OF THE WORK. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES. THE GENERAL CONTRACTOR SHALL PROVIDE SAFETY TRAINING FOR THE WORKING CREW. THIS SHALL INCLUDE BUT NOT BE LIMITED TO A FALL PROTECTION BY CONFINED SPACE, ELECTRICAL SAFETY, AND D) TRENCHING & EXCAVATION.
- ALL EXISTING INACTIVE SEWER, WATER, GAS, ELECTRIC, AND OTHER UTILITIES WHICH INTERFERE WITH THE EXECUTION OF THE WORK SHALL BE REPAIRED OR REMOVED OR OTHERWISE DISCONNECTED AT POINTS WHICH WILL NOT INTERFERE WITH THE EXECUTION OF THE WORK, AS DIRECTED BY THE RESPONSIBLE ENGINEER, AND SUBJECT TO THE APPROVAL OF THE OWNER AND/OR LOCAL UTILITIES.
- THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE AREAS OF THE OWNERS PROPERTY DISTURBED BY THE WORK AND NOT COVERED BY THE EXISTING CURB DRIVEWAY. SHALL BE GRADED TO A UNIFORM SLOPE, AND STABILIZED TO PREVENT EROSION.

**TORQUE REQUIREMENTS**

- ALL RF CONNECTIONS, GROUNDING HARDWARE AND ANTENNA HARDWARE SHALL HAVE A TORQUE MARK INSTALLED IN A CONTINUOUS STRAIGHT LINE FROM BOTH SIDES OF THE CONNECTOR.
- CONNECTION AND ANTENNA HARDWARE ON THE NUT SIDE STARTING FROM THE THREADS TO THE SOLID SURFACE. EXAMPLE OF SOLID SURFACE, GROUND BAR, ANTENNA BRACKET METAL.

**CABLE MOUNTING**

- TYPES AND SIZES OF THE ANTENNA CABLE ARE BASED ON ESTIMATED LENGTHS. PRIOR TO ORDERING CABLE, CONTRACTOR SHALL VERIFY ACTUAL LENGTH BASED ON CONSTRUCTION LAYOUT AND NOTIFY THE PROJECT MANAGER IF ACTUAL LENGTHS EXCEED APPROVED MOUNTING LENGTHS.
- ALL COAXIAL CABLES SHALL BE SECURED TO THE DESIGNED SUPPORT STRUCTURE IN AN APPROVED MANNER, AT DISTANCES NOT TO EXCEED 4'-0" O.C.
- GENERAL CONTRACTOR SHALL FOLLOW ALL MANUFACTURER'S RECOMMENDATIONS REGARDING BOTH THE INSTALLATION AND GROUNDING OF ALL COAXIAL CABLES.
- GENERAL CONTRACTOR SHALL GROUND ALL EQUIPMENT, INCLUDING ANTENNAS, RET MOTORS, TMA'S, COAX CABLES, AND RET CONTROL CABLES AS A COMPLETE SYSTEM. GROUNDING SHALL BE EXECUTED BY QUALIFIED WIREMEN IN COMPLIANCE WITH MANUFACTURER'S SPECIFICATION AND RECOMMENDATION.

**GENERAL CABLE AND EQUIPMENT NOTES**

- GENERAL CONTRACTOR SHALL BE RESPONSIBLE TO VERIFY ANTENNA, AND COAX CONFIGURATION, MAKE AND MODELS PRIOR TO INSTALLATION.
- FOR ALL WORK, CONTRACTOR SHALL PROVIDE THE FOLLOWING: BRACING, ETC. SHALL BE INSTALLED PER POLE MANUFACTURER'S RECOMMENDATIONS.
- GENERAL CONTRACTOR SHALL REFER TO THE POLE STRUCTURAL ANALYSIS/DESIGN DRAWINGS FOR DIRECTIONS ON CABLE DISTRIBUTION/ROUTING.
- ALL OUTDOOR RF CONNECTORS/CONNECTIONS SHALL BE WEATHERPROOFED, EXCEPT THE ARE MADE BUTY. THESE SHALL HAVE A MINIMUM OF ONE INCH TAPER WITH OVERLAP ON EACH TURN AND EACH LAYER SHALL BE WRAPPED THREE TIMES. WEATHERPROOFING SHALL BE SMOOTH WITHOUT BUCKLING, BUTY, BLEEDING IS NOT ALLOWED.
- IF REQUIRED TO PAINT ANTENNAS AND/OR COAX:
  - PAINT COLOR MUST BE APPROVED BY BUILDING OWNER/LANDLORD.
  - DO NOT PAINT OVER COLOR CODING OR ON EQUIPMENT MODEL NUMBERS.
  - ALL CABLES SHALL BE GROUNDING WITH COAXIAL CABLE GROUND NITS. FOLLOW THE MANUFACTURER'S RECOMMENDATIONS.
  - GROUNDING AT THE ANTENNA LEVEL.
  - GROUNDING AT BASE OF POLE PRIOR TO TURNING HORIZONTAL.

**GROUNDING NOTES**

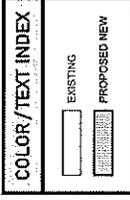
- THE GENERAL CONTRACTOR SHALL REVIEW AND INSPECT THE EXISTING FACILITY GROUNDING SYSTEM AND LIGHTNING PROTECTION SYSTEM (AS DESIGNED AND INSTALLED) FOR STRICT COMPLIANCE WITH THE NEC (AS ADOPTED BY THE AHJ). THE CONTRACTOR SHALL REPORT ANY VIOLATIONS OR ADVERSE FINDINGS TO THE CONTRACTOR FOR RESOLUTION.
- ALL GROUND ELECTRODE SYSTEMS (INCLUDING TELECOMMUNICATION, RADIO, LIGHTNING RODS, ETC.) SHALL BE USED FOR ALL GROUNDING CONNECTIONS BELOW GRADE GRADE BY TWO OR MORE COPPER BONDING CONDUCTORS IN ACCORDANCE WITH THE NEC.
- THE GENERAL CONTRACTOR SHALL PERFORM IEEE FALL-OFF-POTENTIAL RESISTANCE TO EARTH TESTING PER IEEE 1109 AND 811 FOR NEW GROUND ELECTRODE SYSTEMS. THE CONTRACTOR SHALL PROVIDE A TEST REPORT TO THE OWNER. ALL GROUNDING AND ELECTRODES AS NEEDED TO ACHIEVE A TEST RESULT OF 5 OHMS OR LESS.
- METAL RACEWAY SHALL NOT BE USED AS THE NEC REQUIRED EQUIPMENT GROUND CONDUCTOR. STRANDED COPPER CONDUCTORS WITH GREEN INSULATION, SIZED IN ACCORDANCE WITH THE NEC, SHALL BE FURNISHED AND INSTALLED WITH THE POWER CABLES TO THE EQUIPMENT. THE EGC SHALL BE FURNISHED AND INSTALLED WITH THE POWER BAR WITH GREEN INSULATED SUPPLEMENTAL EQUIPMENT GROUND WIRES, 6 AWG STRANDED COPPER OR LARGER FOR INDOOR BTS 2 AWG STRANDED COPPER FOR EXTERIOR MOUNTED EQUIPMENT.
- APPROVED ANTI-OXIDANT COATINGS (I.E., CONDUCTIVE GEL OR PASTE) SHALL BE USED ON ALL ALUMINUM CONDUCTOR OR COPPER CLAD STEEL CONDUCTOR SHALL NOT BE USED FOR MISCELLANEOUS ELECTRICAL AND NON-ELECTRICAL METAL BOXES, FRAMES AND SUPPORTS SHALL BE BONDED TO THE GROUND ROD, IN ACCORDANCE WITH THE NEC. METAL CONDUIT SHALL BE MADE ELECTRICALLY CONTINUOUS WITH LISTED BONDING FITTINGS OR BY BONDING ACROSS THE DISCONTINUITY WITH #16 AWG COPPER WIRE UL APPROVED GROUNDING TYPE CONDUIT CLAMPS.

**ANTENNA MOUNTING**

- DESIGN AND CONSTRUCTION OF ANTENNA SUPPORTS SHALL CONFORM TO CURRENT ANSI/TIA-222 OR APPLICABLE LOCAL CODES.
- ALL STEEL MATERIALS SHALL BE GALVANIZED AFTER FABRICATION IN ACCORDANCE WITH ASTM A153 ZINC (HOT-DIP GALVANIZED) COATINGS ON IRON AND STEEL PRODUCTS.
- ALL BOLTS SHALL BE GALVANIZED UNLESS OTHERWISE SPECIFIED.
- ACCORDANCE WITH ASTM A153 ZINC-COATING (HOT-DIP) ON IRON AND STEEL HARDWARE, UNLESS NOTED OTHERWISE.
- DAMAGED GALVANIZED SURFACES SHALL BE REPAIRED BY COLD GALVANIZING IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
- ALL ANTENNA MOUNTS SHALL BE INSTALLED WITH LOCK NUTS, DOUBLE NUTS AND SHALL BE TORQUED TO MANUFACTURER'S RECOMMENDATIONS.
- GENERAL CONTRACTOR SHALL INSTALL ANTENNA PER MANUFACTURER'S RECOMMENDATION FOR INSTALLATION AND GROUNDING.
- ENSURE ANTENNAS PERFORM AS DESIGNED.
- GENERAL CONTRACTOR SHALL RECORD THE SERIAL #, SECTOR, AND POSITION OF EACH ACTUATOR INSTALLED AT THE ANTENNAS AND PROVIDE THE INFORMATION TO AT&T.

**ANTENNA MOUNTING**

- DESIGN AND CONSTRUCTION OF ANTENNA SUPPORTS SHALL CONFORM TO CURRENT ANSI/TIA-222 OR APPLICABLE LOCAL CODES.
- ALL STEEL MATERIALS SHALL BE GALVANIZED AFTER FABRICATION IN ACCORDANCE WITH ASTM A153 ZINC (HOT-DIP GALVANIZED) COATINGS ON IRON AND STEEL PRODUCTS.
- ALL BOLTS SHALL BE GALVANIZED UNLESS OTHERWISE SPECIFIED.
- ACCORDANCE WITH ASTM A153 ZINC-COATING (HOT-DIP) ON IRON AND STEEL HARDWARE, UNLESS NOTED OTHERWISE.
- DAMAGED GALVANIZED SURFACES SHALL BE REPAIRED BY COLD GALVANIZING IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
- ALL ANTENNA MOUNTS SHALL BE INSTALLED WITH LOCK NUTS, DOUBLE NUTS AND SHALL BE TORQUED TO MANUFACTURER'S RECOMMENDATIONS.
- GENERAL CONTRACTOR SHALL INSTALL ANTENNA PER MANUFACTURER'S RECOMMENDATION FOR INSTALLATION AND GROUNDING.
- ENSURE ANTENNAS PERFORM AS DESIGNED.
- GENERAL CONTRACTOR SHALL RECORD THE SERIAL #, SECTOR, AND POSITION OF EACH ACTUATOR INSTALLED AT THE ANTENNAS AND PROVIDE THE INFORMATION TO AT&T.



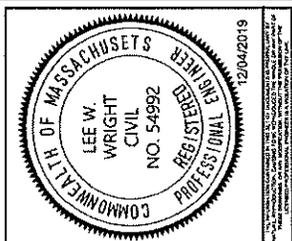
**NOTE**

GENERAL NOTES APPLY IN APPLICABLE SITUATIONS ONLY.



SUBMITTALS		DATE	DESCRIPTION	BY	ISSUED BY
1	PERMITS				
2	CONSTRUCTION				
3					
4					
5					
6					
7					
8					
9					
10					

DRAWN BY: JMW  
 CHECKED BY: AAK  
 APPROVED BY: LWW



LR#ID: 282146

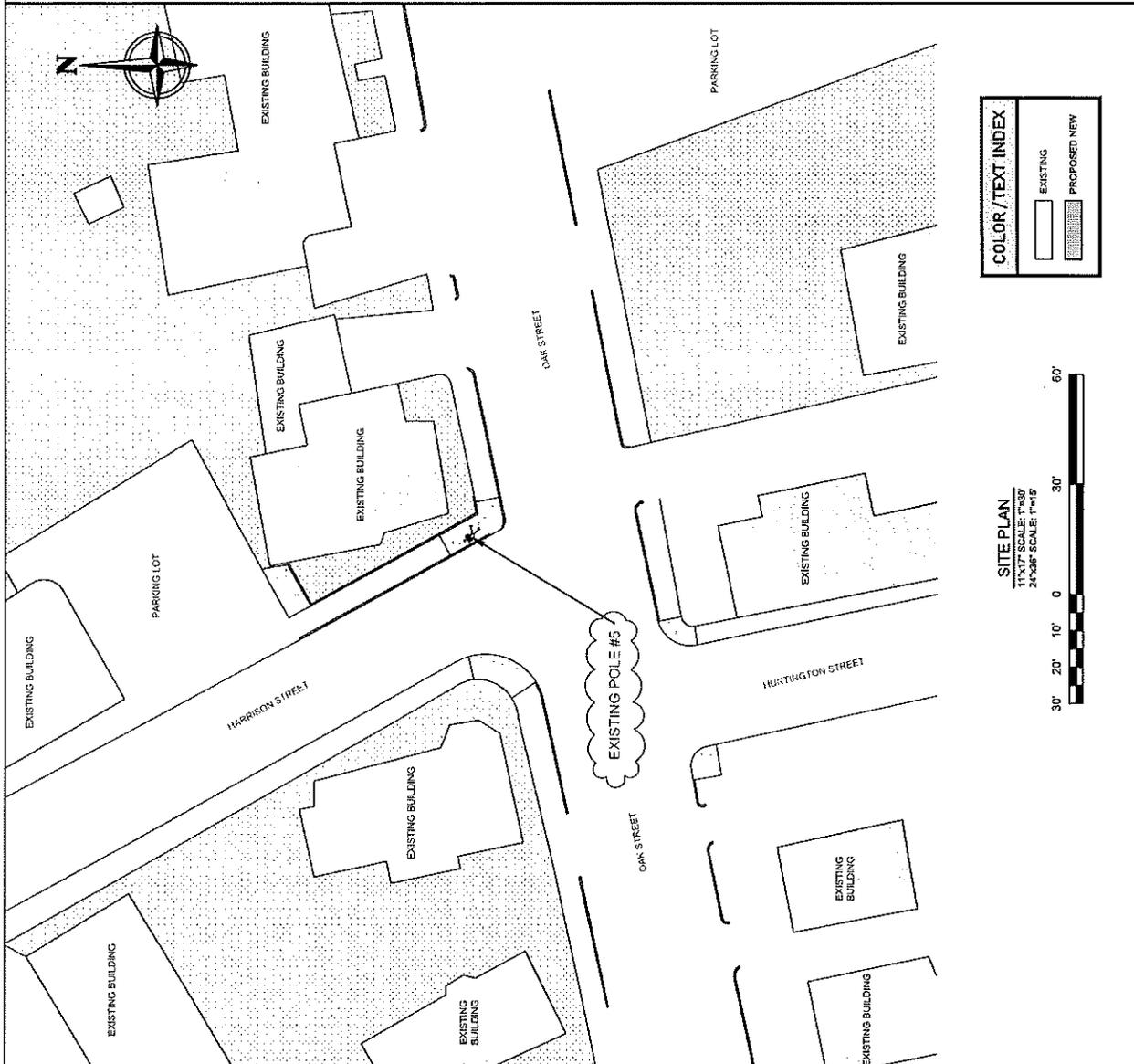
SITE ADDRESS:  
 56 OAK STREET  
 LOWELL, MA 01852

PA LOCATION:  
 14941813

SITE NAME:  
 CRAN\_RCTB\_LWLL\_04

SHEET TITLE  
 SITE PLAN

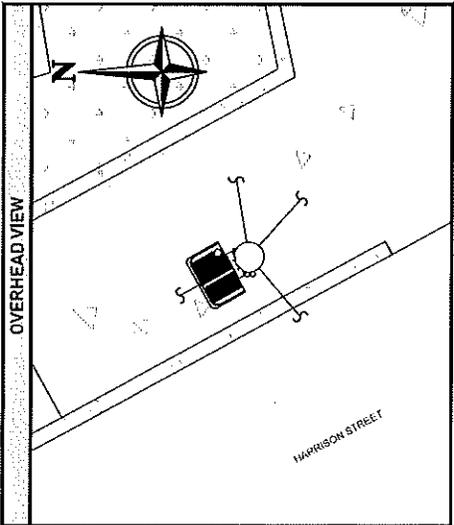
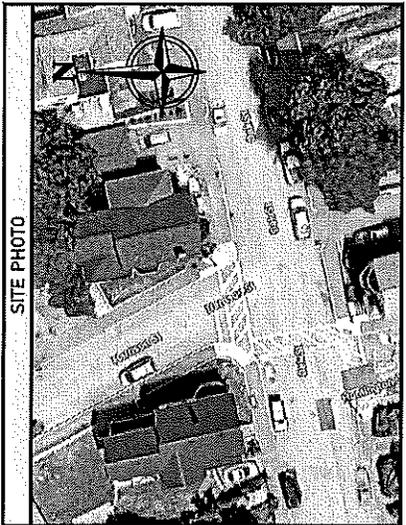
SHEET NUMBER  
 C-1



**NOTE**

SITE PLAN INFORMATION CONTAINED HEREIN IS TAKEN FROM THE DOCUMENTS PROVIDED BY THE CLIENT AND IS NOT TO BE CONSIDERED A GUARANTEE OF ACCURACY OR THE COMPLETENESS OF THE CORDED SURVEY/STAKE PLAN INFORMATION.

