



2013 NOV 13 P 5:52

CITY OF SOMERVILLE, MASSACHUSETTS

DEPARTMENT OF PUBLIC WORKS

JOSEPH A. CURTATONE
MAYOR

CITY CLERK'S OFFICE
SOMERVILLE, MA

STAN KOTY
Commissioner

RICK WILLETTE
Director of Operations

November 5, 2013

The Honorable Board of Aldermen
City Hall
93 Highland Avenue
Somerville MA, 02143

**Temp. Grant of Location
Lighttower Fiber Networks
Burnside Avenue – Elm St
815 Somerville Avenue**

Dear Board Members:

Preliminary approval is recommended for the petition and plan of Lighttower Fiber Networks to place 750' of 36 count fiber cable on the pole line, from the intersection of Burnside Avenue and Elm Street to Pole #2 at White Street Place, Somerville, MA.

This recommendation is made with reference to Lighttower's letter of November 4th, 2013, upon stipulation that the Grant of Location is subject to: a reservation of rescission by the Board of Aldermen; indemnification of the City for all liability arising from said Grant; all permit procedures, conditions and approvals of municipal utilities; protection of existing infrastructure; and complete surface repair, restoration and maintenance.

This work is temporary and necessary to connect Lighttower's existing network to new customer at 815 Somerville Avenue, Somerville MA.

Respectfully requested,
Department of Public Works


Stan Koty, Commissioner

**PETITION FOR TEMPORARY GRANT OF LOCATION (MGL C166 S22G) FOR
WIRES, CABLES, POLES, PIERS, ABUTMENTS, CONDUITS OR FIXTURES**

**City of Somerville, Massachusetts
In Board of Aldermen**

Date _____

RESPECTFULLY REPRESENTS Lighttower Fiber Networks (hereinafter known as the PETITIONER), that it desires to construct upon, along, under or across the public way(s) of the City of Somerville, wires, cables, poles, piers, abutments, conduits or fixtures.

WHEREFORE, the PETITIONER pursuant to M.G.L. c. 166 §22G, prays that, the Board of Aldermen may by Order grant to the PETITIONER permission to construct, in accordance with plan(s) dated 10-22-13, the following (describe work):
INSERT DESCRIPTION OF WORK HERE

Place approximately 750' of 36 count fiber cable on the pole line from the intersection of Burnside Ave and Elm St to Pole# 2 at White St Pl.

INSERT EMERGENCY OR UNUSUAL CIRCUMSTANCES NECESSITATING TEMPORARY GRANT OF LOCATION:

Due to the moratorium date Lighttower does not have enough time to excavate. Underground Petition Plans will be submitted to the city during the winter so when the moratorium is lifted Lighttower will excavate and place the cables underground.

The PETITIONER understands and agrees that:

1. PETITIONER shall locate and complete all work as specified and approved by the City.
2. PETITIONER shall comply with the requirements of existing ordinances and such as may hereafter be adopted governing the construction.
3. PETITIONER shall perform all work to the requirements and satisfaction of the Department of Public Works or other such officer(s) as may be hereafter appointed by the City.

For the PETITIONER:

Signature: _____ Date: 11/4/13

Name: Mark Vegnani Title: Construction Manager

Mailing Address: 80 Central St, Boxborough MA 01719 Telephone: 508-208-9117

ORDER FOR TEMPORARY GRANT OF LOCATION (MGL C166 S22G) FOR WIRES, CABLES, POLES, PIERS, ABUTMENTS, CONDUITS OR FIXTURES

City of Somerville, Massachusetts
In Board of Aldermen

WHEREAS, Lighttower Fiber Networks (hereinafter known as the PETITIONER) has petitioned for permission to construct upon, along, under or across the public way(s) of the City of Somerville, the following (describe work):

INSERT DESCRIPTION OF WORK HERE

Place approximately 750' of 36 count fiber cable on the pole line from the intersection of Burnside Ave and Elm St to Pole# 2 at White St Pl.

AND WHEREAS, THERE IS AN EMERGENCY OR UNUSUAL CIRCUMSTANCE NECESSITATING A TEMPORARY GRANT OF LOCATION; NOW THEREFORE BE IT

ORDERED that the PETITIONER be and hereby is granted permission by the Board of Aldermen to complete the construction described above, all in accordance with the following conditions:

1. PETITIONER shall locate and complete all work as shown by plan(s) dated _____, and as may have been amended by the City.
2. PETITIONER shall comply with the requirements of existing ordinances and such as may hereafter be adopted governing the construction.
3. PETITIONER shall perform all work to the requirements and satisfaction of the Department of Public Works or other such officer(s) as may be hereafter appointed by the City.

