



TOWN OF TYNGSBOROUGH

Office of the Board of Selectmen
Town Offices | 25 Bryants Lane
Tyngsborough, MA 01879
Tel: (978) 649-2300 Ext. 100 | Fax: (978) 649-2320

01

Board of Selectmen Meeting Notice

Monday, May 2, 2016 at 6:00 P.M.

Community Room, Town Offices, 25 Bryants Lane

The listing of matters are those reasonable anticipated by the Chairman which may be discussed at the meeting. Not all items listed may in fact be discussed, and other items not listed may also be brought up for discussion to the extent permitted by law.

REVISED: Friday, April 29

1. 6:00 PM Open Meeting/Pledge of Allegiance/Board Introduction/Read Agenda

2. Meeting Minutes

A. None

3. New Business

- A. Request – Tyngsborough Water District seeking extension for well testing
- B. Request – Team Connor bike-a-thon
- C. Request – Special Permit extension for Blue Wave Solar, 50 Westford Road
- D. Appointments – Reserve Officers
- E. Right of Refusal – Maple Ridge
- F. Request for Comments – Planning Board applications
- G. Order of Street Layout, Acceptance, and Taking – Mascuppic Trail

4. Old Business

- A. Freedom Alley Shooting Sports – Special Permit decision
- B. Lakeview Avenue – surplus land
- C. Budget – review
- D. Warrant – VOTE & SIGN

5. Citizen/Business Time

Citizens or business owners may contact the Office of the Selectmen to request to address the Selectmen during citizen/business time. Citizens or business owners who have not contacted the Office of the Selectmen in advance may address the Board of Selectmen on matters of interest to the public for not more than five (5) minutes.

6. Correspondence

7. Review of Weekly Warrants

8. Town Administrator's Report

- Response to Selectmen's Requests
- Budget
- Departmental Information
- Contracting/Procurement
- Other

Town of
Tyngsborough
massachusetts



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9. Selectmen's Reports

10. Executive Session

11. Adjournment

Future Meetings

Monday, May 16, 2016 at Tyngsborough Town Offices, 25 Bryants Lane

Monday, June 6, 2016 at Tyngsborough Town Offices, 25 Bryants Lane



2. Meeting Minutes

The April 25 Are Not Completed

For Approval This Evening.

TYNGSBOROUGH WATER DISTRICT

03A

P.O. Box 305
Tyngsborough, MA 01879

978-649-4577

March 31, 2016

Mr. Curt T. Bellavance
Town Administrator
Town Hall
25 Bryants Lane
Tyngsborough, MA 01879

Mr. Bellavance,

In 2014, the Tyngsborough Water District did complete the initial site investigation on the parcel known as the Hunter property. The test proved to be a positive location for future Town wells. We had agreed on a one year term for the first phase of testing knowing that if we did get adequate flow, the Tyngsborough Water District would need to extend the agreement to conduct further site investigation. This letter is that request to extend the license agreement pertaining to the land shown on Assessors Map 19, Lot 35 and Map 19, Lots 50 and 51 for the period of two years (730 days), with possible extensions. The reason for the two year period is time needed for permits as we proceed.

Very Sincerely Yours,



Warren Allgrove, Jr.
Chairman, Board of Water Commissioners
Tyngsborough Water District

CC: Conservation Commission – Town Hall



03B

TOWN OF TYNGSBOROUGH – ROAD RACE APPLICATION FORM

1. Today's Date: 4/26/16

2. Organization Sponsoring Race: (name) Team Connor Ride

3. Type of Organization: (please check one)
 a. Private Individual
 b. Group of Unincorporated individuals
 c. Chapter 180 Social or Charitable Corporation
 d. Business Corporation 501 (c) 3 Non profit organization

4. Address: _____

5. Phone: 978 898 4308

6. Contact Person: Beth Craig 99 Norris Rd Tyngsboro MA

7. Type of Race:
 a. Running b. Walking c. Bicycling d. Wheelchair e. Other _____

8. Date of Race: 5/29/16 9. Race Start Time: 9am

10. Starting Location: Tyngsboro Elementary School

11. Finish Line Location: Tyngsboro Elementary School

12. Please outline the proposed route of the Road Race:
10 mile
40 mile } see attached

13. Estimated Finish Time: 12N (including cleanup)

14. Estimated Number of Participants: 250

15. Estimated Parking Requirements: school lot

16. Number and Location of Toilet Facilities to be provided by Race Organizer:
125 portables on premises

17. Signed: [Signature]

18. Print: Beth Craig

HOLD HARMLESS AGREEMENT

In CONSIDERATION of the issuance by the Board of Selectmen, as Licensing Authorities, of a PERMIT to Connor Flanagan Foundation, as Race Organizer, to conduct a "ROAD RACE", on Public Ways situated in the Town of Tyngsborough, on the 28 day of April, 19 2016, the said Race Organizer COVENANTS and AGREES with said TOWN OF TYNGSBOROUGH, that it will hold the Town of Tyngsborough, its officials, employees or agents, HARMLESS against all claims for personal injury or property damage, made against said TOWN OF TYNGSBOROUGH, including claims for death, which are alleged to have occurred during the time of said Road Race, or for any such claims for personal injuries or property damage, made against said TOWN OF TYNGSBOROUGH, by third parties, including claims for personal injury or property damage made against any officials, employees, or agents of said Town, and the said RACE ORGANIZER further COVENANTS AND AGREES to indemnify and save harmless the above named TOWN OF TYNGSBOROUGH, its officials, employees or agents, from all claims, demands, costs, loss of services, expenses, and compensation on account of or in any way growing out of said ROAD RACE, or its results to both person and property.

IN WITNESS WHEREOF, I/WE have hereunto set my/our hand and seal/CORPORATE SEAL this _____ day of _____, 19 4 28 16

SIGNATURE: [Handwritten Signature]

CERTIFICATE OF WITNESS

WE CERTIFY THAT THIS HOLD HARMLESS AGREEMENT was signed in our presence by the above Individual/Corporate Treasurer, who acknowledged that he/she understood it fully.