- SITE NOTES**
- GC RESPONSIBLE FOR SUBMITTING A 48 HOUR NOTICE PRIOR TO MOBILIZATION TO THE SITE.
  - A PRE-CONSTRUCTION MEETING IS REQUIRED PRIOR TO CONSTRUCTION START TO REVIEW SCOPE OF WORK AND EXPECTATIONS.
    - A RIGGING PLAN MAY BE REQUIRED AND SHALL BE SUBMITTED WITH THE 48 HOUR
    - GC RESPONSIBLE FOR ENSURING THE SAFETY CLIMB IS NOT TRAPPED OR OTHERWISE OBSTRUCTED WITH REASONABLE BUILDING PRACTICES.
  - GC RESPONSIBLE FOR COORDINATING DAILY LOG-IN AND LOG-OUT WITH THE POLE OWNER, WHERE APPLICABLE.
  - GC WILL BE RESPONSIBLE FOR THE POLE OWNER CLOSEOUT PACKAGE WITH REDLINES OF THE DTS OF THE EQUIPMENT INSTALLED TO BE SUBMITTED WITHIN 7 DAYS OF CONSTRUCTION COMPLETE.



## Review of Utility Company Request for New Conduit/Pole Location

Applicant Information Project Address

Utility Gas Electric Telephone Utility Pole #8-6 Near 60 Lafayette St

(circle one) Other Lowell, MA

Reason Install Wireless Small Cell Facility on an

Existing Utility Pole in the Public Right of

Way

Date Submitted March 17, 2020

Review done by Richard Biagini

Sidewalk Material Concrete Asphalt Other

**Note: material to be replaced in kind (Concrete in full panels)**

Sidewalk Vaults present	Y	<u>N</u>
Work on Street under a Paving Moratorium	<u>Y</u>	N
Is this location within the Flood Plain?	<u>Y</u>	N
Are ADA requirements being met?	<u>Y</u>	N

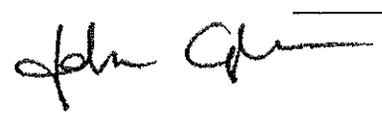
Comments

1. Contractor shall notify abutters at least 72 hours prior to beginning work.

Outcome of Review

Approved	Approved With Comments	Denied
<div style="border: 1px solid black; width: 100%; height: 100%;"></div>	<div style="border: 1px solid black; width: 100%; height: 100%; position: relative;"> <span style="position: absolute; top: 0; right: 0; bottom: 0; left: 0;">X</span> </div>	<div style="border: 1px solid black; width: 100%; height: 100%;"></div>

John Gleason, Interim City  
 Engineer



# brownrudnick

Edward D. Pare, Jr., Esq.  
direct dial: 401-276-2839  
epare@brownrudnick.com

February 3, 2020

City Council  
City of Lowell  
c/o City Clerk  
Lowell City Hall  
375 Merrimack Street  
1st Floor, Room 31  
Lowell, MA 01852

Christine Clancy, P.E.  
City Engineer  
City of Lowell  
Lowell City Hall  
375 Merrimack Street  
3rd Floor, Room 61  
Lowell, MA 01852

**RE: Application of New Cingular Wireless PCS, LLC (d/b/a AT&T) for a Grant of Location for a Wireless Small Cell Facility, Including Telecommunication Wires and Wireless Attachments and Appurtenances on a Replacement Utility Pole in the Public Right of Way at the Following Location:**

**Pole #8-6 - Near 60 Lafayette Street, Lowell, MA 01854**

Dear Honorable Members of the Lowell City Council:

As you may recall, we represent New Cingular Wireless PCS, LLC (d/b/a "AT&T") with respect to its deployment of small cell facilities in the City of Lowell and the Commonwealth of Massachusetts. AT&T is licensed by the Federal Communications Commission (the "FCC") to provide wireless communications services in the City of Lowell and throughout the Commonwealth of Massachusetts.

On behalf of AT&T and while reserving all rights, please accept this submission as an application for approval for a grant of location (the "Application") for one (1) small cell facility on an existing utility pole located in the public right of way near the above referenced address (the "Site"). The Application is filed pursuant to the federal Telecommunications Act of 1996 (the "Act"), the Declaratory Ruling and Third Report and Order 18-133 (the "Order") issued by the FCC in September 2018 [https://docs.fcc.gov/public/attachments/FCC-18-133A1\\_Rcd.pdf](https://docs.fcc.gov/public/attachments/FCC-18-133A1_Rcd.pdf) and Massachusetts General Laws Chapter 166, Sections 21, 22 and 25A for telecommunication wires and wireless attachments and appurtenances attached to utility poles.

AT&T has entered into a Pole Attachment Agreement with National Grid and we have included a letter of authorization from National Grid to AT&T to submit the Application. For the proposed installation which is the subject of this request, National Grid requires that the pole



selected by AT&T for the small cell facility be replaced due to leaning, space limitations, age or other physical conditions or limitations. The existing pole is 27' 11" above ground level and the replacement pole will be 34' above ground level. The replacement pole complies with and is in accordance with the Act, the Order and state law.

We have also provided a detailed set of drawings (the "Plans") and map for this small cell facility. Additionally, we have provided photographs of a similar small cell installation installed by AT&T and located at 8 General Street, Lawrence, Massachusetts for use as an example. Also enclosed, please find a generic small cell facility report demonstrating compliance with applicable emissions standards established by the FCC.

AT&T proposes this small cell facility in the City of Lowell to deal with the rapidly increasing demands on AT&T's wireless network. This small cell facility will work in conjunction with the existing macro sites installed on rooftops, towers and other structures in and around the City of Lowell. AT&T's radio frequency engineers targeted the proposed location due to the high traffic and data demands on AT&T's network in these areas. AT&T's existing macro cell sites are not providing adequate data capacity near the Site due to population, vehicular and foot traffic, multiple wireless devices in use and other contributing factors. This small cell facility will work to offload the demands on the macro sites and allow for increased data capacity and speed within the immediate vicinity of the Sites and near AT&T's existing macro sites.

This small cell facility will be installed using standard commercially accepted methods in accordance with all applicable federal, state and local laws, regulations and orders. As depicted on the Plans, this small cell installation on the replacement utility pole will include: fiber optic cable(s); remote radios in a small equipment cabinet 39" in height by 23" wide by 15" deep (7.8 cubic feet in volume) mounted to the pole at least 12'9" above ground level; an unobtrusive pole top antenna measuring 25" long and 10" in diameter (1.132 cubic feet in volume); conduits and cable protectors; and, an electrical meter 8' above ground level with shutoff switch and grounding rod. The Plans also provide the proposed location, pole height, mounting height and equipment specifications.

#### The Telecommunications Act of 1996

Without the installation, AT&T would be unable to provide specifically established coverage and capacity objectives. The existing utility pole is located within the limited geographic area whereby AT&T's radio frequency engineers determined that a wireless facility is required. The Act imposes substantial restrictions affecting the standard for granting the requested relief. The Act provides that: no laws or actions by any local government or planning or zoning board may prohibit, or have the effect of prohibiting, the placement, construction, or modification of communications towers, antennas, or other wireless facilities in any particular geographic area, see 47 U.S.C. §332(c)(7)(B)(i); local government or planning or zoning boards may not unreasonably discriminate among providers of functionally equivalent services, see



City Council  
City of Lowell  
February 3, 2020  
Page 3

47 U.S.C. §332(c)(7)(B)(i); health concerns may not be considered so long as the emissions comply with the applicable standards of the FCC, see 47 U.S.C. §332(c)(7)(B)(iv); and, decisions must be rendered within a reasonable period of time, see 47 U.S.C. §332(c)(7)(B)(ii) and the Order commonly referenced as the applicable “shot clocks”. The FCC shot clock in this instance is ninety (90) days from the date of submission of the Application.

We respectfully assert that AT&T's proposed small cell facility is reasonable and reasonably complies with the requirements of the City of Lowell in light of the Act, the Order and state law. AT&T is willing to work cooperatively with the City of Lowell with respect the deployment of its small cell facilities and we look forward to your feedback. For the convenience of the City Council, AT&T has provided a proposed Form of Order for your consideration.

If you have any questions, please don't hesitate to contact me. We look forward to presenting the Application at an upcoming meeting.

Sincerely,

BROWN RUDNICK LLP

---

Edward D. Pare, Jr., Esq.

Enclosures: Plans  
Structural Report  
Letter of Authorization from National Grid  
Photograph of Existing Small Cell Facility  
Emissions Report



**ORDER FOR LOCATION FOR TELECOMMUNICATIONS WIRES AND WIRELESS ATTACHMENTS AND APPURTENANCES**

By the City Council

Of the City of Lowell, Massachusetts, \_\_\_\_\_, 2020

**ORDERED:**

That pursuant to the federal Telecommunication Act of 1996 and Massachusetts General Laws, Chapter 166, NEW CINGULAR WIRELESS PCS, LLC ("AT&T") is hereby granted a location for and permission to construct and maintain telecommunications wires and wireless attachments and appurtenances, including fiber optic cable(s), remote nodes and pole top antennas, to be attached to a National Grid utility pole, located upon, along and under the public ways within the City of Lowell, as substantially shown on the plans filed with said petition.

The forgoing permission is subject to the following condition: the telecommunications wires and wireless attachments and appurtenances shall be installed and operated in compliance with all applicable federal and state laws and regulations.

I hereby certify that the foregoing was adopted at a meeting of the City Council of the City of Lowell, Massachusetts, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
City Clerk







## Review of Utility Company Request for New Conduit/Pole Location

Applicant Information

Project Address

Utility Gas Electric Telephone

Utility Pole #1 Near 878 Lakeview Ave

(circle one) Other

Lowell, MA

Reason Install Wireless Small Cell Facility on an

Existing Utility Pole in the Public Right of Way

Date Submitted March 17, 2020

Review done by Richard Biagini

Sidewalk Material

Concrete Asphalt Other

**Note: material to be replaced in kind (Concrete in full panels)**

Sidewalk Vaults present Y N

Work on Street under a Paving Moratorium Y N

Is this location within the Flood Plain? Y N

Are ADA requirements being met? Y N

Comments

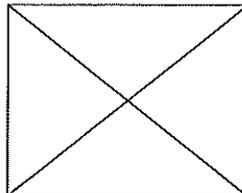
1. Contractor shall notify abutters at least 72 hours prior to beginning work.

Outcome of Review

Approved

Approved With  
Comments

Denied



John Gleason, Interim City  
Engineer

# brownrudnick

Edward D. Pare, Jr., Esq.  
direct dial: 401-276-2639  
epare@brownrudnick.com

February 3, 2020

City Council  
City of Lowell  
c/o City Clerk  
Lowell City Hall  
375 Merrimack Street  
1st Floor, Room 31  
Lowell, MA 01852

Christine Clancy, P.E.  
City Engineer  
City of Lowell  
Lowell City Hall  
375 Merrimack Street  
3rd Floor, Room 61  
Lowell, MA 01852

**RE: Application of New Cingular Wireless PCS, LLC (d/b/a AT&T) for a Grant of Location for a Wireless Small Cell Facility, Including Telecommunication Wires and Wireless Attachments and Appurtenances on an Existing Utility Pole in the Public Right of Way at the Following Location:**

**Pole #1 - Near 878 Lakeview Avenue, Lowell, MA 01850**

Dear Honorable Members of the Lowell City Council:

As you may recall, we represent New Cingular Wireless PCS, LLC (d/b/a "AT&T") with respect to its deployment of small cell facilities in the City of Lowell and the Commonwealth of Massachusetts. AT&T is licensed by the Federal Communications Commission (the "FCC") to provide wireless communications services in the City of Lowell and throughout the Commonwealth of Massachusetts.

On behalf of AT&T and while reserving all rights, please accept this submission as an application for approval for a grant of location (the "Application") for one (1) small cell facility on an existing utility pole located in the public right of way near the above referenced address (the "Site"). The Application is filed pursuant to the federal Telecommunications Act of 1996 (the "Act"), the Declaratory Ruling and Third Report and Order 18-133 (the "Order") issued by the FCC in September 2018 [https://docs.fcc.gov/public/attachments/FCC-18-133A1\\_Rcd.pdf](https://docs.fcc.gov/public/attachments/FCC-18-133A1_Rcd.pdf) and Massachusetts General Laws Chapter 166, Sections 21, 22 and 25A for telecommunication wires and wireless attachments and appurtenances attached to utility poles.

AT&T has entered into a Pole Attachment Agreement with National Grid and we have included a letter of authorization from National Grid to AT&T to submit the Application. The



existing pole complies with and is in accordance with the Act, the Order and Massachusetts state law.

We have also provided a detailed set of drawings (the "Plans") and map for this small cell facility. Additionally, we have provided photographs of a similar small cell installation installed by AT&T and located at 8 General Street, Lawrence, Massachusetts for use as an example. Also enclosed, please find a generic small cell facility report demonstrating compliance with applicable emissions standards established by the FCC.

AT&T proposes this small cell facility in the City of Lowell to deal with the rapidly increasing demands on AT&T's wireless network. This small cell facility will work in conjunction with the existing macro sites installed on rooftops, towers and other structures in and around the City of Lowell. AT&T's radio frequency engineers targeted the proposed location due to the high traffic and data demands on AT&T's network in these areas. AT&T's existing macro cell sites are not providing adequate data capacity near the Site due to population, vehicular and foot traffic, multiple wireless devices in use and other contributing factors. This small cell facility will work to offload the demands on the macro sites and allow for increased data capacity and speed within the immediate vicinity of the Sites and near AT&T's existing macro sites.

This small cell facility will be installed using standard commercially accepted methods in accordance with all applicable federal, state and local laws, regulations and orders. As depicted on the Plans, this small cell installation on the existing utility pole will include: fiber optic cable(s); remote radios in a small equipment cabinet 39" in height by 23" wide by 15" deep (7.8 cubic feet in volume) mounted to the pole at least 12'9" above ground level; an unobtrusive pole top antenna measuring 25" long and 10" in diameter (1.132 cubic feet in volume); conduits and cable protectors; and, an electrical meter 8' above ground level with shutoff switch and grounding rod. The Plans also provide the proposed location, pole height, mounting height and equipment specifications.

#### The Telecommunications Act of 1996

Without the installation, AT&T would be unable to provide specifically established coverage and capacity objectives. The existing utility pole is located within the limited geographic area whereby AT&T's radio frequency engineers determined that a wireless facility is required. The Act imposes substantial restrictions affecting the standard for granting the requested relief. The Act provides that: no laws or actions by any local government or planning or zoning board may prohibit, or have the effect of prohibiting, the placement, construction, or modification of communications towers, antennas, or other wireless facilities in any particular geographic area, see 47 U.S.C. §332(c)(7)(B)(i); local government or planning or zoning boards may not unreasonably discriminate among providers of functionally equivalent services, see 47 U.S.C. §332(c)(7)(B)(i); health concerns may not be considered so long as the emissions comply with the applicable standards of the FCC, see 47 U.S.C. §332(c)(7)(B)(iv); and,



City Council  
City of Lowell  
February 3, 2020  
Page 3

decisions must be rendered within a reasonable period of time, see 47 U.S.C. §332(c)(7)(B)(ii) and the Order commonly referenced as the applicable “shot clocks”. The FCC shot clock in this instance is sixty (60) days from the date of submission of the Application.

We respectfully assert that AT&T's proposed small cell facility is reasonable and reasonably complies with the requirements of the City of Lowell in light of the Act, the Order and state law. AT&T is willing to work cooperatively with the City of Lowell with respect the deployment of its small cell facilities and we look forward to your feedback. For the convenience of the City Council, AT&T has provided a proposed Form of Order for your consideration.

If you have any questions, please don't hesitate to contact me. We look forward to presenting the Application at an upcoming meeting.

Sincerely,

BROWN RUDNICK LLP

---

Edward D. Pare, Jr., Esq.

Enclosures: Plans  
Structural Report  
Letter of Authorization from National Grid  
Photograph of Existing Small Cell Facility  
Emissions Report



**ORDER FOR LOCATION FOR TELECOMMUNICATIONS WIRES AND WIRELESS ATTACHMENTS AND APPURTENANCES**

By the City Council

Of the City of Lowell, Massachusetts, \_\_\_\_\_, 2020

ORDERED:

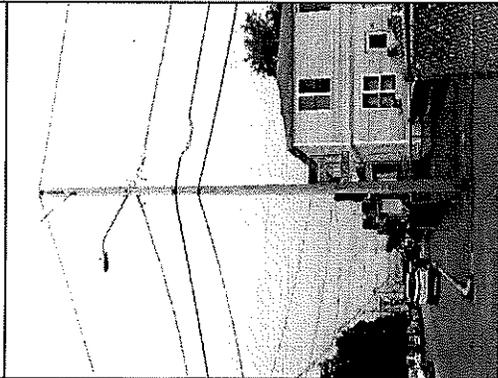
That pursuant to the federal Telecommunication Act of 1996 and Massachusetts General Laws, Chapter 166, NEW CINGULAR WIRELESS PCS, LLC ("AT&T") is hereby granted a location for and permission to construct and maintain telecommunications wires and wireless attachments and appurtenances, including fiber optic cable(s), remote nodes and pole top antennas, to be attached to a National Grid utility pole, located upon, along and under the public ways within the City of Lowell, as substantially shown on the plans filed with said petition.