OTHER CONDITIONS:

4. *See attached letter dated 11/14/13 from Kerbey Harrington LLP. JSL*

Approved by the Board of Aldermen on the _____ day of _____, 20____,

A True Record. Attest: _____ Date: _____
City Clerk

Certificate

I hereby certify that the foregoing Order was adopted by the Board of Aldermen on the _____ day of _____, 20____, as prescribed by Section 22G of Chapter 166 of the General Laws and any additions or amendments thereto, and recorded with the records of Temporary Grant of Location Orders of said City, as Docket # _____ in Book _____, Page _____.

Certified. Attest: _____ Date: _____
City Clerk



Kerbey Harrington LLP

November 14, 2013

Commissioner Stanley Koty
Department of Public Works
1 Franey Road
Somerville, Ma 02145

Dear Commissioner Koty,

As we discussed in our meeting with you and your staff on October 16, 2013 and a follow up meeting on October 22, 2013, our firm represents Lighttower ("Lighttower").

In follow up to our meeting, I have met with our client contact Rick Predella to review the proposed aerial build in Somerville. Please note that the purpose of the placement of fiber optic cable in the Somerville Right-of-Way is to provide service to customers in Somerville and Cambridge. Lighttower's goal is to minimize the impact on the Public Right-of-Way in Somerville. Based on our meeting and follow up conversations, Lighttower and the City of Somerville have agreed to the following terms relative to the placement of a fiber optic cable in the City of Somerville:

- Subject to approval of Grants-of-Locations by the Somerville Board of Aldermen Lighttower will have the approval to place fiber optic cable in the City of Somerville only as shown on the attached route maps.
- Lighttower will not require the creation of any double pole situations along the proposed aerial routes.
- Lighttower will donate 10 LED lights on street lights along the proposed aerial routes and will install the LED lights at its sole cost and expense.
- Lighttower will not alter the existing location of street lights along the proposed routes. If field conditions require some adjustment of street light heights, Lighttower will first seek approval from the appropriate Somerville DPW staff for such a relocation/adjustment.
- **With Respect to the Beacon Street Grant of Location** -Lighttower will coordinate with MassDOT on the Beacon Street reconstruction to ensure coordination of underground infrastructure. If approved by the Board of Alderman for the temporary aerial placement on Beacon Street from Sacramento Street to Eustis Street, Eustis Street from Beacon Street to the Cambridge city line and Sacramento Street from Beacon Street to the Cambridge city line, Lighttower will have 6 months to transfer the aerial to underground along Beacon Street unless MassDOT's construction schedule requires that the aerial remain in place for a longer period of time. Upon

transferring the aerial facilities underground on Beacon Street the temporary aerial facilities will be removed.

- **With Respect to the White Street Grant of Location** The proposed aerial on White Street will be for a 6 month period after which the facilities will be placed underground along the side walk area. Lightower, at its sole cost and expense, will provide for full concrete side walk replacements along the proposed underground route and will obtain all necessary time, place and manner permits from the DPW.
- **With Respect to the Ivaloo Street Grant of Location** Lightower will place facilities underground along the sidewalk area on Ivaloo Street. Lightower, at its sole cost and expense, will provide for full concrete side walk replacements along the proposed underground route and will obtain all necessary time, place and manner permits from the DPW.
- If Lightower violates any part of this agreement with respect to any of the three (3) grants of location, Lightower agrees that it shall remove the aerial and underground facilities for that grant of location and covered by this Agreement.

Please accept this correspondence as an agreement between the City of Somerville Department of Public Works and Lightower as to the work noted above. Lightower will perform all work in a professional manner and coordinate directly with Somerville DPW staff to ensure minimal disruptions to the public-right-of-way.