WITNESS [Handwritten Signature] Christophere Denny 4-28-16

ADDRESS _____

WITNESS _____

ADDRESS _____

Connor Celtic Warrior Ride – 40mile route - 5/29/16

	Miles	@18mph	@15	@13	@11mph
Leave School, out driveway (Tyngsboro)					
Turn right onto Westford Rd	0.32	9:01	9:01	9:01	9:01
Stay left onto Westford Rd	0.94	9:03	9:03	9:04	9:05
Continue onto Tenney Rd (Westford)	2.03	9:06	9:08	9:09	9:11
Head southwest on Tenney Rd crossing over Dunstable Rd	2.51	9:08	9:10	9:11	9:13
Turn left onto Keyes Rd (toward RT-40E)	3.27	9:10	9:13	9:15	9:17
Cross over Rt-40 (Groton Rd) onto Nutting Rd	3.89	9:12	9:15	9:17	9:21
Head east on Nutting Rd toward Depot St	4.69	9:15	9:18	9:21	9:25
Turn left onto Depot St	4.70	9:15	9:18	9:21	9:25
Turn right onto Nutting Rd	4.72	9:15	9:18	9:21	9:25
Turn right onto Plain Rd	5.47	9:18	9:21	9:25	9:29
Turn left onto Stony Brook Rd	5.62	9:18	9:22	9:25	9:30
Turn sharp right to stay on Stony Brook Rd	6.31	9:21	9:25	9:29	9:34
Cross over Lowell Rd to stay on Stony Brook Rd	6.64	9:22	9:26	9:30	9:36
Turn left on Main St	7.15	9:23	9:28	9:33	9:39
Turn right onto Chamberlain Rd	7.42	9:24	9:29	9:34	9:40
Continue onto Pine Hill Rd (Chelmsford)	7.85	9:26	9:31	9:36	9:42
Turn left to stay on Pine Hill Rd	8.50	9:28	9:34	9:39	9:46
Turn right to stay on Pine Hill Rd	8.86	9:29	9:35	9:40	9:48
Turn right onto Hunt Rd	9.65	9:32	9:38	9:44	9:52
Cross over Littleton Rd (MA-110) to stay on Hunt Rd	9.90	9:33	9:39	9:45	9:54
Turn left onto Garrison Rd	11.09	9:36	9:44	9:51	10:00
Slight left onto Maple Rd	11.22	9:37	9:44	9:51	10:01
Turn left onto MA-27 N	11.63	9:38	9:46	9:53	10:03
Turn right onto Common St	11.64	9:38	9:46	9:53	10:03
Slight right onto Proctor Rd (Carlisle)	11.68	9:38	9:46	9:53	10:03
Head southeast on Proctor Rd	13.17	9:43	9:52	10:00	10:11
Turn right onto Lowell St	13.18	9:43	9:52	10:00	10:11
Turn right onto Curve St	13.64	9:45	9:54	10:02	10:14
Sharp right onto Westford St, MA-225 W	15.99	9:53	10:03	10:13	10:27
Cross over RT-27 onto Carlisle Rd (Westford)	17.00	9:56	10:08	10:18	10:32
Stay on Rt 225 Concord Rd - Cross over Powers Road	19.79	10:05	10:19	10:31	10:47
Turn left and Continue onto MA-110 W/MA-225 W	19.83	10:06	10:19	10:31	10:48
Turn right onto Concord Rd, MA-225 W	20.13	10:07	10:20	10:32	10:49
Turn left onto Forge Village Rd. MA-225 W (Groton)	22.87	10:16	10:31	10:45	11:04
Turn right onto New Pond Rd	24.25	10:20	10:37	10:51	11:12
Turn left onto Hidden Valley Rd	24.62	10:22	10:38	10:53	11:14
Turn right on Whiley Rd	24.81	10:22	10:39	10:54	11:15
Continue onto Pine Trail	25.93	10:26	10:43	10:59	11:21
Turn left onto Lost Lake Dr	26.29	10:27	10:45	11:01	11:23
Turn left onto Lakeside Rd/Lost Lake Dr	26.44	10:28	10:45	11:02	11:24
Turn left onto Lowell Rd, MA-40 W	27.62	10:32	10:50	11:07	11:30
Turn right onto School House Rd	28.10	10:33	10:52	11:09	11:33
Turn left onto Martins Pond Rd	28.58	10:35	10:54	11:11	11:35
Turn right onto Hollis St	30.21	10:40	11:00	11:19	11:44
Continue onto Chicopee Row	30.36	10:41	11:01	11:20	11:45
Continue onto Groton St (Dunstable)	33.11	10:50	11:12	11:32	12:00
Turn right onto Pleasant St, MA-113E	35.84	10:59	11:23	11:45	12:15
Turn right onto Main St, MA-113 E	36.66	11:02	11:26	11:49	12:19
Slight right onto Lowell St / Dunstable Rd	37.11	11:03	11:28	11:51	12:22
Continue on Dunstable Rd. (Tyngsboro)	38.32	11:07	11:33	11:56	12:29
Turn right onto Red Gate Rd	39.03	11:10	11:36	12:00	12:32
Turn left onto Diamond St	39.38	11:11	11:37	12:01	12:34
Turn right onto School Access Path *End at 40 Miles	39.69	11:12	11:38	12:03	12:36

Connor Celtic Warrior Ride – 10mile route - 5/29/16

	Miles	@16mph	@13	@11	@8mph
Leave School, out driveway	0.00				
Turn right onto Westford Rd	0.32	9:01	9:01	9:01	9:02
Stay left on Westford Rd	0.94	9:03	9:04	9:05	9:07
Continue onto Tenney Rd (Westford)	2.03	9:07	9:09	9:11	9:15
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Turn left onto Keyes Rd (toward RT-40E)	3.27	9:12	9:15	9:17	9:24
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Turn left onto Depot St	4.70	9:17	9:21	9:25	9:35
Turn right onto Nutting Rd	4.72	9:17	9:21	9:25	9:35
Turn left onto Plain Rd	5.44	9:20	9:25	9:29	9:40
Turn left onto Oak Hill Rd	6.50	9:24	9:30	9:35	9:48
Turn left onto Forrest Rd	7.21	9:27	9:33	9:39	9:54
Cross over Rt-40, stay on Forrest Rd	7.82	9:29	9:36	9:42	9:58
Turn right onto Tyngsboro Rd	8.59	9:32	9:39	9:46	10:04
Continue onto Swan Rd (Tyngsboro)	9.59	9:35	9:44	9:52	10:11
Turn left onto Westford Rd	9.98	9:37	9:46	9:54	10:14
Turn right into Tyngsborough Elementary School	10.02	9:37	9:46	9:54	10:15
Destination	10.49	9:39	9:48	9:57	10:18

03C
Therese Gay <tgay@tyngsboroughma.gov>

Permit Extension Request for Solar Facility

Giovanna Olson <golson@bluewave-capital.com>

Wed, Apr 20, 2016 at 5:50 PM

To: "tgay@tyngsboroughma.gov" <tgay@tyngsboroughma.gov>

Cc: Drew Pierson <dpierson@bluewave-capital.com>, Mike Marsch <mmarsch@bluewave-capital.com>

Hi Therese,

I hope this email finds you well. BlueWave recently spoke with Matt Hanson about getting on the agenda for the Tyngsborough Board of Selectmen meeting on the 25th of April and he directed us to email you. We are requesting an extension to both our Special Permit and Order of Conditions for a proposed solar facility at 50 Westford Road. Attached please find supporting letter and documentation for the project.

