

21-01

ORDER FOR LOCATION FOR LINES, WIRES AND CABLES

Town of Sudbury, Massachusetts May 5, 2021

WHEREAS, NSTAR ELECTRIC COMPANY d/b/a Eversource ENERGY has petitioned for permission to construct a line for the transmission of electricity for lighting, heating, or power over and under the public way or ways of the Town as hereinafter specified, and notice has been given and a hearing held on said petition as provided by law.

It is ORDERED that NSTAR ELECTRIC COMPANY d/b/a/ Eversource ENERGY be and hereby is granted permission to construct, and a location for, such a line with the necessary wires and cables, therein over and under the following public way or ways of said Town (collectively, the "Public Ways"):

- Dutton Road (at its intersection with the MBTA railroad corridor)
- Peakham Road (at its intersection with the MBTA railroad corridor)
- Horse Pond Road (at its intersection with the MBT A railroad corridor)
- Union Avenue Pond Road (at its intersection with the MBTA railroad corridor)

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

1. Lines, wires, and cables shall be located as shown on a plan(s) made by Eversource dated March 1, 2019, on file with said petition.
2. Said Company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of lines, wires and cables.
3. All work shall be done to the reasonable satisfaction of the Select Board or such officer or officers as it may appoint to supervise the work. Work not deemed satisfactory shall be promptly communicated to Eversource in writing by such officer together with the reasons therefor.
4. Work is subject to the following conditions:
 - Require a 1-1/2-inch Cold Plane and repaving with bituminous surface course material for a total of 50 feet, 25 feet in either direction of the trench, curb to curb.
 - Exposed joints shall be sealed with a RS-1 emulsion and coated with stone dust.
 - Seek and acquire the appropriate Road Opening/Access permit from the Public Works Department for work being proposed in the public right-of-way.
5. The line with the necessary wires and cables will be located entirely under the above-named public way or ways of said Town as stated in the Energy Facilities Siting Board decision dated December 18, 2019.
 - o <https://www.mass.gov/files/documents/2019/12/18/SudburyHudson%20FINAL%20Decision%202019-12-18.pdf>
6. This Approval shall become effective in four months, on September 8, 2021, or four weeks after the Town receives a copy of the Memorandum of Understanding between Eversource and the DCR, whichever is later.
7. The work on the Public Ways will adhere to all conditions previously set forth by the Sudbury Planning Board on January 27, 2021 and the Sudbury Conservation Commission on February 4, 2021.

TOWN CLERK
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8. Surety bond – As part of the NSTAR Electric Company d/b/a Eversource Energy 115KV transmission main project along the MBTA rail corridor, the Town of Sudbury requires the following of Eversource and its authorized subcontractors for crossing four (4) public rights-of-way including Dutton Road, Peakham Road, Horse Pond Road and Union Avenue. For each crossing, Eversource or its Contractor shall provide a performance bond at the time it seeks a Street Opening permit in the amount of \$10,000 for milling and overlay repairs for 25 feet either side of the transmission main crossing for the entire width for each of the four roadway crossings (\$40,000 total).
9. Unless otherwise agreed to in writing, there shall be no stockpiling of material or equipment within the public right-of-way or on any other Town-owned property.
10. Eversource shall be responsible for daily site clean-up, including removal of all refuse, rubbish, scrap and surplus material, and debris for work in the Public Ways. Eversource shall sweep the work zone daily and adjacent areas as needed, if directed by the Town. The site and adjacent areas shall present a neat and orderly appearance.
11. Eversource and its contractor shall be responsible for dust control within the work zones at all times, and shall maintain water within the Town to use for such purposes.
12. Eversource shall work with the Sudbury Department of Public Works Director, who will coordinate with the Police and Fire Departments to ensure safe passage of vehicles, bicycles, and pedestrians at all points during construction in the Public Ways. Particular care will be given to the safe passage of children to and from schools near the construction in the Public Way.
13. Eversource shall provide and erect acceptable barricades, traffic signs, temporary lighting such as flashers, and all other traffic devices to safely isolate the work from traffic, pedestrians, and animals, as shown in the Traffic Management Plans and/or as directed by the Sudbury Police Department. Construction signage and barriers shall be in accordance with the Manual on Uniform Traffic Control Devices (“MUTCD”), as amended, published by the U.S. Department of Transportation.
14. Eversource and its contractor shall comply with MGL c.82A (“Jackie's law”) related to excavation and trench safety, particularly as it relates to extended trenching limits.
15. If, in the reasonable opinion of the Department of Public Works Director, an excavation becomes a safety and/or utility hazard, or if it excessively restricts traffic at any point, then the Department of Public Works Director shall provide written notice of such hazard with explanation and may require special construction procedures, such as limiting the length of the trenching and/or prohibiting stocking excavated material in the street.
16. Eversource shall provide notification of any gas leaks identified during Project construction for response by National Grid.
17. Eversource shall be responsible for securing all necessary temporary construction easements from public and private property owners needed for the work in the Public Ways.
18. Eversource shall be responsible for the preservation of all public and private property while constructing in the Public Ways and shall use every precaution necessary to prevent damage thereto. All existing buildings, utilities, pipes, poles, wires, fences, curbing, signs, stone bounds, and other structures not otherwise called for relocation, removal, or replacement shall be carefully supported and protected from damage by the contractor. If any direct or indirect damage is done to public or private property by or on account of any act, omission,