The forgoing permission is subject to the following condition: the telecommunications wires and wireless attachments and appurtenances shall be installed and operated in compliance with all applicable federal and state laws and regulations.

I hereby certify that the foregoing was adopted at a meeting of the City Council of the City of Lowell, Massachusetts, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
City Clerk

**SITE PHOTO**



**PROJECT:** SMALL CELL- CRAN  
**ADDRESS:** 878 LAKEVIEW AVENUE  
 LOWELL, MA 01850  
**JURISDICTION:** MIDDLESEX COUNTY  
**OWNER:** NATIONAL GRID / VERIZON  
**PAGE #:** MRCTB039066  
**SITE NAME:** CRAN\_RCTB\_LWLL\_01

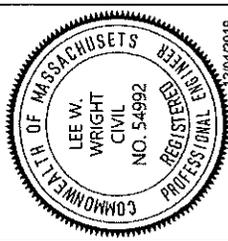
**INDEX OF DRAWINGS**

SHEET NO.	TITLE SHEET	SHEET DESCRIPTION
T-1	GENERAL NOTES	
G-1	SITE PLAN	
C-1	POLE ELEVATION PLAN	
C-2	EQUIPMENT DETAILS	
C-3	CABLES NOTES AND COLOR CODING	
C-4	ELECTRICAL AND GROUNDING DETAILS	
C-5		
G-1		



DATE	DESCRIPTION	REV	ISSUED BY
11/20/11	PERMITTING	A	LWW
12/02/11	CONSTRUCTION	B	LWW

DRAWN BY: JDM  
 CHECKED BY: AMK  
 APPROVED BY: LWW



USID: 262149  
 SITE ADDRESS: 878 LAKEVIEW AVENUE  
 LOWELL, MA 01850

FA LOCATION: 14942025  
 SITE NAME: CRAN\_RCTB\_LWLL\_01

SHEET TITLE: SHEET  
 SHEET NUMBER: T-1

**SPECIAL NOTES**

- THE CONTRACTOR SHALL VERIFY ALL PLANS & EXISTING DIMENSIONS & CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ARCHITECT OR ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.
- THE CONTRACTOR SHALL VERIFY ALL PLANS & EXISTING DIMENSIONS & CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ARCHITECT OR ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

**CODE COMPLIANCE**

- 2015 INTERNATIONAL BUILDING CODE
- 2015 INTERNATIONAL RESIDENTIAL CODE
- 2015 INTERNATIONAL MECHANICAL CODE
- 2015 INTERNATIONAL ENERGY CONSERVATION CODE
- 2015 INTERNATIONAL EXISTING BUILDING CODE

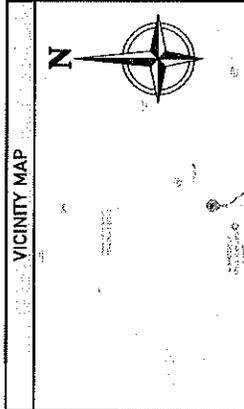
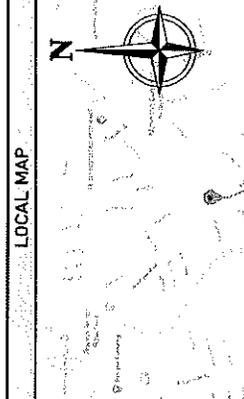
**SCOPE OF WORK**

THIS IS NOT AN ALL INCLUSIVE LIST. CONTRACTOR SHALL UTILIZE SPECIFIED EQUIPMENT PART OR ENGINEER APPROVED EQUIVALENT. CONTRACTOR SHALL VERIFY ALL NEEDED EQUIPMENT TO PROVIDE A FUNCTIONAL SITE. THE PROJECT GENERALLY CONSISTS OF THE FOLLOWING:

- PROPOSED MOBILE WORK
- ADD (1) PROPOSED ANTENNA MOUNTING BRACKET
- ADD (1) PROPOSED BRACKET MOUNTING BRACKET

**DO NOT SCALE DRAWINGS**

CONTRACTOR SHALL VERIFY ALL PLANS & EXISTING DIMENSIONS & CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ARCHITECT OR ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.



**UTILITY NOTE**

UNDERGROUND SERVICE ALERT  
 UTILITIES PROTECTION CENTER, INC.  
 811  
 48 HOURS BEFORE YOU DIG

**DIRECTIONS**

DIRECTIONS FROM: AT&T OFFICE, 550 COCHUILLATE ROAD, FRAMINGHAM, MA 01701

1. TAKE I-93 SOUTH TO EXIT 10A (TOWARD SOUTH) AND TAKE RIGHT ON COCHUILLATE ROAD TO THE AT&T OFFICE. FROM THE AT&T OFFICE, TAKE RIGHT ON COCHUILLATE ROAD TO THE PROJECT SITE.

**PROJECT INFORMATION**

SITE NAME: CRAN\_RCTB\_LWLL\_01  
 COUNTY: MIDDLESEX  
 ADDRESS: 878 LAKEVIEW AVENUE, LOWELL, MA 01850  
 STRUCTURE TYPE: UTILITY POLE  
 USID: 262149  
 LATITUDE: 42.65884  
 LONGITUDE: -71.31952  
 POLE OWNER ID #: 1  
 POLE OWNER: NATIONAL GRID  
 APPLICANT: AT&T WIRELESS  
 PROJECT MANAGER: RICHARD DETOR

**PROJECT CONSULTANTS**

PROJECT MANAGEMENT:  
 CENTERLINE COMMUNICATIONS  
 750 WEST CENTER STREET, SUITE 301  
 WEST BRIDGEWATER, MA 02378  
 CONTACT: VINCENT PAQUETTE  
 EMAIL: VPAQUETTE@CCLINC.COM

SITE ACQUISITION:  
 CENTERLINE COMMUNICATIONS  
 750 WEST CENTER STREET, SUITE 301  
 WEST BRIDGEWATER, MA 02378  
 CONTACT: JEAN FANCHER  
 EMAIL: JFANCHER@CCLINC.COM

ENGINEER:  
 CARLSON MCCAIN  
 3800 PHEASANT RIDGE DRIVE, SUITE 100  
 WEST BRIDGEWATER, MA 02378  
 CONTACT: LEE W. WRIGHT  
 EMAIL: LWRIGHT@CARLSONMCCAIN.COM



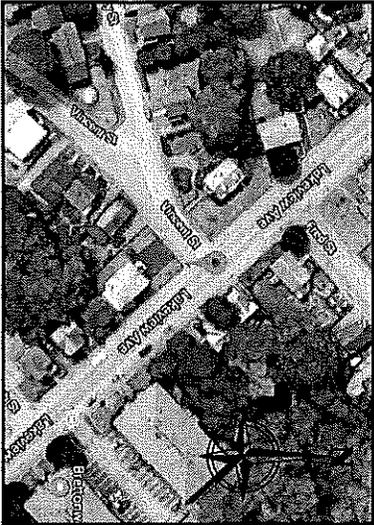
**NOTE**

SITE PLAN INFORMATION CONTAINED HEREIN IS TAKEN FROM THE DOCUMENTS PROVIDED BY THE CLIENT. NO WARRANTY OR GUARANTEE IS GIVEN BY CARLSON MCCAIN TO THE ACCURACY OR THE COMPLETENESS OF THE COVERED SUPERVISOR'S PLAN INFORMATION.

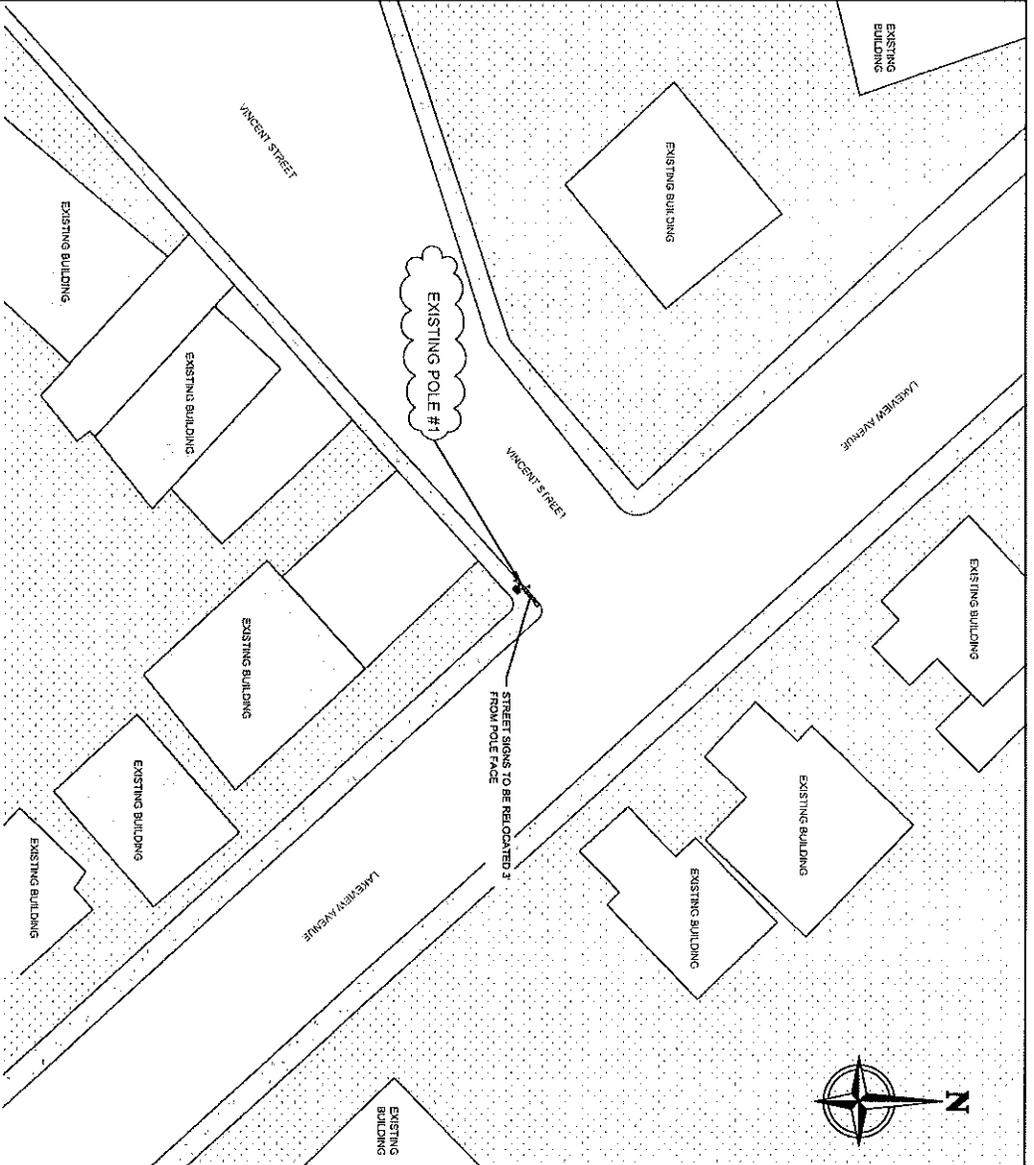
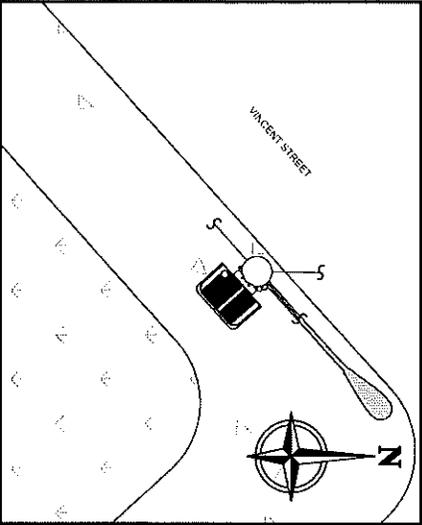
**SITE NOTES**

1. GC RESPONSIBLE FOR SUBMITTING A 48 HOUR NOTICE PRIOR TO MOBILIZATION TO THE SITE.
2. A PRE-CONSTRUCTION MEETING IS REQUIRED PRIOR TO CONSTRUCTION START TO REVIEW SCOPE OF WORK AND SPECIFICATIONS.
  - A PRE-CONSTRUCTION MEETING IS REQUIRED AND SHALL BE SUBMITTED WITH THE 48 HOUR NOTICE.
  - GC RESPONSIBLE FOR BRINGING THE SAFETY PLAN IS NOT TAPPED OR OTHERS BEING CONSTRUCTED WITH NEARBY BUILDING FOUNDATIONS.
3. GC RESPONSIBLE FOR COORDINATING DAILY LOGS AND LOG-OUT WITH THE POLE OWNER, WHERE APPLICABLE.
4. GC WILL BE RESPONSIBLE FOR THE POLE OWNER CLOSEOUT PACKAGE WITH REQUIRES OF THE COSTS OF THE EQUIPMENT INSTALLED TO BE SUBMITTED WITHIN 7 DAYS OF CONSTRUCTION COMPLETE.

**SITE PHOTO**



**OVERHEAD VIEW**



**SITE PLAN**

TYPICAL SCALE: 1"=30'  
AS SHOWN SCALE: 1"=15'

COLOR/TEXT INDEX	
	EXISTING
	PROPOSED NEW



SUBMITTALS		REV	DATE
DESCRIPTION	BY	DATE	
REVISION	AKK	11/22/2019	
CONSTRUCTION	LWW	12/02/2019	

DRAWN BY: JMK  
 CHECKED BY: AKK  
 APPROVED BY: LWW

COMMONWEALTH OF MASSACHUSETTS  
 REGISTERED PROFESSIONAL ENGINEER  
 LEE W. WRIGHT  
 CIVIL  
 NO. 54992  
 REGISTERED 12/04/2019

USD: 262149

SITE ADDRESS: 878 LAKEVIEW AVENUE LOWELL, MA 01850

FA LOCATION: 14842025

SITE NAME: CRAN\_RCTB\_LMWL\_01

SHEET TITLE: SITE PLAN

SHEET NUMBER: C-1



Diane Nichols Tradd  
 Assistant City Manager/DPD Director

Craig Thomas  
 Deputy Director

MEMORANDUM

TO: Eileen M. Donoghue, City Manager *EMD*

FROM: Diane N. Tradd, Assistant City Manager/DPD Director

DATE: April 28, 2020

SUBJECT: UPDATE TO REPORT OF 9/10/2019 AND MOTION OF 4/23/19 BY MAYOR LEAHY REQUEST THE CITY MANAGER UPDATE THE CITY COUNCIL ON THE BUDGET FOR STREET LINE PAINTING AND ALSO UPDATE THE CITY COUNCIL ON SCHEDULE FOR THE UPCOMING YEAR FOR PAINTING LINES AND STREETS THROUGHOUT THE CITY OF LOWELL

Mayor Leahy requested an update to the motion response with the total cost to apply pavement markings in the City of Lowell, as required per the Manual on Uniform Traffic Control Devices (MUTCD). The Transportation staff was able to create an estimate of the cost and total linear feet of markings for City roads using traffic counts, the City Geographic Information System (GIS), additional GIS data and MUTCD requirements. Per the MUTCD, any road can be marked with a double yellow centerline as a public safety measure. However, roads that are a minimum of 20 feet wide, with an Average Daily Traffic (ADT) of at least 6,000 vehicles per day are required to have edge lines and double yellow centerlines. GIS data previously provided to the City by a consultant included the following data:

- Width over 20 feet
- ADT over 5,000 vehicles a day (*ADT over 6,000 not provided*)
- Has a bike lane
- Owned by the City

Using the data provided, Transportation Staff identified the City roads that require double yellow centerlines and edge lines, as well as bike lanes. A map of these streets is attached. This estimate is only for striping edge lines, double yellow lines and bicycle lanes. The table below shows the total cost for striping the streets identified.

Cost of Striping				
			\$ Per Linear Foot	\$ For Each
Linear Footage: DY	256,000	LF	\$ 0.08 /LF	\$ 20,480
Linear Footage: Edge	256,000	LF	\$ 0.08 /LF	\$ 20,480
Linear Footage: Bikes	40,000	LF	\$ 0.04 /LF	\$ 1,600
<b>TOTAL</b>				<b>\$ 42,560</b>

A police detail of one patrolman is needed for each night of pavement striping. In order to estimate that cost, based on previous experience, it was assumed that 150,000 linear feet can be painted per night in a 10-hour shift. The table below shows the cost for the police details needed to stripe the identified streets.

<b>Cost of Police Detail – Truck Crew</b>	
Total Linear Footage	806,795
# of Nights LPD Detail Needed	6
\$ per 10 hour detail	\$ 900.00
Total Police Detail Cost	<b>\$ 5,400.00</b>

The total estimated cost for required pavement marking is **\$47,960**. This cost does not include any work that would be performed by a hand crew, such as painting stop bars, arrows, 'ONLY' or parking spot delineators (known as Ls and Ts). It only includes the cost of a truck crew for long-line painting and a police detail for each night of painting.