Please let us know if there is anything we can do to support the package here.

Regards,

Giovanna Olson | Analyst

e: golson@bluewave-capital.com

t: 914.227.3686

BLUE WAVE

137 Newbury Street

Boston, MA 02116

www.bluewaverenewables.com**BW Customer Care: 844.SUN.4100****Request for Extension of Special Permit and Order of Conditions for Solar Facility.pdf**

5654K



TOWN OF TYNGSBOROUGH
Office of the Selectmen
25 Bryant Lane
Tyngsborough, MA 01879
Tel: 978 649-2300 Ext. 100 Fax: 978 649-2320

RECEIVED
2010 JUL 14 PM 1:22
TOWN CLERK
TYNGSBOROUGH, MA

File No. 10-001
Date Filed 4/29/10

RECORD OF PROCEEDINGS
ON APPLICATION FOR A SPECIAL PERMIT

Copies of this Record of Proceedings with all attachments must be filed within fourteen (14) days of a decision by the Board of Selectmen in the Office of the Town Clerk.

I, Richard Reault, Clerk of the Tyngsborough Board of Selectmen hereby certify that the following is a detailed record of all its proceedings relative to the application of

Name and Address of the Applicant
Westford Road Development, LLC

315 Middlesex Road, Tyngsborough, MA 01879

for a special permit under Section 2.11.30 of the Zoning By-laws.

The Applicant desires to: Construct a proposed (30) acre solar energy cell farm a portion of which is in the B-3 Zoning District located off of Westford and Middlesex Roads, in Tyngsborough, Massachusetts.

The premises affected are located at Middlesex Road being in the B-3 Districts, in which the above mentioned use is not permitted.

1. On April 29, 2010 an application of which a true copy marked "A" is made a part of this record, was presented to the Tyngsborough Board of Selectmen.
2. Thereupon, an advertisement, a true copy of which marked "B" is made a part of this record, was published in the Lowell Sun a newspaper published in Lowell on May 24, 2010 (Date) and on May 31, 2010 (Date).
3. Notices of the hearing, a copy of which marked "C" is made a part of this record, were mailed postpaid to petitioner, parties in interest as specified in Section 11, Chapter 40A as amended.
4. On Monday, June 7, 2010, a hearing was held at the Town Hall 25 Bryant Lane at which opportunity was given to all those interested to be heard in favor or opposition to said petition, application or at which hearing

Members present Selectwoman Ashley O'Neill, Selectwoman Elizabeth Coughlin,
Selectman Richard Reault, Selectman Richard Lemoine, Selectman Robert Jackson.

5. Following the hearing the Board of Selectmen made the following specific findings regarding the land in question and the proposed use is listed below:

a) The use is in harmony with the purpose and intent of this By-law, At the Special Town Meeting on Tuesday, February 2, 2010 Articles 6, 7 and 8 voted to confirm the ability to locate facilities such as the proposed Facility in I-1 Districts as of right and also voted to expand the definition of "Public and Private Utility Facilities under Section 2.11.43 to include solar generation facilities such as the proposed facility.

b) The use will not be detrimental or injurious to the neighborhood in that the proposed facility is to design as to minimize the visual impact on all neighboring parcels and ways. That the proposed facility will not produce dust, dirt, odor, fumes, smoke, gas, sewage or refuse and once constructed the Facility will be unmanned, other than periodic inspections and maintenance. Further, that the applicant and Mitsui agree to maintain a 6 foot chain link fence around the entire perimeter of the solar fields, the buffer zone is to be 100 feet, the solar panels not to exceed 6ft, and if need additional height the applicant is to return to the Special Permitting Authority for a special permit to increase the height, and the hours of operation will be 7:00 AM to 5:00 PM Monday through Friday. And further the Local Permit Granting Authority asks that the applicant and Mitsui agreed to provide educational programs concerning solar energy for the public and private schools.

c) The use is allowed in the B-3 Zoning District with a Special Permit from the Special Permit Granting Authority (the Board of Selectmen). The Board of Selectmen acting in their capacity as the Special Permit Granting Authority voted 5-0 in favor of allowing the proposed facility to operate in the B-3 Zoning District. For the reasons that the premises have been identified as an ideal site for the proposed Facility due to its size, relatively remote location, its proximity to existing transmission lines and the Middlesex road substation facility, and shall be subject to the conditions below.

d) The use complies with all applicable requirements of this by-law. The application was properly and timely filed with the Special Permit Granting Authority and that all fees have been paid.

6. Conditions:

- a) Erect and maintain in good condition a six-foot (6') chain link fence around the entire perimeter of the solar fields in compliance with any set back requirements of the Zoning By-laws, which shall include other land of the applicant, together consisting of approximately thirty (30) acres.
- b) The applicant shall establish a one-hundred foot (100') "no-disturbance area" between the Facility and (i) the Bridgeview Condominium, and (ii) the Villages of Maple ridge. Neither the applicant nor it's successors shall conduct any cutting or clearing of the existing vegetation within the "no disturbance" area except as

may be necessary to provide access roads and/or transmission lines to and from the Facility, which shall include other land of the applicant, together consisting of approximately thirty (30) acres.

- c) Solar panels shall not exceed six feet (6') in height.
- d) Hours of construction shall be only between 7:00 a.m. to 5:00 p.m., Monday through Friday.
- e) When requested by Tyngsborough public and/or private schools, the applicant or its successors shall provide educational programs concerning solar energy.

Members present Selectwoman Ashley O'Neill, Selectwoman Elizabeth Coughlin, Selectman Richard Reault, Selectman Richard Lemoine, Selectman Robert Jackson.