neglect, or misconduct in the execution of the work in the Public Ways on the part of Eversource or its contractor, such property shall be promptly restored to a condition similar or equal to that existing before the damage was done, to the reasonable satisfaction of the Department of Public Works Director or, if private property, the property owner. Restoration of existing property shall be carried out as promptly as practicable and shall not be left until the end of the construction period, unless otherwise requested by the Department of Public Works Director or the affected property owner.

19. Eversource shall be responsible for identifying all stone bounds that will be impacted on the Public Ways prior to the start of construction. Where bounds are impacted, Eversource shall hire a Massachusetts registered professional land surveyor to reset the bound and shall provide documentation to the Town Engineer at the completion of the work. Bounds shall be set in accordance with applicable provisions of Massachusetts General Laws.
20. Pavement restoration of disturbed trenches within existing driveway aprons shall include full replacement of the driveway apron to maintain control of surface runoff in the driveway.
21. All existing drainage facilities including but not limited to brooks, streams, channels, ditches, culverts, catch basins, and drainage piping shall be adequately safeguarded so as not to impede drainage or to cause siltation of downstream areas in any manner whatsoever. If Eversource damages or impairs any of the aforesaid drainage facilities, it shall repair them with appropriate urgency, as soon as practicable.
22. Eversource shall consult with the Department of Public Works Director and Police Chief to develop a Traffic Management Plan ("TMP"), including TMPs for the manhole locations in the Public Ways, if any, and submit said plan to the Town no later than 60 days prior to beginning open excavation.
23. Any changes or amendments to the TMPs must be made in consultation with the Public Works Director and Police Chief.
24. When driveway access to abutting properties is blocked, Eversource or its contractor shall be prepared to temporarily halt construction and restore access at any point during the workday within a reasonable timeframe. Driveway access shall be restored to safe, passable conditions at the end of each workday. Special attention shall be given to this requirement at specified locations as further defined by the Department of Public Works Director during the construction process.
25. Backfilling or use of steel plates of adequate strength to carry traffic shall be used to completely close all street excavations at the end of each workday. Excavation within the Public Way between November 1 and April 1 will be permitted only by special permit issued by the Public Works Director as long as weather permits. If permitted, the use of steel plates will not be allowed when a winter weather event is expected. All trenches will need to be backfilled and paved with hot mix asphalt to existing grade prior to any projected winter event requiring treatment or plowing.
26. After backfilling and compacting the trench, Eversource shall be responsible for maintaining any temporary patch installed. Final street repaving shall take place after one full season to allow adequate time for the settlement of trenches.
27. Eversource shall notify the Town of Sudbury within two days of determining that it is necessary to install a manhole using cast-in-place construction techniques within the Public Way rather than precast structures so that the Town can assess any impacts to the TMPs.