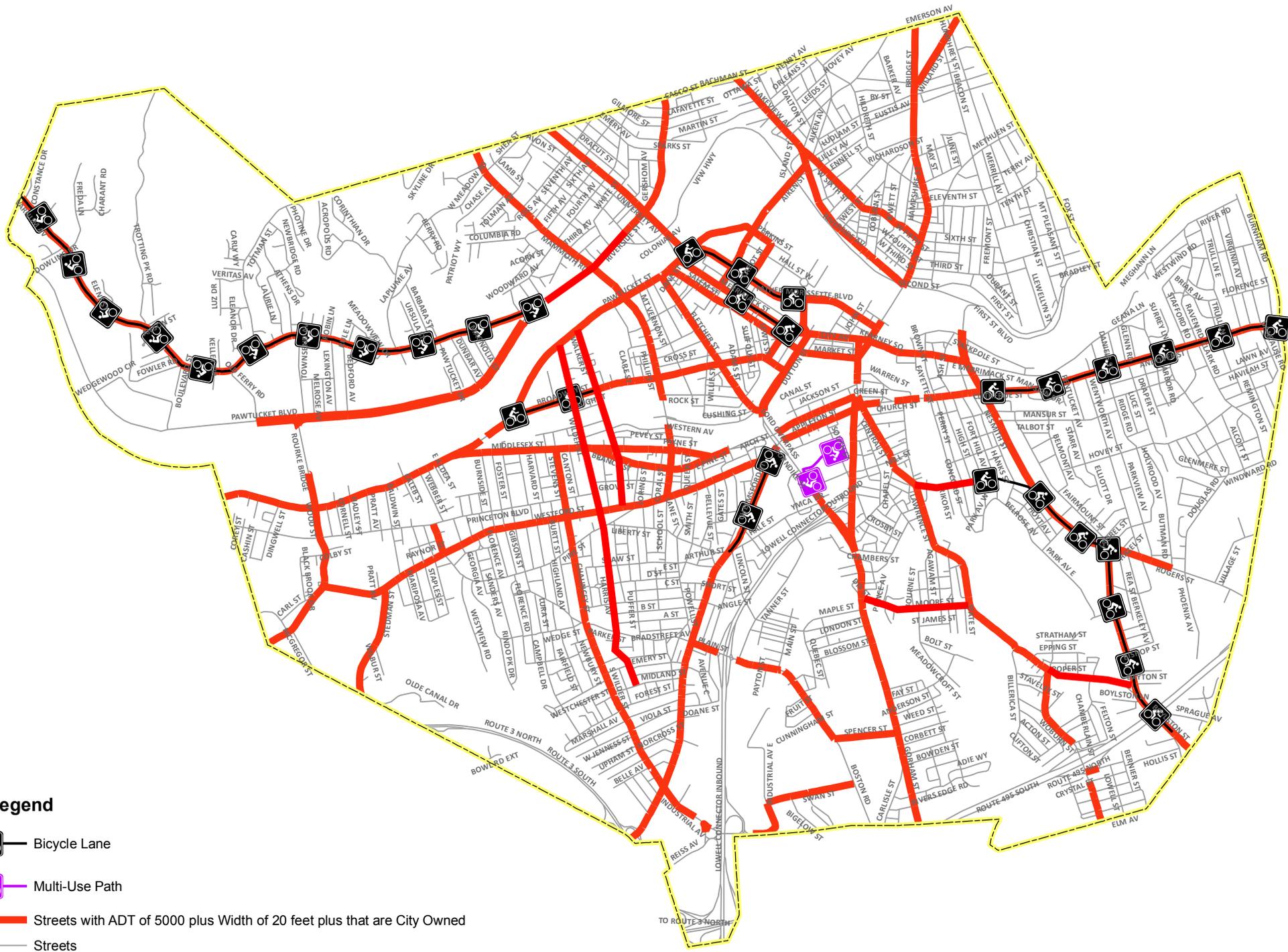
Currently, the City has a \$75,000, 3-year contract with Hi-Way Safety Systems, which is funded through the Parking Department that will expire on 6/30/2020. Due to safety concerns, as of January 2020, MassDOT revoked Hi-Way Safety Systems prequalification certificate, which means the company can no longer bid on MassDOT projects. The City's procurement officer recommends terminating the contract with Hi-Way Safety Systems and issuing an RFP for a new contract.

With current record low levels of traffic, and with all schools closed for the remainder of the school year, it is an opportunity to refresh pavement markings near and around schools. Time and costs for that effort have not been evaluated. Prior to issuing the RFP, the City will need to determine what level of funding is required. The Transportation Engineer recommends doubling the value of the contract to \$150,000, which would enable the City to repaint all required lines, as well as repainting parking spot delineators.

NV/ah

Attachment

cc: Natasha Vance, Transportation Engineer  
Terry Ryan, Parking Director



**Legend**

 Bicycle Lane

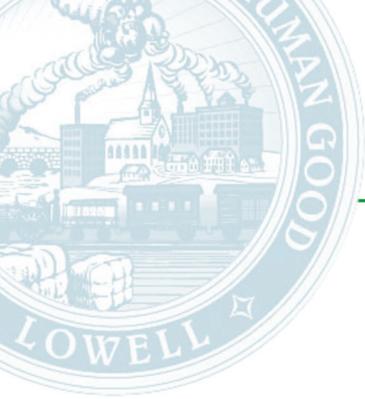
 Multi-Use Path

 Streets with ADT of 5000 plus Width of 20 feet plus that are City Owned

 Streets

 Lowell Boundary

1 inch = 3,000 feet



Diane Nichols Tradd  
Assistant City Manager/DPD Director

Craig Thomas  
Deputy Director

MEMORANDUM

TO: Eileen M. Donoghue, City Manager *EMD*

FROM: Diane N. Tradd, Assistant City Manager/DPD Director

DATE: April 28, 2020

SUBJECT: PETITION OF 01/28/20 BY CHARLES KAFASIS REGARDING  
PARKING ISSUES, INCLUDING RESIDENTIAL PARKING PROGRAM

The Transportation team reviewed the situation and current traffic ordinances to determine any parking issues and possible solutions. Mr. Kafasis described in his petition that he received a citation for parking on Plymouth Street, and stated the ordinance was changed without alerting the residents.

Mr. Kafasis currently resides on 141 Mt. Vernon Street, in the Acres/Highlands residential parking area. He received the citation while parked on Plymouth Street, in the Pawtucketville residential parking area. The Residential Parking Permit ordinance states "Any resident of a particular residential parking permit area of the City whose vehicle is principally garaged within said area of the City shall be eligible to be issued an area residential parking permit sticker for such vehicle for said particular residential parking permit area." This ordinance has not been changed since it was amended in 1988.

Mr. Kafasis also mentioned the ability for students to obtain parking permits. Students residing in Lowell are able to obtain a parking permit if they are currently living in a residential parking area. Students are required to provide a copy of their lease as well as have their vehicle registered in Lowell or have their vehicle principally garaged in the City. Vehicles registered and/or principally garaged in the City must pay excise taxes to the City of Lowell.

AH/nv

cc: Natasha Vance, Transportation Engineer  
Alan Heredia, Assistant Transportation Planner  
Terry Ryan, Parking Director



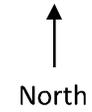
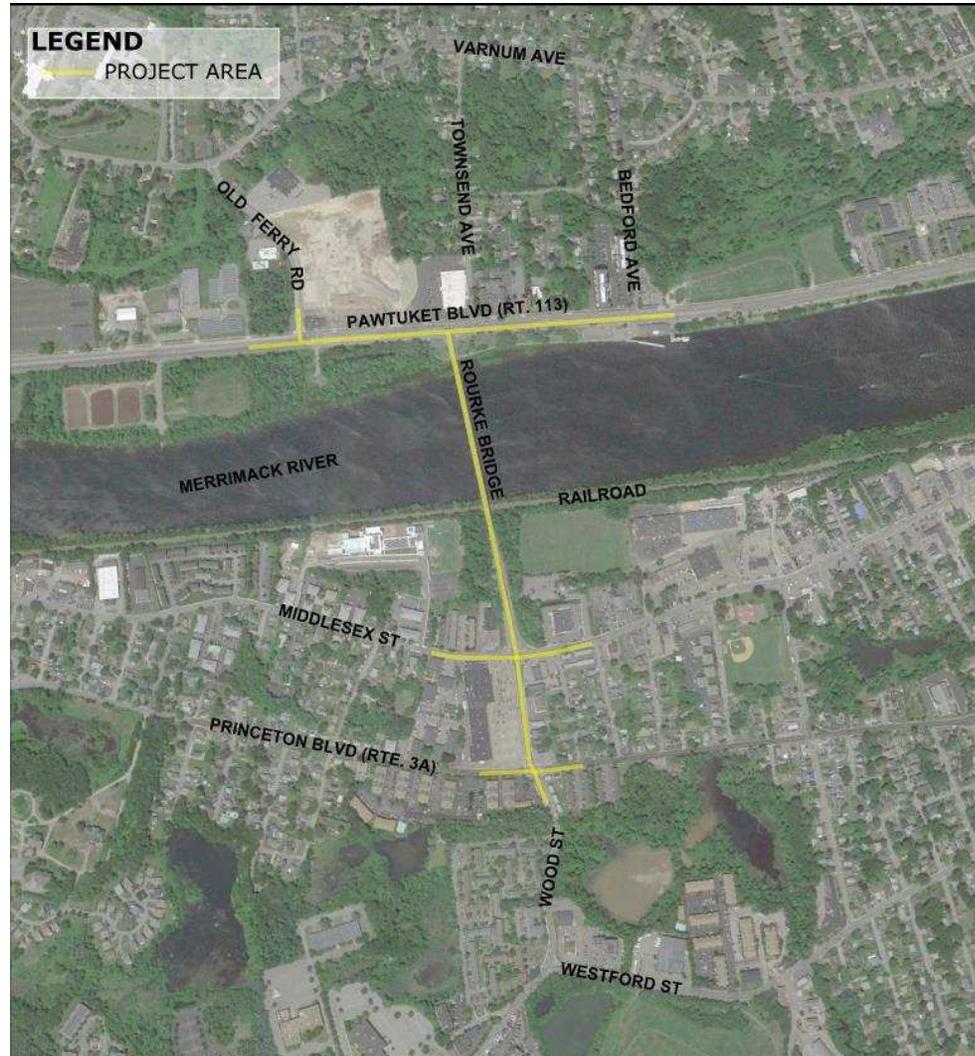
# Welcome!

Rourke Bridge Replacement Project  
Lowell, MA  
MassDOT #607887

## Project Briefing

April 28, 2020

# Project Limits



# Project Purpose



**Bridge Replacement**



**Enhance safety and connectivity for Pedestrians, Bicycles, Emergency Vehicles and Watercraft**



**Improve Traffic Operations at the Wood Street intersections with Pawtucket Boulevard, Middlesex Street, and Princeton Boulevard**

# Project Need



## Functionally Obsolete

- Substandard Pedestrian Walkway
- No Shoulders for Emergency Vehicles
- No Bicycle Accommodations
- Inadequate Approach Intersection Capacity



## Maintenance Issues

- Deck Patching
- Replacement Parts

# Project Need

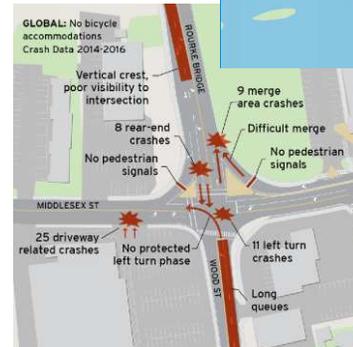


## Safety & Operations Lack of Bike/Ped Accommodation

### Wood Street & Pawtucket Boulevard



### Wood Street & Middlesex Street



### Wood Street & Princeton Boulevard





# History of the Project

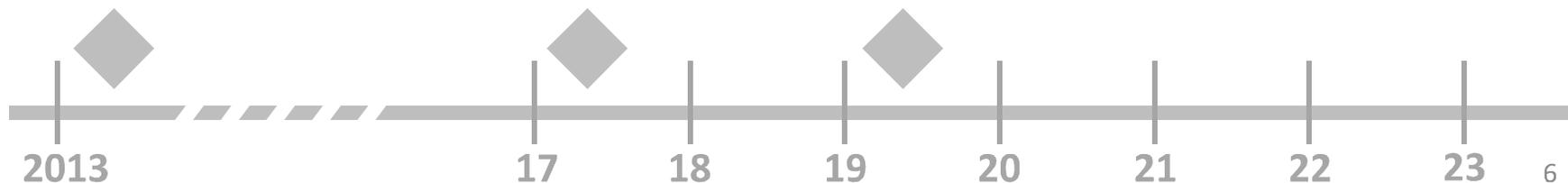
**2013 Corridor Study & Feasibility Analysis (NMCOG)**

**2017 Road Safety Audits (MassDOT)**

**Pawtucket Boulevard & Rourke Bridge**

**Wood Street from Middlesex Street to Princeton Boulevard**

**2019 Bridge Replacement Design Contract Awarded (MassDOT)**

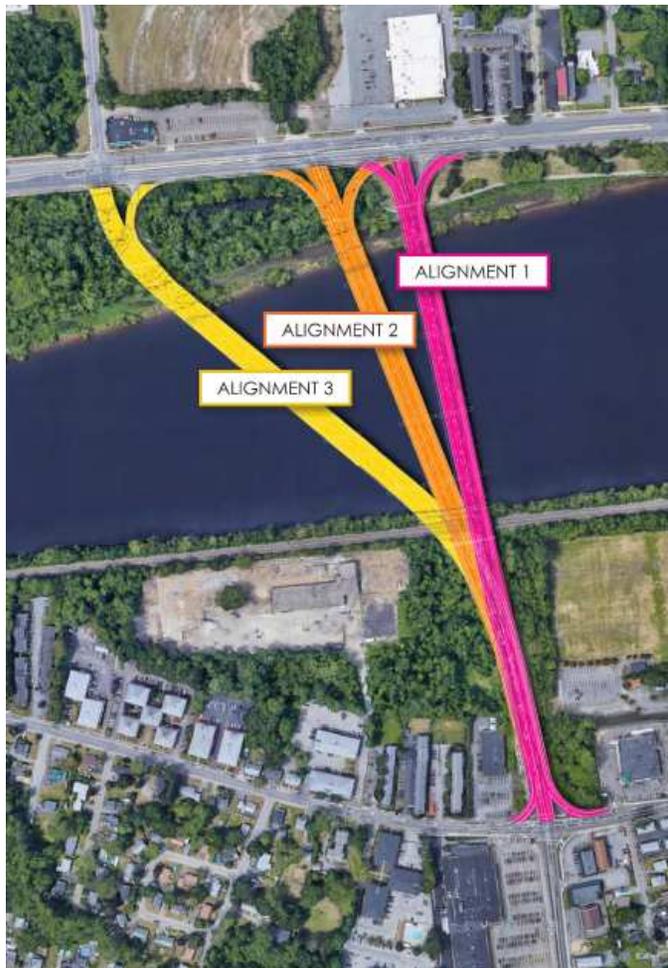


# Design Contract Scope



- **Identify Preferred Bridge Alignment**
- **Identify Preferred Bridge Type**
- **25% Design & Bridge Sketch Plans**
- **Environmental Permitting**
- **Final Design or Design Build RFP**

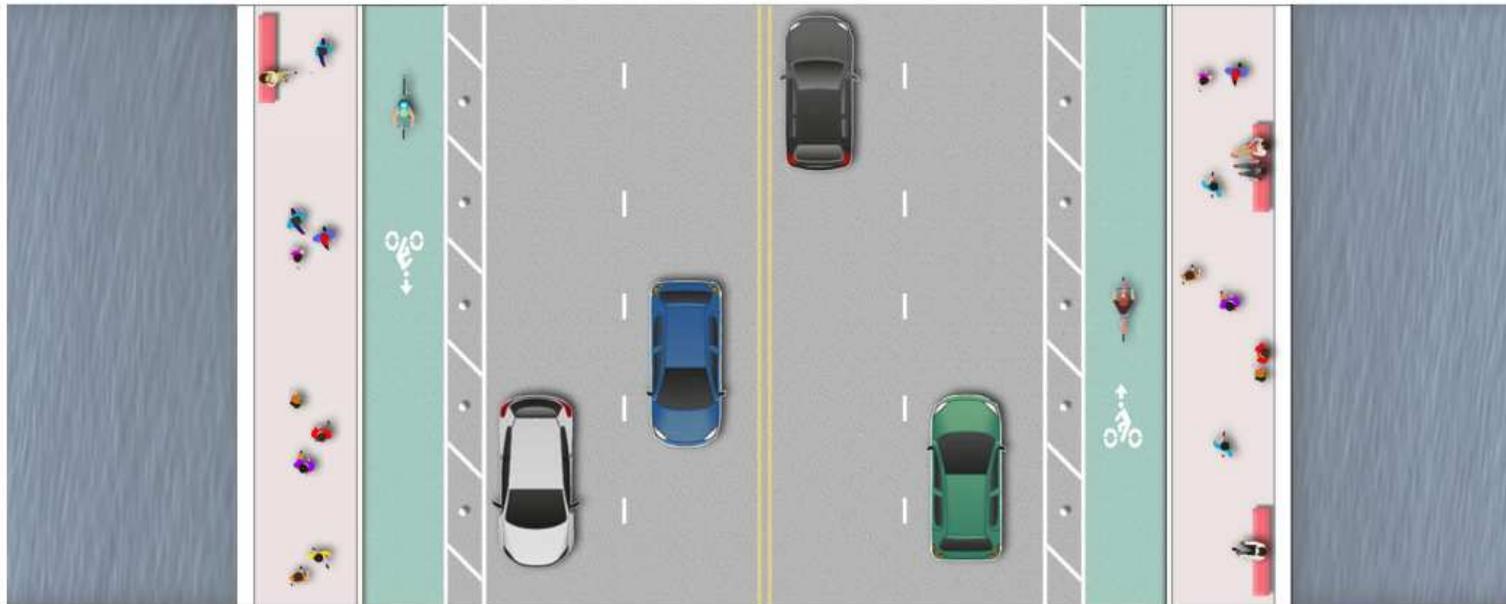
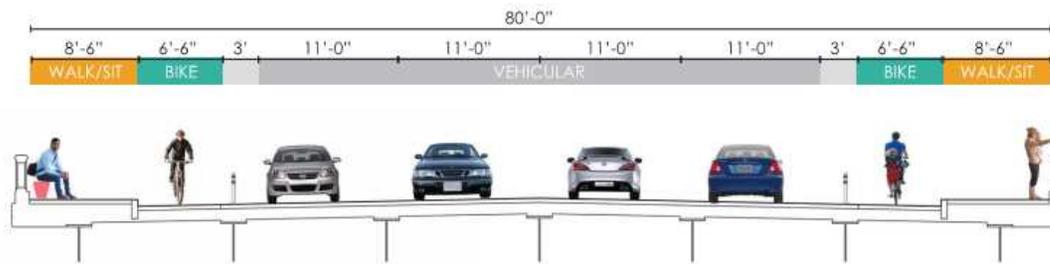
# Alignments to be Evaluated