The Board voted at its meeting on Monday, June 7, 2010. As detailed below to _____ DENY the application based on findings as recorded under item 5 herein for the following reasons:

X GRANT the application to construct a proposed Solar Energy Cell Farm located off Middlesex Road of which 8 acres of the 30 acre site is located in a B-3 Zone, as submitted with stated conditions in the above findings.

Members present and voting: Selectwoman Ashley O'Neill, yes; Selectwoman Elizabeth Coughlin, yes; Selectman Richard Reault, yes, Selectman Richard Lemoine, yes; Selectman Robert Jackson, yes.

Signature Richard Reault
Clerk

BLUE WAVE

April 20, 2016

Tyngsborough Town Hall
25 Bryants Lane
Tyngsborough, MA 01879

RE: Request for Extension of Special Permit and Order of Conditions for Solar Facility

To Whom It May Concern,

BWC Merrimack River, LLC (BWC), a wholly-owned subsidiary of BlueWave Capital, LLC ("BlueWave"), entered into a Memorandum of Understanding (the "MOU") with Princeton Tyngsboro Commons ("Princeton"), LLC of a certain parcel of land having a street address of 50 Westford Road, Tyngsborough, Massachusetts on August 18th of 2015. In the MOU, Princeton designated BWC as the developer of a solar energy farm on a portion of a mixed use development. A Special Permit was issued by the Town of Tyngsborough Board of Selectmen on June 7th, 2010 to Westford Road Development, LLC. An Order of Conditions was issued by the Town of Tyngsborough Conservation Commission on October 12th, 2010 to Westford Road Development, LLC. It was concluded by the Opinion as to Status of Special Permit and Order of Conditions for Solar Facility that the Special Permit is valid through June 7th of 2016 and the Order of Conditions is valid through October 21st of 2017.

This is a formal request for extension of both the Special Permit and Order of Conditions each for two (2) years. BlueWave requires this additional time for the following:

- Securing SREC and Net Metering allocation, which both depend on future legislative action whose timeline is uncertain
- Secure financing for the project, which directly depends on certainty regarding SREC and Net Metering allocation
- Procure an engineering, procurement, and construction contractor, which cannot occur without financing

BlueWave welcomes any questions or concerns regarding the above request.

Attached please find all pertinent documentation including:

- Memorandum of Understanding
- Opinion as to Status of Special Permit and Order of Conditions for Solar Facility
- Permitted drawings of the solar site
- Notice of Decision – Special Permit
- Order of Conditions

Sincerely,

Drew Pierson
Director of Project Development
BlueWave Capital, LLC

137 NEWBURY STREET • BOSTON, MASSACHUSETTS 02116
WWW.BLUEWAVERENEWABLES.COM T: 617.209.3122 F: 617.395.2730

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (“MOU”) is entered into between Princeton Tyngsboro Commons LLC, located at 1115 Westford Street, Lowell, Massachusetts (“Princeton”), and BWC Merrimack River, LLC, located at 137 Newbury St, 4th Floor, Boston, Massachusetts (“BWC”) regarding the proposed solar energy farm located on a portion of the site at 50 Westford Road in Tyngsborough, Massachusetts, further described as a portion of the master-plan development in that certain Notice of Decision – Special Permit issued by the Town of Tyngsborough (“Town”) Board of Selectmen and dated as of July 14, 2010 (the “Solar Project”). Princeton and BWC may be referred to collectively herein as the “Parties”.

WHEREAS, BWC is interested in completing the development of the Solar Project on the Project Site (as described below) and the Parties recognize a potentially mutually beneficial opportunity;

WHEREAS, Princeton is under contract to purchase an approximately 100 acre parcel of land located at 50 Westford Road in Tyngsborough, Massachusetts (the “Land”) for purposes of constructing a master-plan development a portion of which is the Solar Project and expects to consummate the purchase by September 30, 2015;

WHEREAS, the master plan development proposed for the site includes a solar energy farm on an approximately 25 acre portion of the Land (the “Project Site”), more precisely described as Lot C on an ANR Plan attached hereto as Exhibit B to be submitted by Princeton for approval by the Town;

WHEREAS, BWC’s offer of services and agreements as described below is subject to the continued validity of all existing permits for the Solar Project for at least an 8 month period from the effective date of this MOU.

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained Princeton and BWC agree as follows:

1. This MOU shall be effective upon signing by all Parties, and shall be in effect until July 1, 2016 unless terminated or extended in accordance with the provisions below.
2. Princeton hereby designates BWC as the exclusive developer of the Solar Project and grants BWC an exclusive option to enter into a ground lease agreement with Princeton for the Project Site as further described herein. Subject to execution of a binding agreement substantially in the form attached hereto as Exhibit A providing for assignment by Princeton of its development rights under all permits relating to the development of the Solar Project in existence as of the effective date hereof (the “Assignment”), BWC will, at its sole expense, within 21 days of the execution of this agreement, apply for interconnection of a solar project of the maximum size reasonably estimated by BWC to be feasible on the Project Site, currently anticipated to be two megawatts alternating current (“MW AC”) to the public electric grid. BWC shall diligently pursue at BWC’s expense all additional permits and approvals required for construction and operation of the

Solar Project. The Parties recognize that one MW AC of installed capacity will require approximately five to seven acres of useable land on the Project Site. The Parties recognize they have a common interest in maximizing the amount of solar installed on the property and will work cooperatively over the period of this MOU and the subsequent Lease to make an informed estimate of the potential commercially viable installed capacity of the Solar Project. The final size of the Solar Project shall be subject to certain criteria, including the available capacity on the local feeder, local and regional land-use regulations, engineering considerations related to the site and project design, state regulations pertaining to the sizing and registration of renewable energy projects, the availability Net Metering capacity in National Grid territory as well as qualified purchasers of Net Metering Credits generated by the Solar Project, and the availability of financing at acceptable terms, and in all instances BWC will make every effort to maximize the amount of installed capacity on the Project Site. The Parties agree that, in the event the maximum viable system size is two MW AC or less, to be determined in conjunction with the Impact Study Results, BWC shall submit proposed site plans to Princeton prior to filing for a building permit for the Solar Project, and the location of the Solar Project on the Project Site shall be subject to Princeton's approval, such approval not to be unreasonably withheld, conditioned or delayed.