28. Eversource shall maintain and protect existing municipal utilities and service connections during construction. Further, Eversource's contractor shall submit support of excavation ("SOE") plans, depicting the means and methods of trench shoring, and existing utility temporary support systems. Copies of the proposed SOE plans shall be submitted to the Town of Sudbury Department of Public Works Director for review and comment prior to approval by Eversource.
29. Eversource shall maintain a minimum vertical clearance of 12 inches between the Project facilities and all Town utility crossings, unless a lesser clearance is approved in writing by the DPW Director, such approval shall not be unreasonably withheld and issued as soon as practicable, and no more than five business days from Eversource's request. Eversource shall maintain a minimum of 18 inches horizontal clearance, as provided for in the Certificate Decision, between Project facilities and all adjacent Town utilities.
Up to six inches of excavation width (the portion closest to the adjacent municipal utilities, and only that portion below the pavement) would necessitate vacuum or hand excavation, while the other portions of the trench could use mechanical excavation methods. The Company will employ vacuum or hand excavation methods for any excavation between 18 and 24 inches from adjacent municipal utility lines. The Company may select whether vacuum or hand excavation methods is best suited in such circumstances.
30. All water services within the work zone shall be identified and located prior to the start of construction in each area of open excavation along the Public Ways. Eversource and its contractor shall work with the Department of Public Works Director to determine if relocation or replacement of services is necessary.
31. Eversource shall ensure continuous operation of all existing water and drainage utilities along the Public Ways, including privately-owned water services during construction along the Public Ways. There shall be no scheduled shutdowns or service interruptions unless approved by the Department of Public Works Director (for the drain system and Water District for the water system), which approval shall not be unreasonably withheld and issued as soon as practicable, and no more than five business days from Eversource's request.
32. If it is determined during the course of construction that modification to a Town-owned utility is required, Eversource or its contractor shall immediately stop work and notify the Department of Public Works Director and Town Engineer of the requested change. Review of such requests shall be performed in a timely manner, and approval of any changes shall be provided in writing by the Department of Public Works Director, which approval shall not be unreasonably withheld and issued as soon as practicable, and no more than five business days from Eversource's request.
33. If at any point during the construction along the Public Ways there is damage to a Town-owned water or drain utility, or to a privately-owned water service, all construction within the affected work zone shall immediately stop and the Department of Public Works Director shall be notified of the issue. The Department of Public Works Director, Eversource, and its contractor shall immediately determine a plan of action to remedy the situation. Work on the remainder of work along the Public Ways shall not recommence until permission has been granted by the Department of Public Works Director.
34. Work to repair any damage to public or private utilities shall begin immediately and be completed within 12 hours of such damage, to the extent practicable. The Department of

Public Works Director shall approve any temporary services or by-pass pumping, if required such approval shall not be unreasonably withheld and issued as soon as practicable, and no more than five business days from Eversource's request.

35. Handling of any asbestos-containing material encountered during the work shall be in accordance with applicable OSHA and other federal and state standards. The Town shall not be responsible for the handling, removal, or disposal of any asbestos containing material encountered.
36. Eversource or its contractor shall, to the extent warranted, provide sufficient information to way-finding applications such as Waze and Google Maps to allow those services to reroute traffic where necessary.
37. No overhead power lines or related infrastructure is permitted by this Grant of Location.
38. Eversource shall be responsible for the proper performance of all work authorized hereunder and to restore the Public Ways and to make future repairs, if any, are needed as a result of the work undertaken under this GOL, as required by applicable state and Town regulations and standards.
39. In the event the electric transmission line is decommissioned, the Select Board reserves the right to order the removal of the facilities permitted by this Grant of Location, dependent upon attendant circumstances.
40. Eversource shall not increase the capacity of the transmission line above 115Kv without obtaining all required state and local permits and approvals.
41. Eversource shall perform magnetic field measurements at the four crossings of the Public Ways, once preconstruction and twice post-construction, within 10 months of the in-service date of the Project, and annually, at times mutually agreed to by Eversource and the Town, consistent with EMF monitoring Eversource has undertaken after construction of new transmission facilities in certain other municipalities. Eversource shall provide the results of those measurements to the Town. All post-construction measurements shall occur at a time during the calendar year where there is a potential for the greatest electricity usage (e.g., July or August). Eversource shall record all electric and magnetic field measurements at a height of one meter (3.28 feet) above ground in accordance with industry standard protocol for taking measurements near power lines (IEE Std. 644-1994 [R2008] "IEEE Standard Procedures for Measurement of Power Frequency Electric and Magnetic Fields from tC Power Lines." The resultant magnetic field will be measured with a 3-axis, recording digital meter EMDEX II). Electric fields will be measured with an E-Probe attachment accessory to the EMDEX II meter. Eversource shall measure the electric and magnetic fields along a transect (i.e., profile) passing perpendicularly over the new line at the specified locations. The measurement path shall extend to 10 feet from either side of the new transmission line. The Town will work cooperatively with the Company to facilitate traffic management during the measurement activity.
42. EMF levels shall not exceed the guidelines of 85mG below which the EFSB precedent has deemed acceptable.
43. Company shall provide measurements for contaminants including PFAS and other toxins specified by Town of Sudbury at each of the crossings prior to start of construction.
44. Company shall provide Groundwater flow and direction measurements and analysis for each of the crossings to the Town of Sudbury and the Sudbury Water District.
45. All signage and detail officers will be the responsibility of Eversource. The Company, through its Contractor, will provide reasonable signage as provided in the Temporary Traffic