Environmental Impacts  
Bike/Ped Connectivity  
Emergency Response  
Traffic Operations  
Water Recreation  
Constructability  
ROW Impacts  
Open Space  
Aesthetics  
Schedule  
Cost

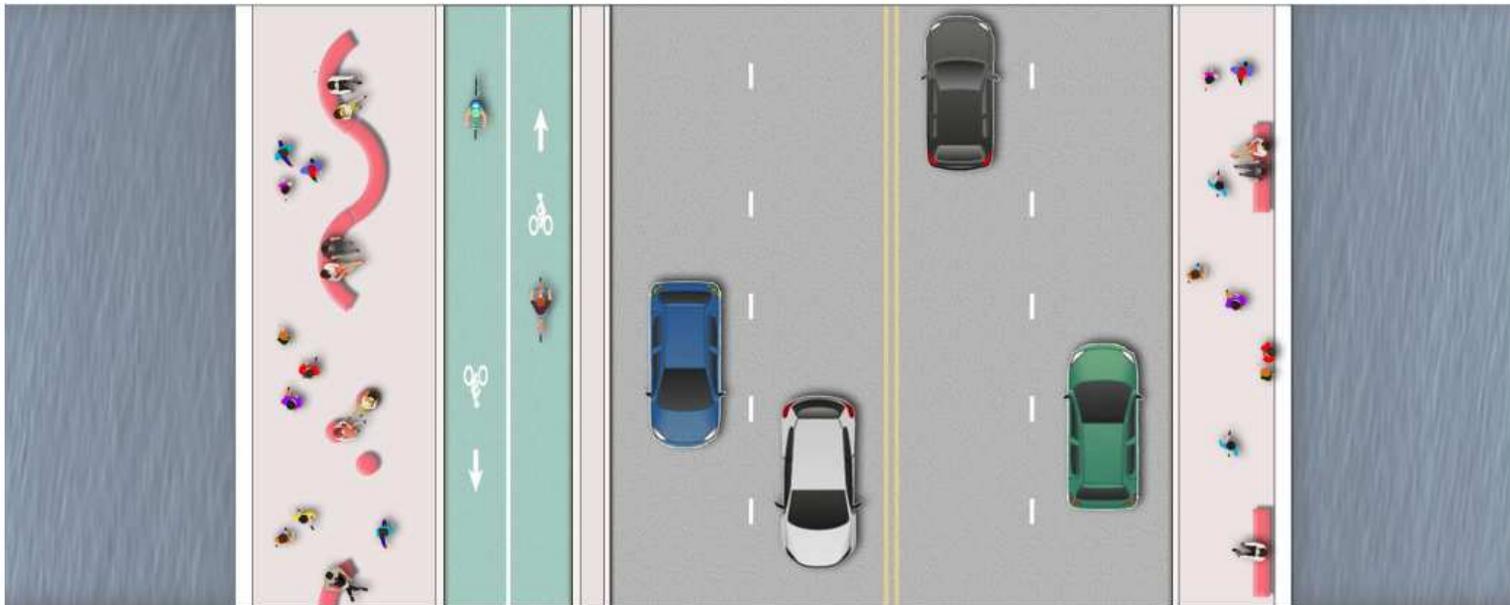
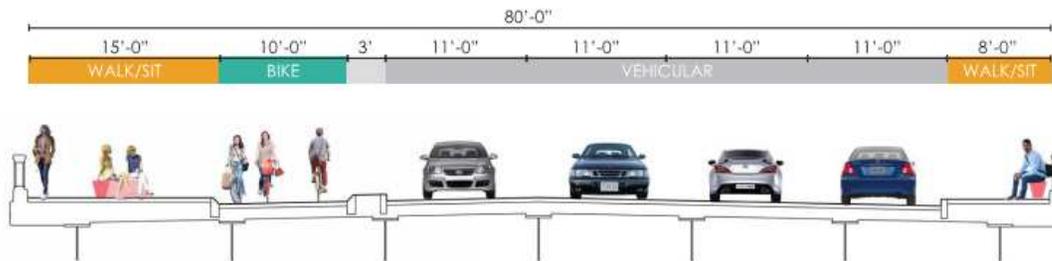


# Multi-Modal Considerations





# Multi-Modal Considerations



# Watercraft Considerations



2k Course Map  
Bellegarde Boathouse  
Merrimack River  
Lowell, MA



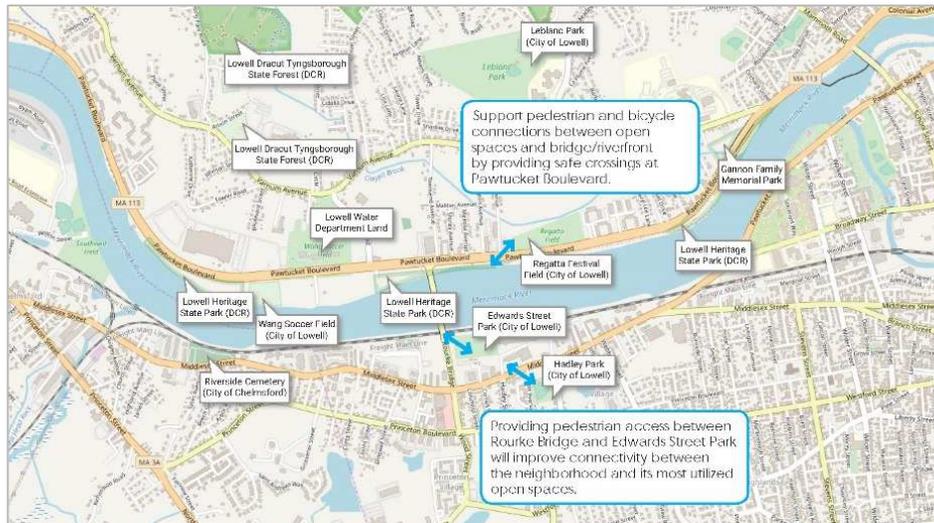
@UMass Lowell Rowing



@UMLRowing



# Adjacent Site Use



Edwards Street Park – Lowell Youth Soccer



Lowell Heritage State Park – Vandenberg Esplanade

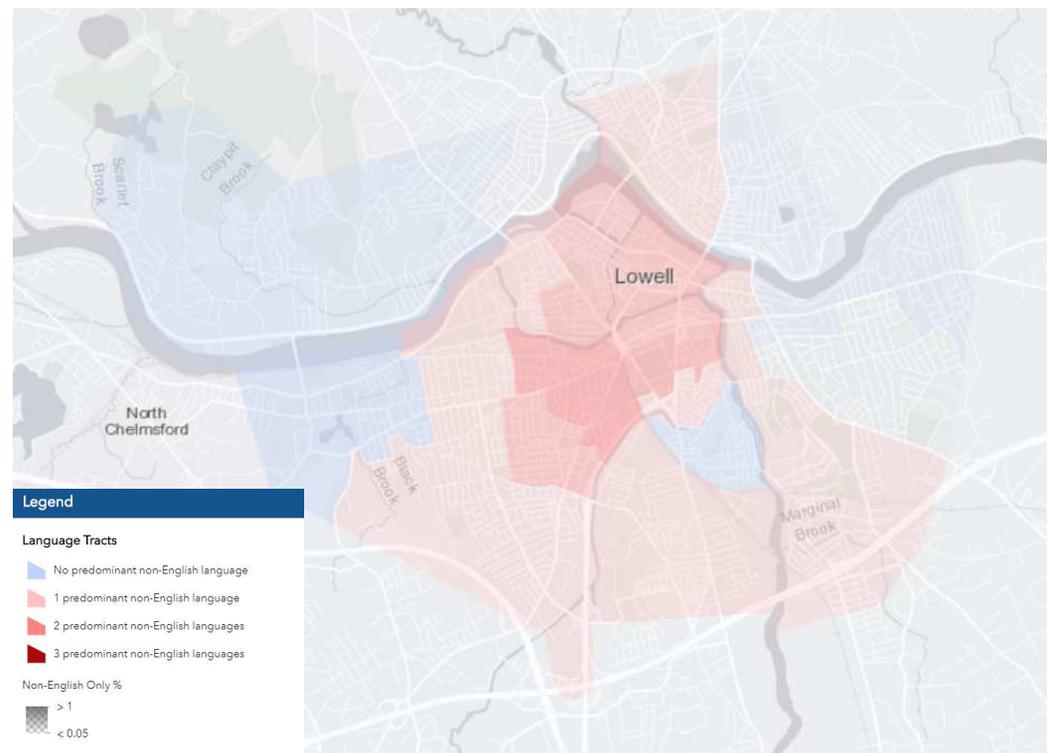


Lowell Heritage State Park – Boat Launch



# Environmental Justice

- **Lowell has a diverse population with a large concentration of EJ communities**
- **Will comply with state and federal EJ policy**
- **The Project is not anticipated to result in disparate impacts to EJ populations**



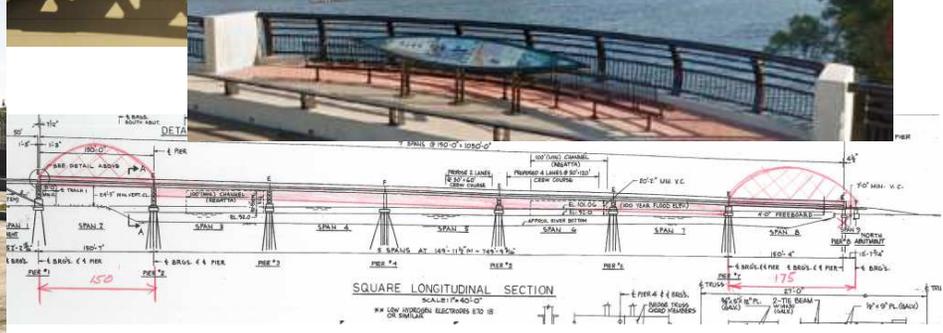
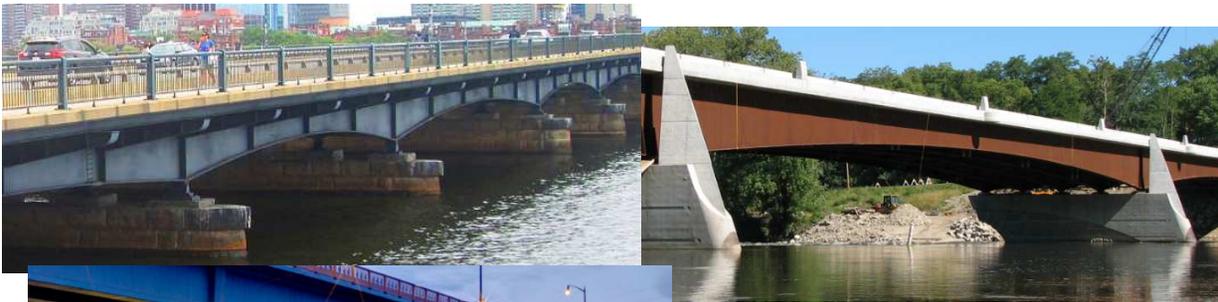


## **Anticipated Environmental Filings**

- **NEPA – Categorical Exclusion**
- **MA Wetlands Protection Act – NOI**
- **MA Endangered Species Act (MESA)**
- **MA Article 97**
- **MA Chapter 91**
- **Section 401 Water Quality Certificate**
- **USACE Section 404 Permit**
- **Section 4(f) Review**
- **Section 6(f) Review**
- **Section 106 Review**