3. Upon written confirmation from Princeton that Princeton has fully closed on its purchase of the Land, and provided that all existing permits for the Solar Project continue to be valid, BWC will promptly advance impact study fees to the utility upon receipt of a utility impact study invoice. As of the effective date of the MOU, BWC shall have sole responsibility for management of the interconnection process of the Solar Project.
4. Prior to issuance by BWC of final notice to proceed ("FNTP") to the EPC contractor engaged for the Solar Project, BWC shall provide Princeton with evidence of its financial ability of BWC, its affiliates, investors and/or assigns to fund the construction of the Solar Project.
5. Princeton agrees that it will not pursue Net Metering Credit Purchase Agreements singly or with any other solar energy project developer or contractor while under this agreement unless BWC is in breach of this MOU. If Princeton successfully initiates the Net Metering Credit Purchase Agreement negotiation between BWC or its affiliates and a Massachusetts housing authority with which BWC has had no prior contact, and BWC or its affiliates successfully execute a Net Metering Credit Purchase Agreement with such housing authority, BWC shall pay Princeton within 30 days of construction start of any project governed under the Net Metering Credit Purchase Agreement \$0.05 per watt (DC) of net metering credits purchased under said Net Metering Credit Purchase Agreement for the project that has commenced construction. For purposes of this MOU, commencement of construction shall be that date upon which BWC issues FNTP to the EPC contractor for the project.

6. Upon written confirmation to BWC that Princeton has consummated its purchase of the Land, and provided BWC is not in breach of this MOU, the Parties shall promptly execute a ground lease substantially in the form attached hereto as Exhibit A (the "Lease"). Princeton hereby grants BWC an irrevocable and exclusive option to require Princeton to enter into the Lease, the terms and conditions of which shall include, but shall not be limited to, the matters set forth in this section 6. Notwithstanding any condition to the contrary that may be contained in this MOU, no clause shall be interpreted or deemed to be interpreted so as to render BWC's option conditional. For the avoidance of doubt, this option shall be deemed for all intents and purposes to be unconditional and irrevocable to Princeton and BWC and the parties shall proceed in good faith to enter into a mutually agreeable Lease prior to the expiration of this MOU, failing which, except for matters that specifically survive, all rights and privileges granted and obligations required under this MOU shall be deemed completely surrendered and each party releases the other from any and all further obligations hereunder. The Lease shall contain but shall not be limited to the following terms:
- a. Initial Term Rent. Beginning upon the earlier of the commencement of construction of the Solar Project by BWC or six months from the effective date of the Lease and terminating upon the earlier of the date BWC is issued permission to operate the Solar Facility by the interconnecting utility (the "COD"), or one year from commencement of construction of the Solar Project, BWC shall pay Initial Term Rent in the amount of \$5,000 per MW AC per year, or part thereof, of power planned and permitted to be installed, such rent to be payable in monthly installments in advance.
 - b. Primary Term Rent. Commencing on the date that is the earlier of COD or one year from the date of commencement of construction of the Solar Project, the rent is payable to Princeton in advance, in four (4) equal installments at the beginning of each calendar quarter. The rent is payable at the annualized rate of \$25,000 per megawatt (AC) of the Facility ("Installed Power"), which rent escalates annually throughout the Initial Term, and any extension term, on the anniversary date of earlier of the date of COD or one year from date of commencement of construction of the Solar Project by 1.5% over the amount of the rent due in the immediately preceding year.
 - c. Term. Primary term to be twenty (20) years from commencement as described above, with two five-year extensions at BWC's option.
 - d. Property Tax. Upon the commencement of construction of the Solar Project, BWC shall have the responsibility to pay any real and personal property tax, assessments, or charges owed on the Project Site as defined in the final leased premises under the Lease.
 - e. Site Access. Princeton shall grant to BWC all easements, permissions, rights of way, licenses and permissions necessary for BWC's vehicular, utility and solar access to the Project Site. Such access and easements shall be subject to an easement reserved to Princeton to relocate a public sewer line on the site in a location mutually agreeable to the Parties.

- f. Project Finance. BWC and/or its affiliates and assigns shall be responsible for all project finances, construction, commissioning, fees, including but not limited to Building Permit fees, operations activities and taxes for the production and sale of solar power and to have ability to assign any portion of this scope to third parties, partners or related affiliates as necessary.
7. Princeton commits to provide requisite diligence materials and project site information to BWC on a timely basis. In the event that BWC elects not to proceed with construction of the Solar Project, it will immediately return all disturbed areas of the Land and Project Site to their former condition. This provision shall survive expiration or termination of this MOU.
8. The Parties shall not assign nor transfer their respective interests in this MOU, in part or in whole, without the prior written consent of the other.
9. Notwithstanding any language to the contrary within this MOU, either Party may terminate this MOU if the other party fails to meet its obligations or perform according to the provisions of this MOU.
10. BWC shall require all contractors to maintain commercial general liability insurance and statutory workers' compensation insurance naming Princeton as an additional insured. All construction, alterations and other work performed by BWC, its agents and subcontractors at the Project Site and Land are to be performed in a workmanlike manner and done so that no liens for the benefit of contractors, materials providers or trades providing labor or materials to the project are filed against the Project Site or Land.
11. This MOU shall be governed by, construed, and enforced in accordance with the laws of the Commonwealth of Massachusetts. Both Parties agree to submit to the jurisdiction of the state and federal courts in the Commonwealth of Massachusetts to resolve any disputes or disagreements that may arise under any provision of this MOU.
12. This MOU, and the Exhibits attached hereto and incorporated herein, constitute a total binding agreement of the Parties and supersede all prior agreements and understandings between the Parties, and may not be changed unless agreed upon in writing by both Parties.
13. In the event any provision of this MOU is found by a court of appropriate jurisdiction to be unlawful or invalid, the remainder of the MOU shall remain and continue in full force and effect.
14. All notices required or permitted to be given under this MOU shall be given in writing to the addresses above, by certified mail, return receipt requested or by overnight mail via a qualified commercial courier. Notice is effective on the date posted.

15. **Materials and Ownership:** In the event of termination of this MOU under paragraph 9, all drawings, reports and materials prepared by BWC specifically in performance of this MOU for Princeton shall remain the property of BWC, and all permits and materials shall remain the property of Princeton.
16. The terms of this MOU will be held in strict confidence by Princeton and not shared with any third parties including other developers, investors or brokers unless Princeton receives specific authorization from BWC which shall not be unreasonably refused.
17. Notwithstanding anything appearing to the contrary in this MOU, no direct or indirect partner, member or shareholder of either party (or any manager, director, officer, principal, trustee, employee or agent of any such direct or indirect partner, member or shareholder), disclosed or undisclosed, shall be personally liable for any debts, liabilities or obligations of the party, or for any claims against the party, arising out of or resulting from this Agreement. Any such debts, obligations, liabilities or claims shall be satisfied solely out of the assets of the obligated party. In no event shall any personal judgment be sought or obtained against any partner, member, manager, shareholder, director, officer, principal, employee, agent, or owner of either party, direct or indirect, disclosed or undisclosed.
18. **Effective Date:** The effective date of this MOU shall be the date last written below.