Sincerely,



John Harrington

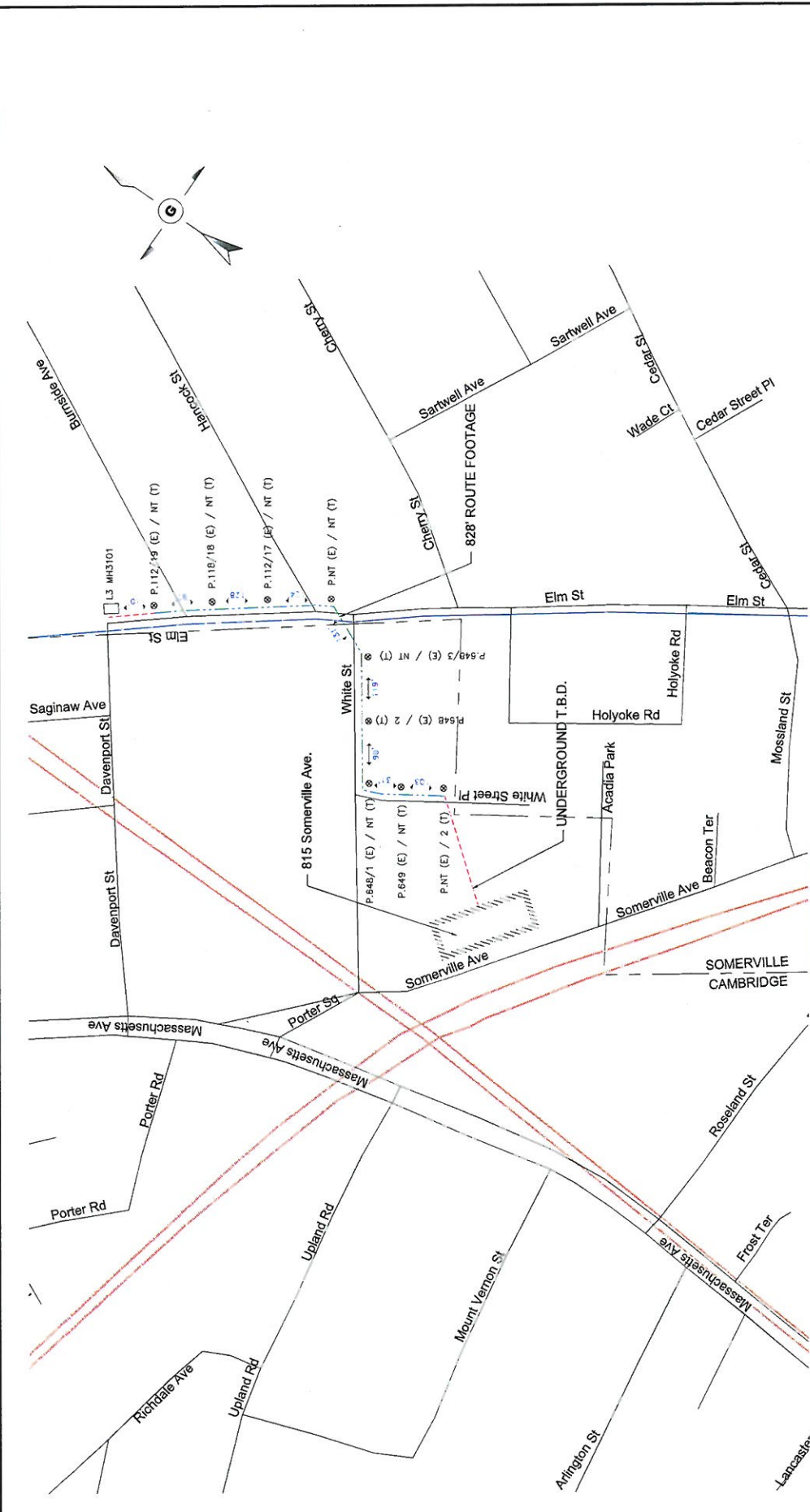
CC: Stanley Koty

Alderman Maryanne Heuston



**PROPOSED AERIAL CABLE INSTALLATION
AT
815 SOMERVILLE AVE
IN
CAMBRIDGE, MA**

INDEX OF DRAWING	
SHT NO.	DESCRIPTION
01	POLE SURVEY MAPS



LEGEND

- EXISTING AERIAL CABLE
- PROPOSED AERIAL CABLE
- PROPOSED UNDERGROUND CABLE
- ⊗ JOINT OWNED POLE
- ⊗ SOLE OWNED ELEC POLE
- ⊗ SOLE OWNED TEL POLE
- ← SPAN LENGTH
- ⊙ SLACK CABLE

POLE SURVEY

DATE	APPROVED	REVISION	FILE
PROJECT FOR			
815 SOMERVILLE AVE			
CAMBRIDGE, MA			
CAMBRIDGE COUNTY			
DRAWN BY: JS			
CHECKED BY: BM			
APPROVED BY: SA			
SCALE: 1" = 80'			
DATE: 07-12-13			
SHEET: 1 OF 1			



POLE #15 SOMERVILLE AVE

POLE #15 SOMERVILLE AVE

Proposed by: GUERRERO ENGINEERING & CONSTRUCTION, INC. 200 WEST STREET, SUITE 200, CAMBRIDGE, MA 02142