# Bridge Type & Aesthetics



# Completed Work



**Survey**

**Wetland Delineation**

**Geophysical Evaluation**

**Preliminary Hydraulic Analysis**

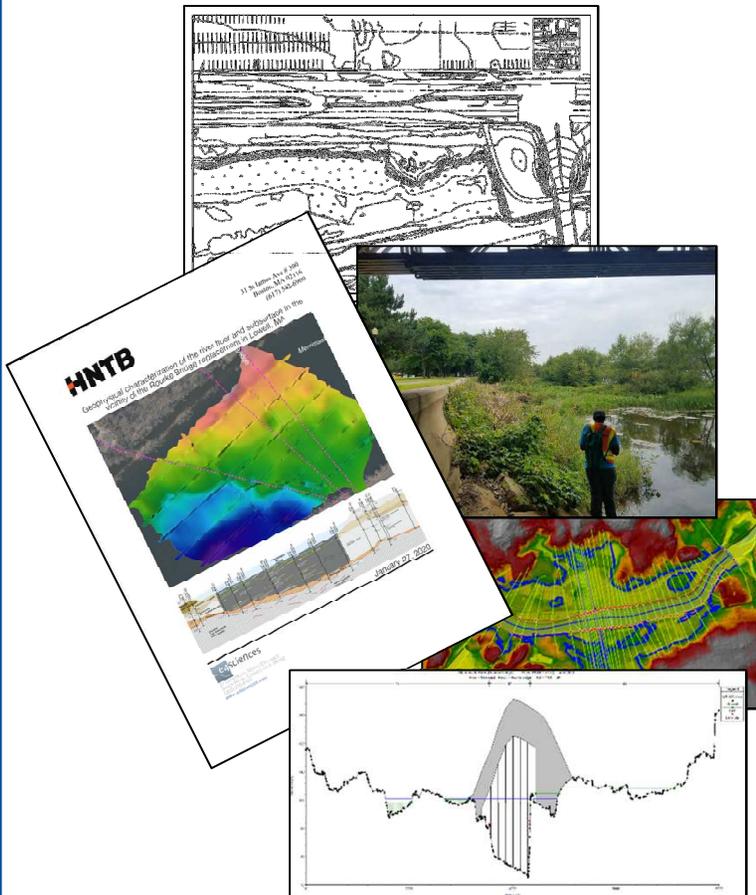
**Public Involvement & Outreach Plan**

**Urban/Landscape Concept Evaluation**

**Traffic Counts (veh/ped/bike/truck)**

**Safety Analysis**

**Traffic Modeling**



2013

17

18

19

20

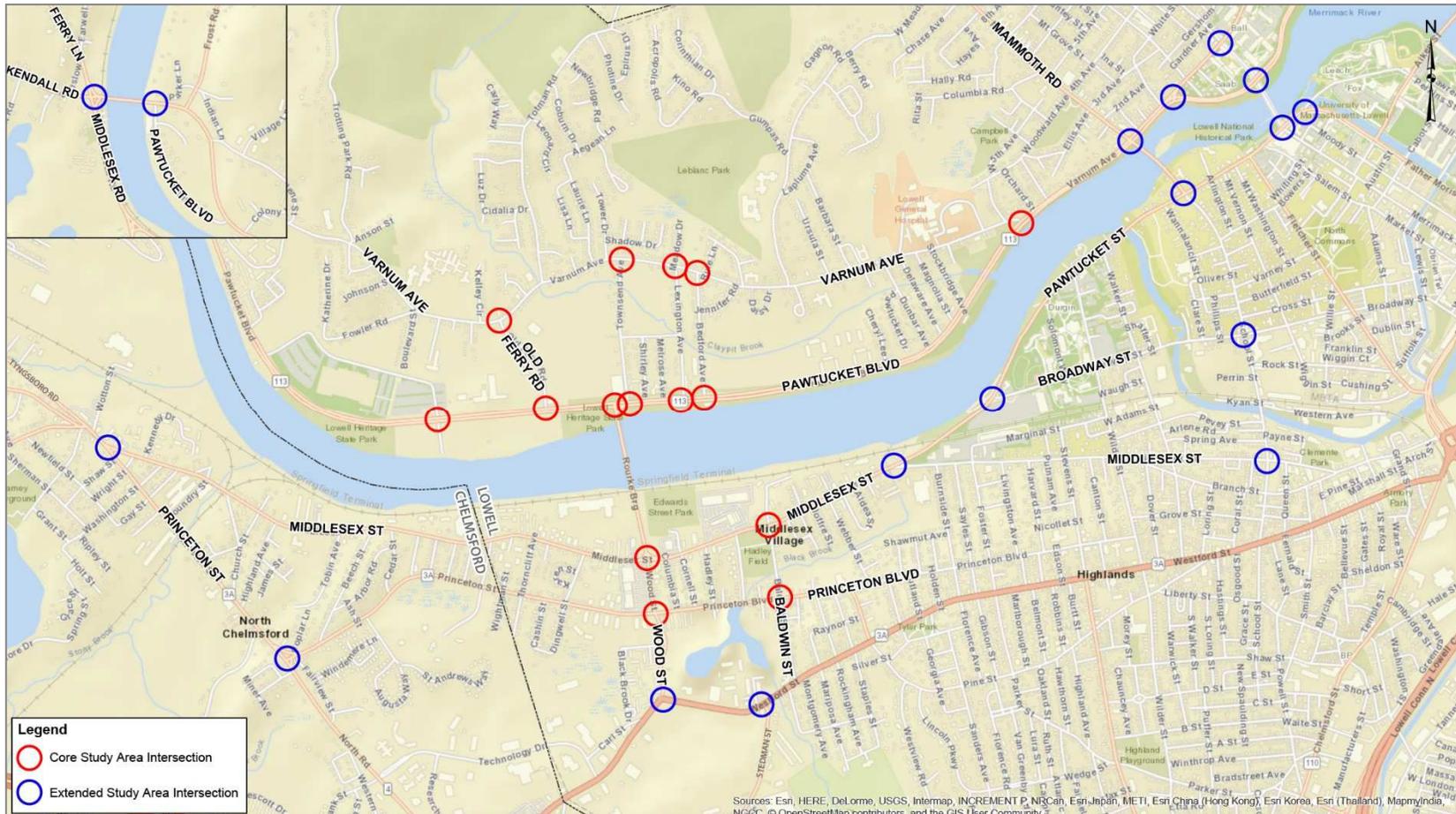
21

22

23

16

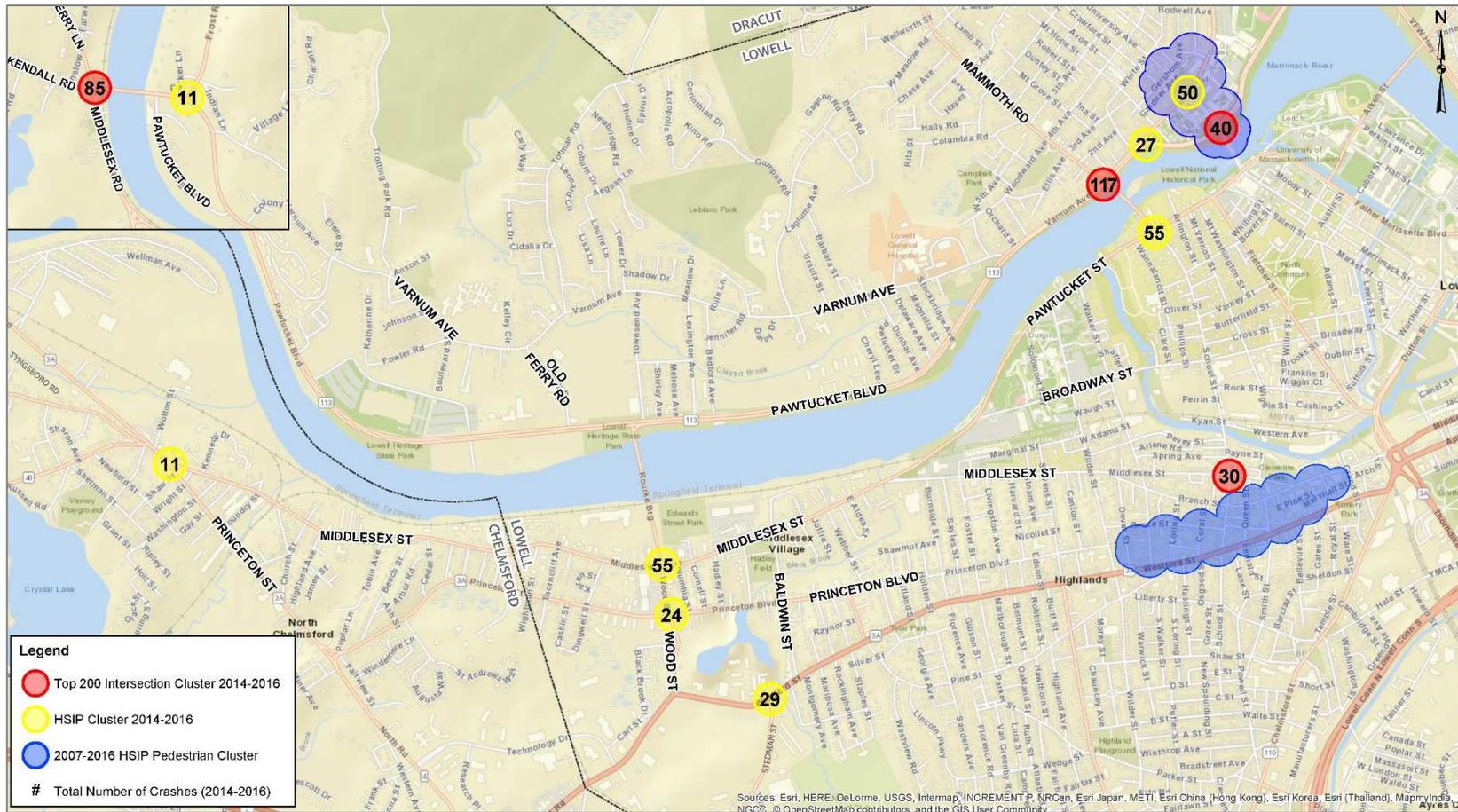
# Traffic Study Area



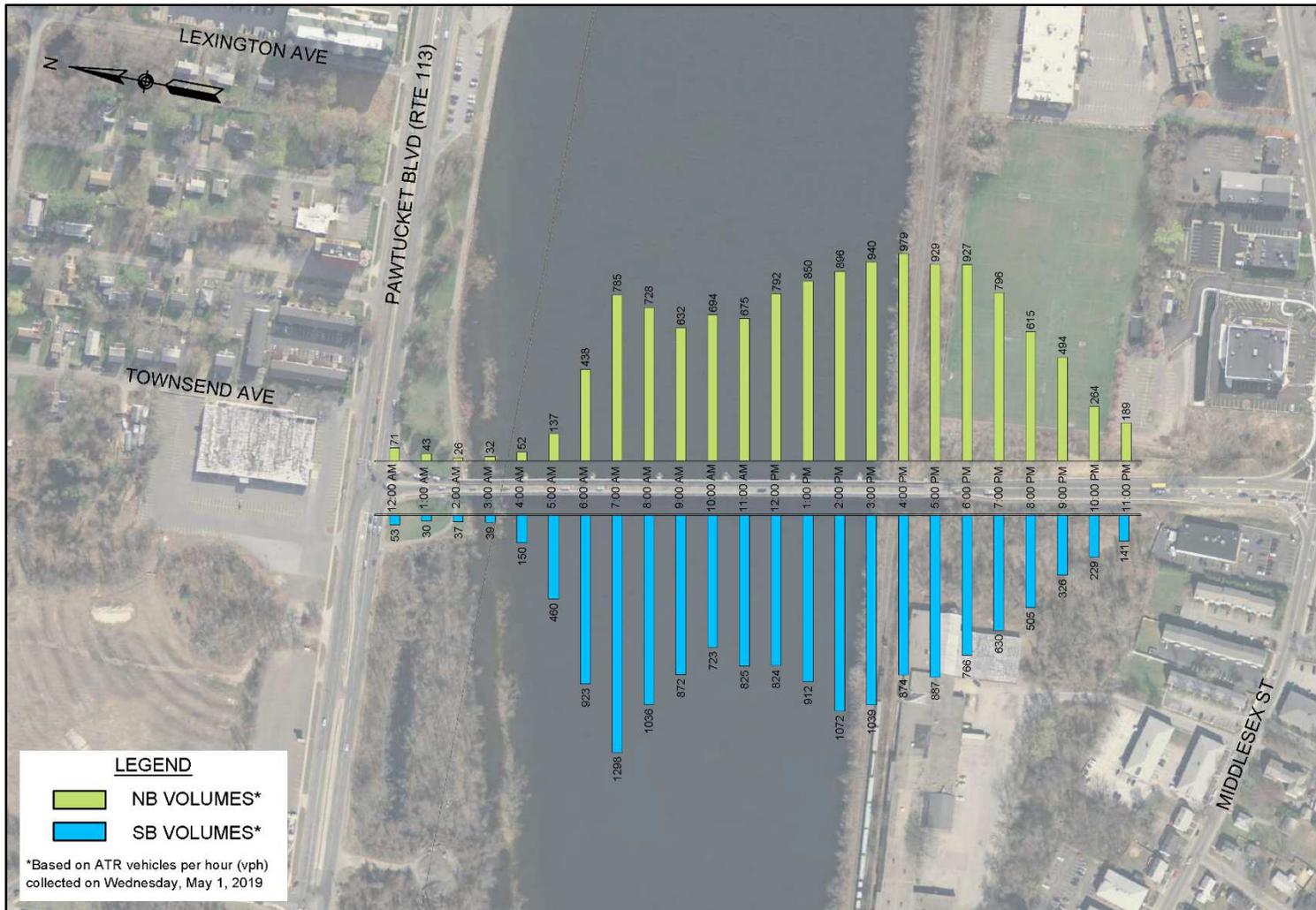
# Safety Analysis



## Highway Safety Improvement Data



# Traffic Volumes

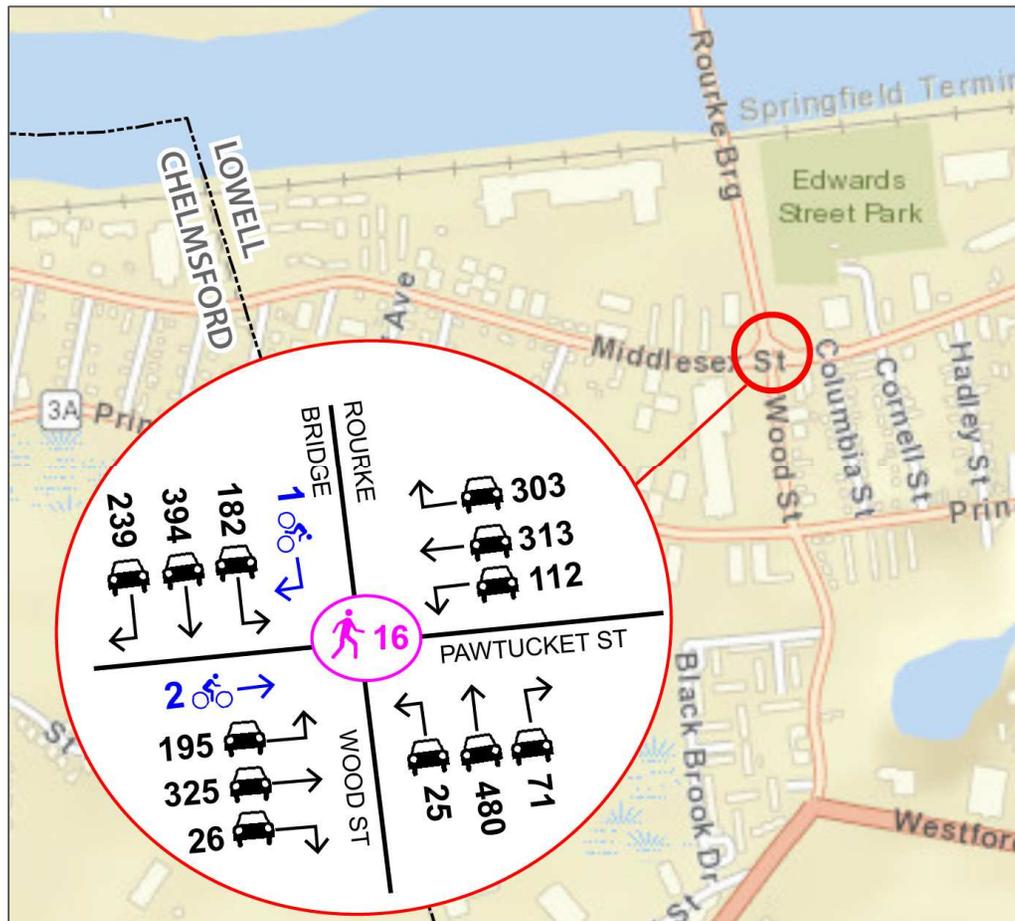






# Traffic Volumes

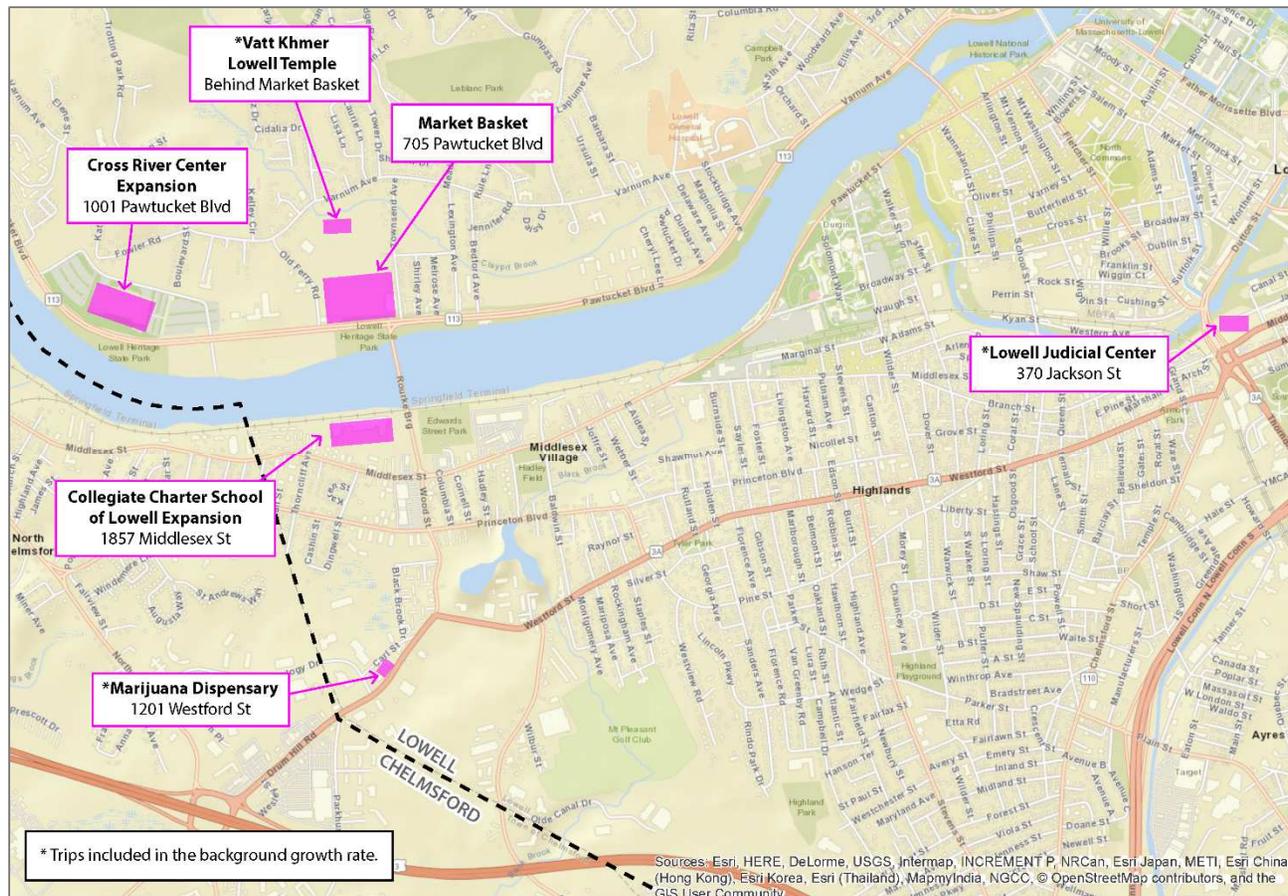
## PM Volume Map for core intersections



# Traffic Volumes



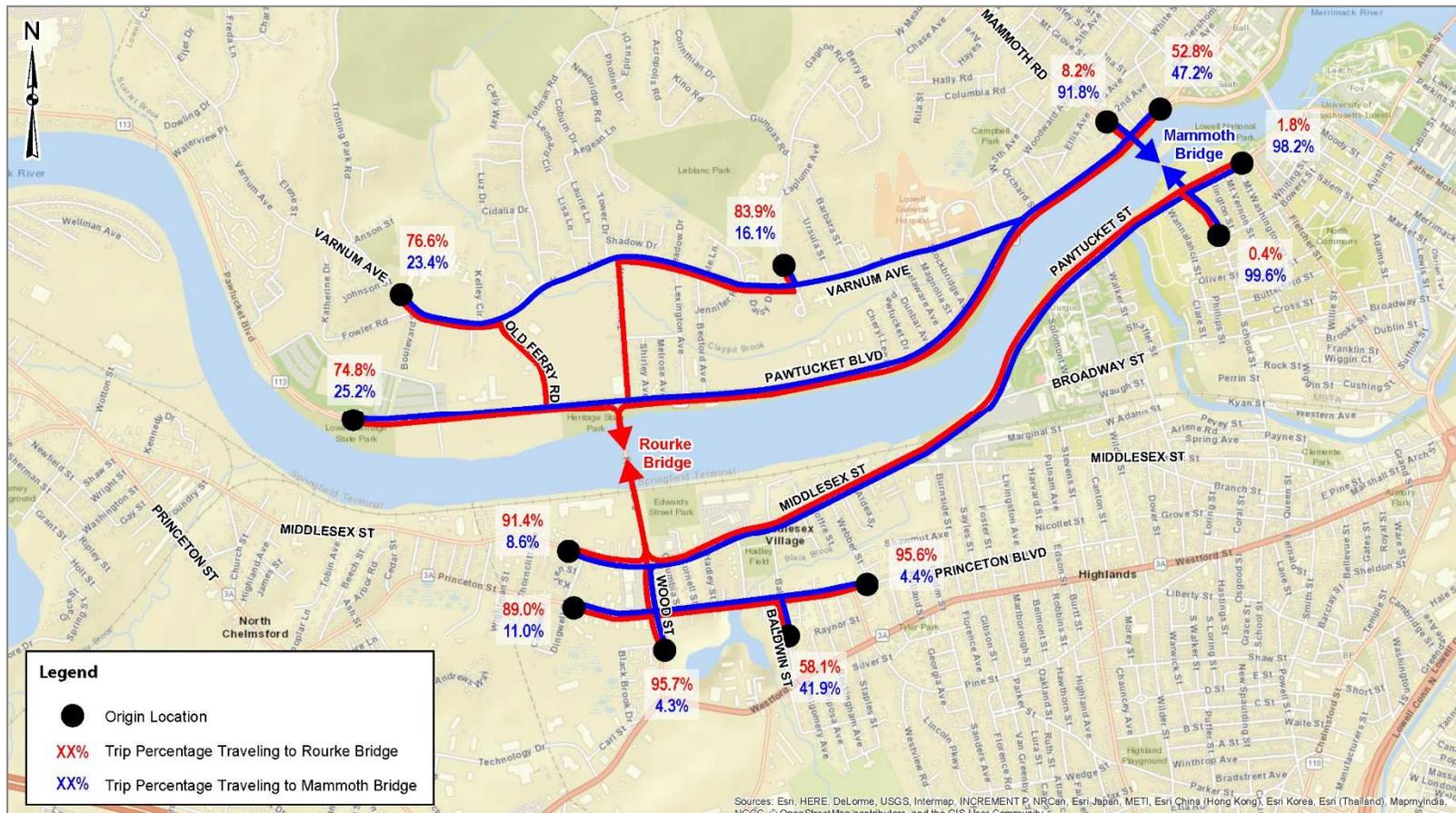
## Identified site traffic generators



# Origin/Destination Study



## PM Origin-Destination map

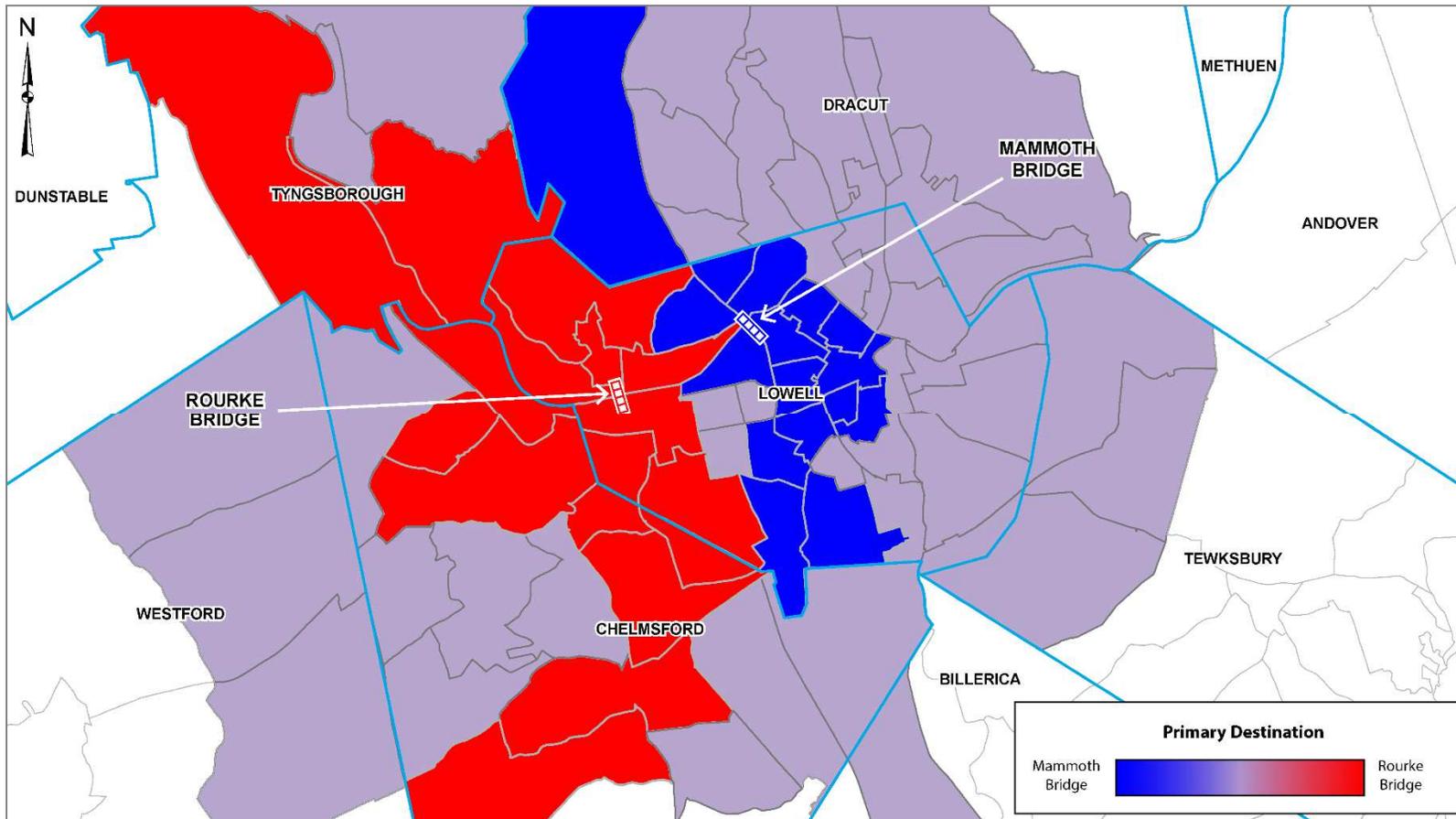


Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), Mapbox, NGCC, © OpenStreetMap contributors, and the GIS User Community

# Origin/Destination Study



- PM Bridge Traffic Zones**



# Public Outreach



**Stakeholder Briefings**

**Continued Partnership with NMCOG**

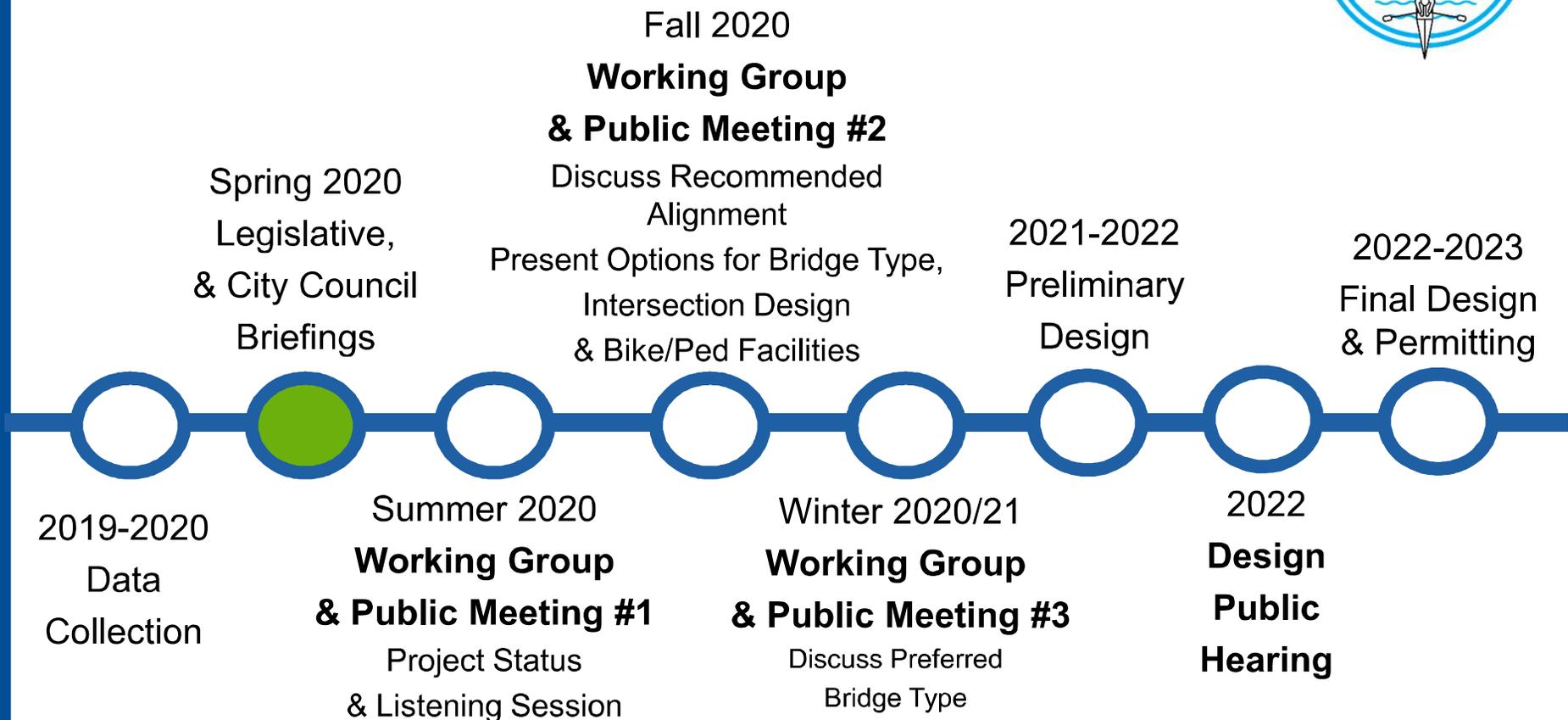
**Presence at Key Community Events**

**Local Working Group** (3 Meetings Planned)

**Public Outreach Meetings** (3 Meetings Planned)

**Ongoing Response to Online Feedback**

# Schedule



# Next Steps



**Public Outreach**

**Noise/Land Use/Mobility Studies**

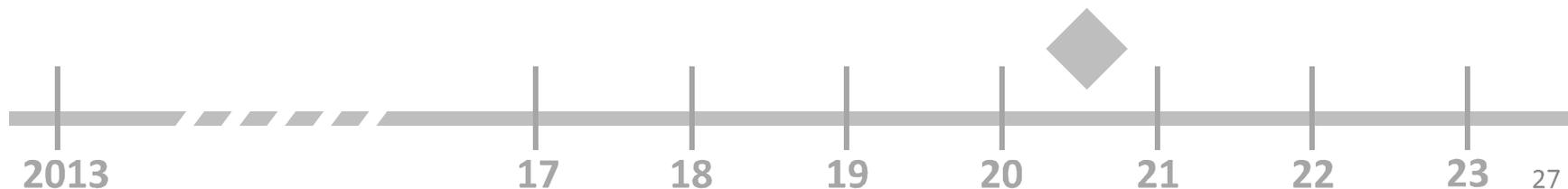
**Traffic Modeling**

**Alignment Concept Refinement**

**Development of Measures of Effectiveness**

**Evaluation of Alternatives**

**Preferred Alignment Recommendation**





# **Thank You!**

**Please provide feedback online  
via the links below:**

<https://www.mass.gov/rourke-bridge-replacement-project>



## City of Lowell - Law Department

375 Merrimack Street, 3<sup>rd</sup> Floor • Lowell MA 01852-5909  
Tel: 978.674.4050 • Fax: 978.453.1510 • [www.lowellma.gov](http://www.lowellma.gov)

**Christine P. O'Connor**  
*City Solicitor*

**Rachel M. Brown**  
*1<sup>st</sup> Assistant City Solicitor*

**Gary D. Gordon**  
**John Richard Hucksam, Jr.**  
**Adam LaGrassa**  
**Stacie M. Moeser**  
**Elliott J. Veloso**  
*Assistant City Solicitors*

April 23, 2020

Mayor John J. Leahy  
and  
Members of the City Council

RE: Council on Aging; Reappointment Thereto

Dear Mayor Leahy and Members of the City Council:

Pursuant to the authority specified in the Code of the City of Lowell Section §9-12 - §9-14, it is with pleasure that I am reappointing Beverly Gonzales of 115 Lafayette Street, Lowell, MA 01854 to a term which expires April 28, 2023, or such time thereafter until a successor is appointed and qualified.

Confirmation by the City Council is required for this reappointment and is hereby requested.

I would be happy to answer any inquiry you may have concerning this reappointment.

Very truly yours,

Eileen M. Donoghue  
City Manager

EMD/kd.coa

cc: Council on Aging  
City Auditor  
City Clerk  
City Solicitor  
Human Relations  
MIS

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

VOTE

Authorizing the City Manager to remove a certain restriction from deed to property conveyed from City of Lowell to MCF Industries, Inc., located adjacent to 39 First Street Boulevard, known as 15 First Street Boulevard, Lowell on August 22, 1990.

-----

The City of Lowell was the owner of certain land located adjacent to 39 First Street Boulevard; and

The property was conveyed to MCF Industries, Inc. and recorded with certain deed restrictions at Middlesex North District Registry of Deeds on August 22, 1990 in Book 5307, Page 252; and