IN WITNESS WHEREOF, the Parties have executed this MOU as of the date last written below.

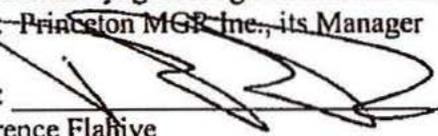
BWC Merrimack River, LLC

By: 
~~Trevor Hardy~~ John DeVillars
Principal

Date 8.18.15

Princeton Tyngsborough Commons LLC

By: ~~Princeton MGR Inc., its Manager~~

By: 
Terence Flahive
Vice President and not individually

Date 8/10/15



Town of Tyngsborough

Police Department
20 Westford Road
Tyngsborough, Massachusetts 01879-0549



Richard D. Howe
Chief of Police

Phone (978) 649-7504
Fax (978) 649-2324

April 22, 2016

Dear Board of Selectmen,

I am recommending the following officers, who are currently specials, be appointed as reserve officers;

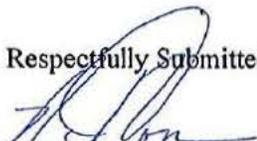
Christopher Gustafson, Matthew Koziol & Sean Caron.

All three of these officers were appointed as specials on August 20th, 2015 and have performed their duties well, they have been recommended by our staff to replace openings on our reserve officer staff. We currently have (2) openings in the current reserve staff and I anticipate at least (1) additional opening in the next fiscal year. Maintaining a strong reserve officer program is crucial to the operation of our department, they supplement patrol operations, reduce order-ins of full time officers, they are candidates for future full-time positions and save approximately \$25,000 annually in overtime expenses. Their resumes' are attached with this letter.

I am also recommending the appointment of James McPadden as a special officer, he retired in good standing from the Lowell Police Department as a Captain in 2015. I have a letter of recommendation from Lowell Police Superintendent William Taylor. This appointment is consistent with my goal of increasing our compliment of special officers for traffic control. Maintaining enough special officers to address the significant increase in details due to the sewer project and other construction in town is crucial as the 10% fee for these details will remain with the town rather than force us to use officers from out of town. By our department policies, special officers are responsible for all costs relative to their employment, including equipment, uniforms and any necessary certifications. McPadden's resume and letter of recommendation is attached with this letter.

I am requesting that these appointments be made as soon as possible.

Respectfully Submitted,


Richard D. Howe
Chief of Police

Christopher Gustafson

35 Emerson Circle Pepperell, Ma. 01463

508-330-0066

Christopher.L.Gustafson@gmail.com

EDUCATION

Northeastern Regional Police Institute - N.E.R.P.I. Academy (September 2014-Present)

Bedford, Ma - Middlesex Community College

Platoon Leader

Westfield State College (2001-2003, 2004-2006)

Westfield, MA

Bachelor's Degree in Criminal Justice, Minor Sociology

Valencia Community College (2003-2004)

Kissimmee, FL

WORK EXPERIENCE

Deputy Sheriff, Suffolk County Sheriff's Department

Boston, MA (May 2007- Present)

- Oral and written communication with inmates and staff.
- Maintain control of inmates and federal immigration detainees in housing units.
- Enforcing department policies and laws of the commonwealth.
- Controlling the flow of contraband (unauthorized material) through searches of inmates and common areas.
- Ensuring that inmate living conditions are up to health code standards.
- Help train new employees.
- Respond to emergency situations.
- Transporting inmates to and from court and medical appointments.

Transportation Security Officer, United States Department of Homeland Security

Boston, Ma (July 2006-April 2007)

- Responsible for security with passengers and checked baggage.
- Verify working order of all equipment and maintain accurate record of all maintenance and testing performed on security equipment.
- Conduct random screening during airport checkpoints.
- Retrieve and record performance management information system (PMIS) data from the walk through metal detector (WTMD) at appropriate intervals.
- Defuse situations regarding irate passengers, request backup when necessary.

SKILLS

- 12-Week training academy at Suffolk County Training Facility in Chelsea, MA.
- Trained in firearms (MPTC Certified) and less lethal force options. Trained in Scott Air Pak, basic fire rescue and riot control techniques. Certified first responder. Trained in Field Sobriety Testing and Radar.
- Internship at Worcester Police Department in Worcester, MA in 2006.

Matthew W. Koziol

138 Sherburne Avenue, Tyngsborough, MA 01879
978-866-8993 Matt.Koziol92@gmail.com

CAREER OBJECTIVE:

To obtain a challenging law enforcement position with a community minded department, allowing for diverse responsibilities and challenges and the opportunity to learn a broad range of new skills.

EDUCATION AND ACHIEVEMENTS:

Northeast Regional Police Institute (N.E.R.P.I.), Bedford, MA, September 2014 – June 2015 (Expected)

- Currently completing Reserve/Intermittent Recruit Officer training.

University of Massachusetts, Lowell, MA, September 2010 – February 2016 (Expected)

- Currently enrolled, working towards a Bachelor's Degree in Criminal Justice.

Tyngsborough High School, Tyngsborough, MA, September 2006 – June 2010

- Completed rigorous coursework, including Honors level classes.
- Student athlete and recipient of varsity letters, the Womba Trophy and a "Top 25" Medal for Cross Country.

Massachusetts State Police Academy, New Braintree, MA

Massachusetts Student Trooper Program Graduate, July 2009

- Acquired local sponsorship and successfully completed an extensive para-military law enforcement career training program, patterned after the Massachusetts State Police Recruit Training Program.
- Appointed Squadron Leader by Platoon Leader and obtained certification in CPR.

WORK EXPERIENCE:

New Boston Police Department, New Boston, NH, May 2015 – Present

Patrolman (Part-Time)

- Know and uphold local, state, and federal laws.
- Patrol assigned areas and respond to dispatcher calls.
- Provide help to citizens in both emergency and non-emergency circumstances.
- Provide first aid and/or request medical assistance when necessary.
- Help citizens with complaints or questions and direct to applicable authority.
- Produce verbal and written reports and keep record of activities in a legible and succinct manner.