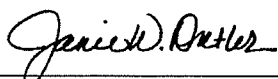
Control Plans provided in Exhibit D to the GOL Application and will pay the expense of reasonable police details.

46. For installation of the transmission line along the Public Way, Eversource or its contractor shall correspond regularly with property owners abutting the workzone, and shall notify abutters of any anticipated impacts to their properties at least 48 hours prior to the start of construction, including impacts to driveway access, water, sewer, or other utility services. For manhole installation, along the Public Way, if any, Eversource shall notify properties within 300 feet of the manhole locations one week prior to the start of construction detailing the construction scope, schedule and impacts.
47. Eversource shall provide a direct line to respond to calls by the Department of Public Works Director 24 hours a day, 7 days a week, including holidays.
48. Any work, repair, or restoration of public or private property along the Public Ways shall be conducted in accordance with the "Sudbury Public Works: Specifications for Regulating Construction Within Public Ways" dated 4/28/2020. Any deviations from the specifications included therein must be provided in writing to the Department of Public Works Director.
49. Eversource or its contractor shall be required to apply to the Department of Public Works Director for Street Opening Permits in order to complete work along the Public Ways.
50. The Town does not allow the use of public hydrants for water on construction projects. Eversource and its contractor may coordinate with Department of Public Works Director to obtain water from the DPW yard. Eversource shall not operate valves on Sudbury Water District-owned water mains; Eversource or its contractor shall contact Sudbury Water District if water gates need to be adjusted.
51. After substantial completion of the work pursuant to, and as required by, a grant of location, the grantee shall submit as-built plans of the facilities, stamped by a professional land surveyor or other qualified professional, detailing all elements of work.
52. This Grant of Location does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, by-laws, or regulations.

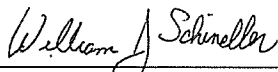
Select Board of the
Town of Sudbury

CERTIFICATE

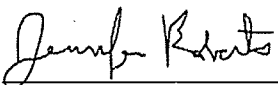
We hereby certify that the foregoing Order was adopted after due notice and public hearing as prescribed by Section 22 of Chapter 166 of the General Laws (Ter. Ed.) and any additions thereto or amendments thereof, to wit:--after written notice of the time and place of the hearing mailed at least seven days prior to the date of the hearing by the Select Board to all owners of real estate abutting upon that part of the way or ways upon, along or across which the line is to be constructed under said Order, as determined by the last preceding assessment for taxation, and a public hearing held on the 4th day of May, 2021 at 7 PM in said Town.



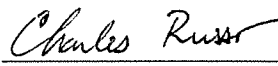
Jamie W. Dretler



William J. Schineller



Jennifer S. Roberts



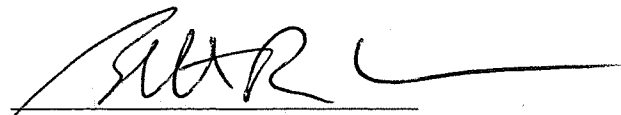
Charles G. Russo

Daniel E. Carty

Select Board of the
Town of Sudbury

CERTIFICATE

I hereby certify that the foregoing are true copies of the Order of the Select Board of the Town of Sudbury, Massachusetts, duly adopted on the 5th day of May, 2021, and recorded with the records of location Orders of said Town, _____ Book 12, Page 6, and the certificate of notice of hearing thereon required by Section 22 of Chapter 166 of the General Laws (Ter. Ed.), and any additions thereto or amendments thereof, as the same appear of record.

Attest: 

Clerk of the Town of Sudbury, Massachusetts