The property is being purchased and it is in the best interest of the City of Lowell to remove Restriction #2 from the Deed:

“The SELLER shall retain a right of First Refusal should the BUYER desire to sell the premises. If the SELLER exercises its right of First Refusal it shall pay to the BUYER the sum for which the BUYER acquired the premises.”

BE IT VOTED BY THE CITY COUNCIL OF THE CITY OF LOWELL, as follows:

The City Manager is hereby authorized to remove a certain restriction from the deed to property conveyed from the City of Lowell to MCF Industries, Inc., located adjacent to 39 First Street Boulevard, known as 15 First Street Boulevard, Lowell on August 22, 1990. Said Restriction is #2 regarding Sellers right of First Refusal. Said Deed is recorded at Middlesex North District Registry of Deeds in Book 5307, Page 252. A copy of the deed and vote is attached.

DEED

The CITY OF LOWELL, a municipal corporation duly organized by law and located in Middlesex County, Commonwealth of Massachusetts for consideration of TWENTY EIGHT THOUSAND THREE HUNDRED NINETY DOLLARS (\$28,390.00) grants to MCF INDUSTRIES, INC. a corporation duly established by law and having an usual place of business at Foot of John Street, Lowell, MA 01852;

with QUITCLAIM COVENANTS:

The land in said Lowell, Middlesex County, Massachusetts, with buildings thereon, if any, situated adjacent to 39 First Street and bounded and described as follows:

The land in said Lowell, Middlesex County, Massachusetts, situated on the Southerly side of First Street and being shown as Lot 2 on a plan of land entitled, "Plan of Land in Lowell, Mass. prepared for Richard V. and Claire G. Mailloux, May 12, 1989", said plan to be recorded herewith and being bounded and described as follows:

- Northerly by the Southerly line of First Street, One Hundred Fifty-one and 60/100 (151.60') feet;
- Easterly by other land now or formerly of the Grantee, Seventy-six and 97/100 (76.97') feet;
- Southerly by other land now or formerly of the Grantee, Forty-one and 50/100 (41.50') feet;
- Easterly by other land now or formerly of the Grantee, Fifty-seven and 47/100 (57.47') feet;
- Northerly by other land now or formerly of the Grantee, Sixty-six and 50/100 (66.50') feet;
- Easterly by land now or formerly of the Locks and Canals, Forty-three and 16/100 (43.16') feet;
- Southwesterly by other land now or formerly of the Grantor, One Hundred Ninety-six and 96/100 (196.96') feet;
- Westerly by other land now or formerly of the Grantor, Ninety and 00/100 (90.00') feet.

Said land contains 17,876 square feet according to said plan.

08/22/90 PLAN BOOK: 173 PAGE: 143

08/22/90 10137184

32927

25.25

12

\*\*\*\* MASS. EXCISE TAX: 129.96 \*\*\*

129.96 \*\*\*

DEEDS REG. 14  
MIDDLE NORTH  
08/22/88

TAX  
CHCH  
129.96  
129.96

XAL EBIXE  
62101 00042590

This conveyance is subject to the following restrictions:

1. The premises shall be used solely for parking. Any other use shall require the approval of the Lowell City Council.
2. That if the land is to be sold in the future, the City of Lowell shall first be offered the land back at the above stated purchase price.
3. The Buyer shall maintain the premises together with the adjoining land of the Seller.

R - in one

For City of Lowell title see Middlesex North District Registry of Deeds book 666, page 541, book 668, page 1, book 1121, page 151 and book 1169, page 1.

Full compliance has been made with the provisions of Chapter 44, Paragraph 63A, as amended, of Massachusetts General Laws.

Grantee acknowledges receipt of a copy of Massachusetts General Laws, Chapter 7, Section 40J and agrees to comply therewith.

IN WITNESS WHEREOF, The City of Lowell has caused its corporate seal to be hereto affixed and these presents to be signed in its name and behalf by James J. Campbell, its City Manager, this Twenty-sixth day of July, 1989.