Dunbar Armored, Lowell, MA, March 2015 – May 2015

Security Guard

- Operated armored trucks in a safe manner, abiding by all federal, state, local and company regulations.
- Delivered valuables to customers and accurately completed paperwork in accordance with procedures.
- Received cargo and returned cargo to the vault, always ensuring the balancing of receipts.
- Maintained a security awareness at all times.

Lowell General Hospital, Lowell, MA, January 2013 – January 2015

Security Officer

- Responded to all Codes and alarms and coordinated, if necessary, with local Police, Fire and Emergency personnel.
- Performed patient observation and utilized de-escalation techniques, restraining patients as needed.
- Consistently demonstrated appropriate actions during patient crisis interventions to provide for safe outcomes for patients, employees and visitors.
- Responded appropriately to a variety of human service issues, including substance abuse, psychiatric cases and anxious/upset visitors, maintaining composure and a professional demeanor at all times.
- Completed mandatory internal and external patrols of all LGH buildings and grounds.
- Identified and reported all Safety, Security and Facilities issues in a timely manner and maintained accurate and up-to-date daily logs of actions and accident reports.
- Satisfactorily completed annual certification in MOAB, MDTs, CPI NCI and COPKIDO intervention training to ensure personal safety as a first responder.
- Fulfilled a variety of routine duties, including customer service and assistance, employee assistance, key control, controlled access, ID badge production, parking enforcement, vehicle assistance, policy enforcement, lost & found, med flights, morgue releases, alarm response and fire equipment inspections.
- Recipient of the LGH "Spotlight on You" Award for excellence in action (October 2014).

Cleveland Health and Fitness, Dracut, MA, November 2008 – January 2013

Fitness Center Associate/Personal Trainer

- Managed front desk operations and opening/closing of center.
- Promoted and sold new memberships, renewals, and upgrades.
- Responded to and resolved member inquiries and complaints.
- Conducted gym tours, orientations, and personal training sessions.
- Assisted in general housekeeping and maintenance duties.

ADDITIONAL SKILLS & INTERESTS/VOLUNTEERISM:

- Instructor – Personal Safety & Self Defense for Teens Class (August 2014).
- Awarded Basic Firearms Safety Certificate by MA State Police (April 2010).
- Maintain a "License to Carry" in both Massachusetts and New Hampshire.
- Active member of Centerville Sportsman Club in Dracut, MA.
- CPR and AED certified in accordance with the American Heart Association.
- Physically fit, weight training enthusiast with additional interests in snowboarding, jet skiing and automobile maintenance. Computer proficient in Microsoft Office Suite and Internet usage.

Sean M. Caron
15 Audrey Avenue
Tyngsborough, MA 01879
978.649-3366 (H) ~ 978.319.0470 (C)
Seancaron111@yahoo.com

Education

Boylston Regional Police Academy Reserve Intermittent Police Academy (242 Hours)	August 2013 – February 2014
University of Massachusetts Lowell, Lowell, MA B.A. in Criminal Justice (Homeland Security Concentration)	September 2009 – May 2013
Tyngsborough High School, Tyngsborough, MA	August 2005 – June 2009

Experience

2005 – Present Tyngsborough Public Schools, Tyngsborough, MA

Tyngsborough Elementary School

November 2014 - Present

- Work in multiple classrooms throughout the building providing behavioral support to students with a variety of social, emotional, and behavior needs.
- Represent the Tyngsborough Elementary School staff as an active and trusted member of the building-based crisis management team.
- Coach and mentor the Tyngsborough Elementary School Special Olympic Team.

Tyngsborough Elementary School, Tyngsborough, MA

August 2011 – Present

- Provide childcare, educational lessons, and educational support to preschool to fifth grade students in the before and after school program. Communicate with parents and maintain the safety of the students.

Tyngsborough High School, Tyngsborough, MA

August 2014 – November 2014

- Worked in a substantially separate classroom, assisting the teacher as a paraprofessional with the education of students with moderate disabilities.

Tyngsborough Elementary School, Tyngsborough, MA

August 2013 – June 2014

- Worked in a substantially separate classroom, assisting the teacher as a paraprofessional with the care and education of students with moderate to severe disabilities.
- Represented the Tyngsborough Elementary School staff as an active and trusted member of the building-based crisis management team.
- Coached and mentored the Tyngsborough Elementary School Special Olympic Team.

Tyngsborough Elementary School, Tyngsborough, MA

August 2011 – June 2013

- Substituted for classroom teachers or paraprofessionals during an absence from the classroom.

Tyngsborough Middle School, Tyngsborough, MA

June 2005 – August 2012

- Maintained the building and grounds, and assisted the maintenance and custodial staff during the summers.

January 2010 – August 2013 Tsongas Center at UMass Lowell, Lowell, MA

- Worked as a member of the operations department to plan, construct, and operate the physical environment of the arena to meet the varying needs of the diverse events that take place.

DESE Licenses

Preliminary Teaching License - Physical Education

Additional Training

MPTC 20 Hour Reserve Intermittent Firearms Course, Certified, Twenty Hour Training

Advanced A.L.I.C.E Training, Certified, Sixteen Hour Training

Crisis Prevention Intervention (CPI), Certified

Cardiopulmonary Resuscitation (CPR), Certified by the American Heart Association

Basic Life Support (BLS), Certified by the American Heart Association

First Responder Provider, Certified

Work Zone Safety Training, Four Hour Training

References

Donald Ciampa, Superintendent of Schools	Tyngsborough Public Schools	978.649.7488
Kerry Cavanaugh, Principal	Tyngsborough Elementary School	978.649.1990
Scott Middlemiss, Principal	Tyngsborough Elementary School	978.649.1990
George Trearchis, Supr. of Building and Grounds	Tyngsborough Public Schools	978.649.1093
Karyn Puleo, Director of Facilities Management	UMASS Lowell	978.852.9060

William M. Taylor
Superintendent

Deborah Friedl
Deputy Superintendent

Arthur Ryan, Jr.
Deputy Superintendent

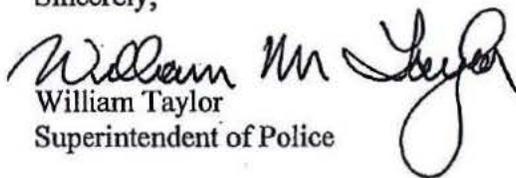
November 3, 2015

To Whom it May Concern;

This letter is to confirm that James McPadden was employed with the Lowell Police Department as a police officer beginning in 1993 and retired as a Captain in good standing in 2015.