CITY OF LOWELL

By: *James J. Campbell*  
James J. Campbell  
City Manager

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

July 26, 1989

Then personally appeared the above-named James J. Campbell to me personally known, who being by me sworn did say that he is the City Manager of the City of Lowell and that this instrument was signed and sealed in behalf of said City by authority of its City Council and said James J. Campbell acknowledged said instrument to be the free act and deed of said City.

By: *Judith M. Henderson*  
Judith M. Henderson  
Notary Public  
My Commission Expires: 6/18/94

COMMONWEALTH OF MASSACHUSETTS  
CITY OF LOWELL

In City Council

RESOLUTION

Authorizing the City Manager to convey to MCF Industries, Inc., certain City-owned land located adjacent to 38 First Street in Lowell.

WHEREAS, the City of Lowell is the owner of certain land located adjacent to 38 First Street in Lowell; and

WHEREAS, the City Manager has recommended to the City Council that the City convey to MCF Industries, Inc. the above-referenced property;

NOW, THEREFORE, BE IT VOTED:

That the City Manager be and he is hereby authorized in the name of the City of Lowell, to sell and convey, on such terms as the City Manager deems in the best interest of the City of Lowell, to MCF Industries, Inc., for TWENTY EIGHT THOUSAND THREE HUNDRED NINETY DOLLARS (\$28,390.00) the parcel hereinafter described:

The land in said Lowell, Middlesex County, Massachusetts, situated on the southerly side of First Street and being shown as Lot 2 on a plan of land entitled, "Plan of Land in Lowell, Mass. prepared for Richard V. and Claire G. Malhoux, May 12, 1985", said plan to be recorded herewith and being bounded and described as follows:

- Northerly by the southerly line of First Street, One Hundred Fifty-one and 80/100 (151.80') feet;
- Easterly by other land now or formerly of the Grantee, Seventy-six and 07/100 (76.97') feet;
- Southerly by other land now or formerly of the Grantee, Forty-one and 50/100 (41.50') feet;
- Easterly by other land now or formerly of the Grantee, Fifty-seven and 47/100 (57.47') feet;
- Northerly by other land now or formerly of the Grantee, Sixty-six and 50/100 (66.50') feet;
- Easterly by land now or formerly of the Locks and Canals, Forty-three and 16/100 (43.16') feet;

08/22/98 PLAN BOOK: 177 PAGE: 142

08/22/98 10:47:08 2326 10 11

Southwesterly by other land now or formerly of the Grantor, One Hundred Ninety-six and 96/100 (196.96) feet;

Westerly by other land now or formerly of the Grantor, Ninety and 00/100 (90.00) feet.

Said land contains 17,878 square feet according to said plan.

BE IT FURTHER VOTED:

That the deed shall contain the following restrictions:

1. The SELLER's deed shall contain a restriction that the BUYER's use of the premises shall be restricted to parking only. Any other proposed use of the premises shall require the approval of the Lowell City Council.
2. The SELLER shall retain a right of First Refusal should the BUYER desire to sell the premises. If the SELLER exercises its right of First Refusal it shall pay to the BUYER the sum for which the BUYER acquired the premises.
3. The BUYER shall maintain the premises together with the adjoining land of the SELLER.

*Review*

BE IT FURTHER VOTED:

That upon conveyance, the deed and subdivision plan shall be duly recorded in the Registry of Deeds by the City Manager or anyone whom he shall delegate this duty, at the expense of the Grantee. Grantee shall also pay the stamp tax.

BE IT FURTHER VOTED:

That at the closing, the grantee shall pay the purchase price and shall also comply with the provisions of General Laws, Chapter 44, Section 83A and Chapter 7, Section 40J.

In City Council, June 13, 1989. Read twice and adopted 7 yeas, 2 absents.

/s/ William F. Busby, City Clerk

Approved on June 14, 1989 by James J. Campbell, City Manager.

A true copy  
ATTEST

*William F. Busby*  
William F. Busby, City Clerk

**CITY OF LOWELL**

**PETITION**

**CITY COUNCIL  
Conduit Location**

National Blvd

Install 1-3 inch conduit  
from P. 32 to a meter pedestal  
on pedestrian lighting structure  
in City Council

April 28, 2020

Read and hearing ordered for 7PM on

May 26, 2020

**Read, Hearing Held,  
Referred to Wire In-  
spector, Development  
Services**

City Clerk

## Review of Utility Company Request for New Conduit/Pole Location

**Applicant Information**

**Project Address**

Utility Gas  Electric  Telephone

Utility Pole #22 Across from 199 Pawtucket

(circle one) Other

Street Lowell, MA

Reason Install 1- 3" Underground Conduit to

power pedestrian lighting

Date Submitted April 14,2020

Review done by Richard Biagini

**Sidewalk Material**

Concrete    Asphalt    Other

**Note: material to be replaced in kind (Concrete in full panels)**

Sidewalk Vaults present    Y    N

Work on Street under a Paving Moratorium    Y    N

Is this location within the Flood Plain?    Y    N

Are ADA requirements being met?    Y    N

**Comments**

**Outcome of Review**

Approved

Approved With  
Comments

Denied

X

John Gleason, Interim City  
Engineer

**nationalgrid**

March 20, 2020

The City Council of Lowell, Massachusetts

To Whom It May Concern:

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

If you have any questions regarding this permit, please contact:

Michael Meneades 978-725-1033

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

National Grid: Lisa Ayres; 1101 Turnpike Street; North Andover, MA 01845; # 978-725-1418

Very truly yours,

*Dave Johnson/lla*

Dave Johnson  
Supervisor, Distribution Design

Enclosures

MAR 20 20 04:11:05  
ENGINEERS

Questions contact – Michael Meneades 978-725-1033

Petition of the Massachusetts Electric Company d/b/a NATIONAL GRID  
Of NORTH ANDOVER, MASSACHUSETTS  
For Electric Conduit Location:

To the City Council of Lowell, Massachusetts

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

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

The following are the streets and highways referred to:

29547994 Pawtucket St. - Beginning at a point approximately 60 feet northeast of the centerline of the intersection of Merrimack St. and Pawtucket St. and continuing approximately 40 feet in a northerly direction. Customer will be responsible for excavation. Customer will install 1-3-inch conduit from P.22 to a meter pedestal for pedestrian lighting. Customer will also install secondary service cable in the conduit to power the lights.

Location approximately as shown on plan attached.

Massachusetts Electric Company d/b/a  
NATIONAL GRID  
BY

Engineering Department

*Dave Johnson/lla*

Dated: March 20, 2020

Lowell

ORDERED:

Notice having been given and public hearing held, as provided by law, that the Massachusetts Electric Company d/b/a NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 20th day of March 2020.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked - Pawtucket St. - Lowell, Massachusetts.

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

29547994 Pawtucket St. - Beginning at a point approximately 60 feet northeast of the centerline of the intersection of Merrimack St. and Pawtucket St. and continuing approximately 40 feet in a northerly direction. Customer will be responsible for excavation. Customer will install 1-3-inch conduit from P.22 to a meter pedestal for pedestrian lighting. Customer will also install secondary service cable in the conduit to power the lights.

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

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

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

Attest:

.....

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

.....

.....

.....

Noguel

ORDERED:

Notice having been given and public hearing held, as provided by law, that the Massachusetts Electric Company d/b/a NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 20th day of March 2020.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked - Pawtucket St. - Lowell, Massachusetts.

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

29547994 Pawtucket St. - Beginning at a point approximately 60 feet northeast of the centerline of the intersection of Merrimack St. and Pawtucket St. and continuing approximately 40 feet in a northerly direction. Customer will be responsible for excavation. Customer will install 1-3-inch conduit from P.22 to a meter pedestal for pedestrian lighting. Customer will also install secondary service cable in the conduit to power the lights.

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

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

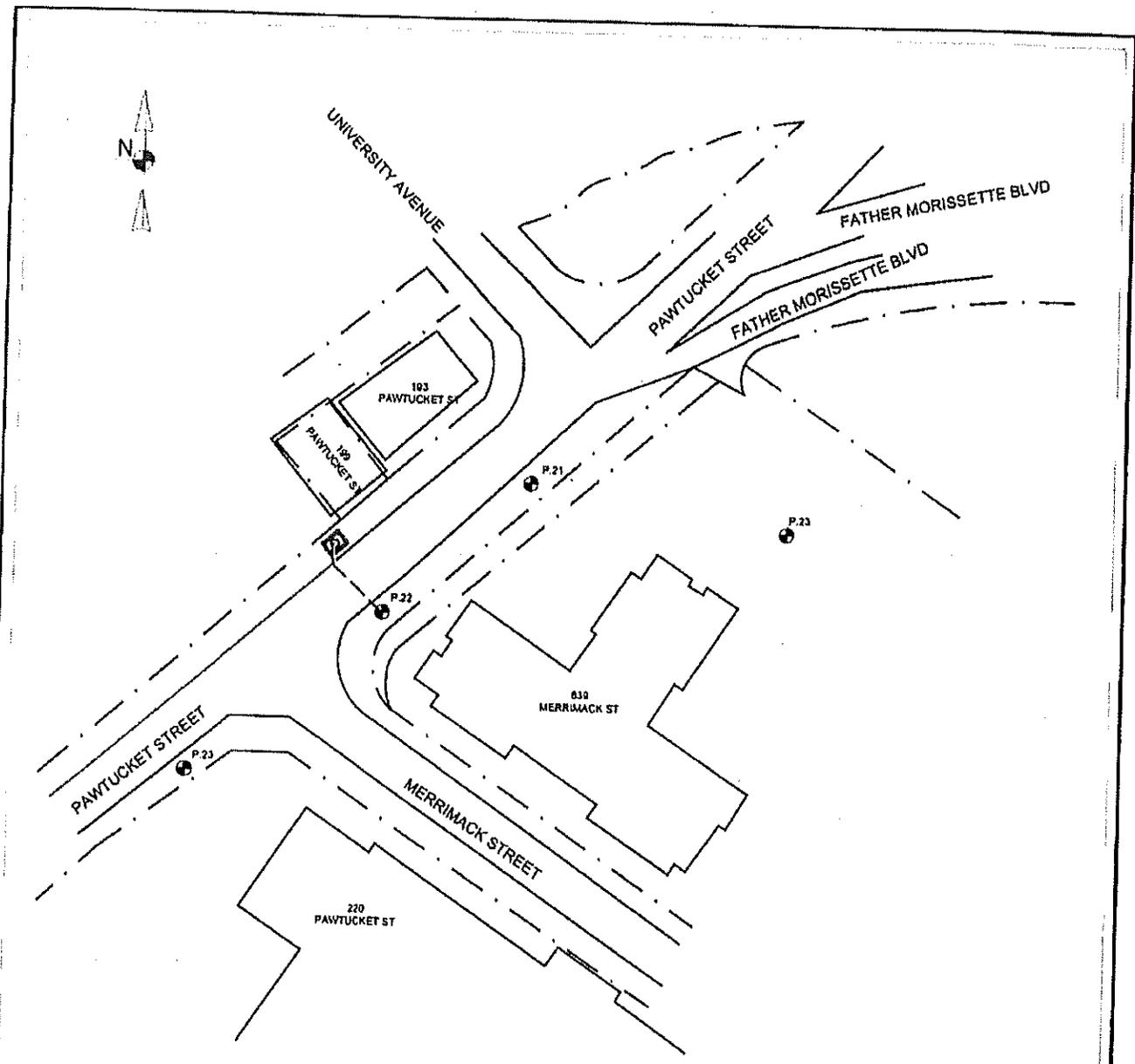
Received and entered in the records of location orders of the City/Town of  
Book ..... Page .....

Attest:

.....

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

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



**UNDERGROUND PETITION**

 POLE (EXISTING)    
  PROPOSED CONDUIT 1-3"

Customer will be responsible for excavation. Customer will install 1-3" conduit from P.22 to a meter pedestal for pedestrian lighting. Customer will also install secondary service cable in the conduit to power the lights.

**nationalgrid**

Date: 3/19/2020

WORK REQUEST: 29547994

To The: City                      Of Lowell

For Proposed: 1-3" Conduit                      Location: Pawtucket St

Drawn By: M. Meneades

DISTANCES ARE APPROXIMATE

**CITY OF LOWELL**

**PETITION**

**CITY COUNCIL  
Conduit Location**

*Michael Smith*

*to amend Ordinance 1-3 and  
amend and rescind Ordinance  
from 15 New-H 45 for 00-025  
in City Council*

*David 08 3000*

Read and hearing ordered for 7PM on

*May 26 2000*

**Read, Hearing Held,  
Referred to Wire In-  
spector, Development  
Services**

City Clerk

## Review of Utility Company Request for New Conduit/Pole Location

**Applicant Information**

**Project Address**

Utility    Gas     Electric    Telephone    70 Fox Street (Fauvel St)

(circle one)    Other    Lowell, MA

Reason    Install 1- 3" Underground Conduit to  
Provide electric service to 70 Fox St

Date Submitted    April 16,2020

Review done by    Richard Biagini

**Sidewalk Material**

Concrete    Asphalt    Other

**Note: material to be replaced in kind (Concrete in full panels)**

Sidewalk Vaults present    Y    N

Work on Street under a Paving Moratorium    Y    N

Is this location within the Flood Plain?    Y    N

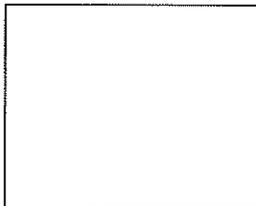
Are ADA requirements being met?    Y    N

**Comments**

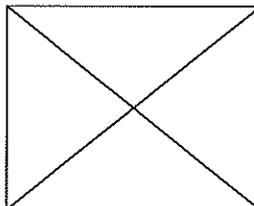
1. Contractor shall notify abutters at least 72 hours prior to beginning work.

**Outcome of Review**

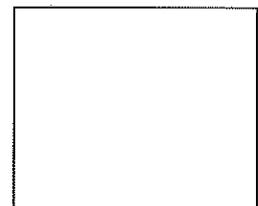
Approved



Approved With  
Comments



Denied



John Gleason, Interim City  
Engineer

nationalgrid

April 1, 2020

The City Council of Lowell, Massachusetts

To Whom It May Concern:

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

If you have any questions regarding this permit, please contact:

Michael Meneades 978-725-1033

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

National Grid: Lisa Ayres; 1101 Turnpike Street; North Andover, MA 01845; # 978-725-1418

Very truly yours,

*Dave Johnson/lla*

Dave Johnson  
Supervisor, Distribution Design

Enclosures

APR 6 20 09:51  
ENGINEERS

Questions contact – Michael Meneades 978-725-1033

Petition of the Massachusetts Electric Company d/b/a NATIONAL GRID  
Of NORTH ANDOVER, MASSACHUSETTS  
For Electric Conduit Location:

To the City Council of Lowell, Massachusetts

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

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

The following are the streets and highways referred to:

**2622903** Fauvel Dr. - Beginning at a point approximately 165 feet south of the centerline of the intersection of East Sixth St. and Fauvel Dr. and continuing approximately 40 feet in a westerly direction. National Grid to install 40 feet +/- of 1-3 inch conduit and secondary cable from HH1 to new HH5 to provide new electric service to 70 Fox St. Lowell, MA.

Location approximately as shown on plan attached.

Massachusetts Electric Company d/b/a  
NATIONAL GRID *Dave Johnson/lla*  
BY \_\_\_\_\_  
Engineering Department

Dated: April 1, 2020

ORDERED:

Notice having been given and public hearing held, as provided by law, that the Massachusetts Electric Company d/b/a NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 1st day of April 2020.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked - Fauvel Dr. - Lowell, Massachusetts.

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

29622903 Fauvel Dr. - Beginning at a point approximately 165 feet south of the centerline of the intersection of East Sixth St. and Fauvel Dr. and continuing approximately 40 feet in a westerly direction. National Grid to install 40 feet +/- of 1-3 inch conduit and secondary cable from HH1 to new HH5 to provide new electric service to 70 Fox St. Lowell, MA.

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

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

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

Attest:  
.....

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

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

ORDERED:

Notice having been given and public hearing held, as provided by law, that the Massachusetts Electric Company d/b/a NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 1st day of April 2020.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked – Fauvel Dr. - Lowell, Massachusetts.

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

29622903 Fauvel Dr. - Beginning at a point approximately 165 feet south of the centerline of the intersection of East Sixth St. and Fauvel Dr. and continuing approximately 40 feet in a westerly direction. National Grid to install 40 feet +/- of 1-3 inch conduit and secondary cable from HH1 to new HH5 to provide new electric service to 70 Fox St. Lowell, MA.

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

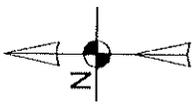
....., ..... 20 .....

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

Attest:  
.....

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

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



FOX STREET

EAST SIXTH STREET

DRACUT  
LOWELL

FAUVEL DRIVE

HH 1

PAD 1

HH1

HH 2

HH 3

HH 5

### UNDERGROUND PETITION

-  EXISTING POLE
-  EXISTING HAND HOLE
-  EXISTING TRANSFORMER
-  EXISTING PRIMARY CONDUIT
-  EXISTING SECONDARY CONDUIT
-  PROPOSED HAND HOLE
-  PROPOSED SECONDARY CONDUIT

DISTANCES ARE APPROXIMATE

# nationalgrid

Date: 03/20/2020

WORK REQUEST: 29622903

To The: City                      Of Lowell

For Proposed: 1-3" conduit                      Location: Fauvel St

Drawn By: M. Meneades