Please let me know if I can be of further assistance.

Sincerely,


William Taylor
Superintendent of Police

James V. McPadden

39 Cummings Road, Tyngsborough, MA 01879
Home: 978-649-8078 - Cell: 978-804-6730 : jmcpad35@aol.com

Experience

Police Officer/ Captain

September 1993 to Current

Lowell Police Department - Lowell, MA

Full time Police Officer having attained the rank of Captain.

Specialty positions held:

Detective, Domestic Violence Unit

Detective Sergeant, Criminal Investigations Bureau

Detective Lieutenant, Special Investigations Section

Police Officer/ Sergeant

December 1979 to September 1993

Acton Police Department - Lowell, MA

Full time Police Officer having attained the rank of Sergeant.

Training

Sexual Assault Investigations Training	Babson College Command Training Institute
Crime Scene Search Training	FBI LEEDA Command Institute
Emergency Medical Technician	Municipal Police Institute Executive Development
Advanced Narcotics Investigator Training	Massachusetts Police Leadership Institute

Education

Master of Arts : Criminal Justice Administration, 2000

Western New England College - Springfield, MA, USA

Law Enforcement and Justice Administration coursework

Graduate : Police Academy , 1980

Massachusetts State Police Academy - Framingham, MA, USA

James V. McPadden

39 Cummings Road, Tyngsborough, MA 01879
Home: 978-649-8078 - Cell: 978-804-6730 : jmcpad35@aol.com

Experience

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Law Enforcement and Justice Administration coursework

Graduate : Police Academy , 1980

Massachusetts State Police Academy - Framingham, MA, USA



TOWN OF TYNGSBOROUGH

Office of the Town Administrator

Town Offices | 25 Bryants Lane

Tyngsborough, MA 01879

Tel: (978) 649-2300 Ext. 100 | Fax: (978) 649-2320

03E

TO: Board of Selectmen

FROM: Curt Bellavance, Town Administrator 

DATE: April 29, 2016

RE: Right of First Refusal

My office received a letter from Citizens' Housing and Planning Association, Inc. (CHAPA) in regards to #21 Dickens Lane. CHAPA is the monitoring agent on behalf of the Maple Ridge project.

When an owner is looking to sell their property the monitoring agent manages the sale as outlined in the deed rider. Also outlined in the deed rider is the option for the Town to purchase the property. The Town has 30 days under the "right of first refusal" to purchase the affordable unit, to either manage or re-sell.

This procedure is common with most affordable homeowner projects. At this time, I would recommend that the Town waive their right and allow CHAPA to market and manage the sale of the property. CHAPA hires a broker to sell the property on their behalf.

I would be happy to answer any questions the Board may have about the process or provide any additional information.

Attached: CHAPA notice letter





Citizens' Housing and
Planning Association, Inc.

April 27, 2016

President
Jeanne Pinado

Vice President
Charleen Regan

Treasurer
Joseph Flatley

Clerk
Naomi Sweitzer

Executive Director
Brenda Clement

Mr. Curt T. Bellavance
Town Administrator
Town Hall
25 Bryants Lane
Tyngsborough, MA 01879

Dear Mr. Bellavance:

This letter is sent to the Town of Tyngsborough on behalf of Dorothy LeBourdais, the owner of an affordable property under Chapter 40B, to inform you of the owner's intent to sell her affordable unit. The unit is located at 21 Dickens Lane and is part of Maple Ridge, a Chapter 40B project for which Citizens' Housing and Planning Association (CHAPA) serves as the Monitoring Agent.

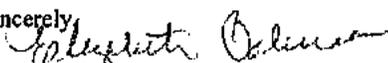
Based on the affordable housing deed rider for 21 Dickens Lane, CHAPA has determined that the Maximum Resale Price for the above-referenced unit is \$185,600.00. This letter is to notify the Town of Tyngsborough of its right of first refusal with respect to this unit. As described in the deed rider, "right of first refusal" means that the Town of Tyngsborough has 30 days to determine if it would like to purchase the unit from the homeowner at the resale price. This 30 day period will commence on April 27, 2016 and end on May 27, 2016.

Please consider this letter notification of the the Town of Tyngsborough's 30-day "right of first refusal" period. As you may expect, the homeowner is anxious to hear back from the Town and move forward in selling his property. *If we do not hear from you within the right of first refusal period, we will assume you do not wish to exercise your right of first refusal.*

If the Town of Tyngsborough chooses not to exercise its right of first refusal, CHAPA will assist the homeowner in locating an Eligible Purchaser. As explained in the deed rider, CHAPA and the homeowner have 120 days to market the unit in order to locate an Eligible Purchaser. If an Eligible Purchaser fails to buy the unit within 120 days, the current owner of the property could sell the unit on the open market for the fair market value. However, any gain above the resale price must be given directly to the Town of Tyngsborough to be used for affordable housing activities. The seller is not permitted to keep the difference between the fair market value of the home and the affordable resale price.

When a new Eligible Purchaser buys an affordable unit, a new deed restriction is signed and recorded and the unit remains on the Town of Tyngsborough's subsidized housing inventory. However, please note that *if the homeowner is unable to sell the property during the affordable marketing period and instead sells on the open market, the unit will no longer be deed-restricted and therefore will no longer be counted on the Town's subsidized housing inventory.* We welcome any efforts the Town can offer in making potential eligible buyers aware of the unit's availability during the affordable marketing period.

Please feel free to contact me at 617-742-0820 with any questions regarding this matter or if the Town of Tyngsborough is interested in purchasing the unit. On behalf of Dorothy LeBourdais, we look forward to hearing back from you soon and working with you during this process.

Sincerely,

Elizabeth Palma-Diaz
Senior Program Manager

cc: Robert E LeBourdais (owner's son)
Joseph Polin, Zoning Board of Appeals

Update: 4/28/2016

Date	Owner	Address	Location	Afford. Rate	Sold?	Remain Affordable
1/29/2015	Tina Hampton	1 Bridgeview Circle	Merrimac Landing			
12/11/2015	George Bartlett	10 Shakespeare Street	Maple Ridge	\$214,000	YES	YES
2/19/2016	Dawn E. Hammel	1 Hemingway Road	Maple Ridge	\$214,000		
3/4/2016	Leo M. Frawley, Jr. (estate)	29 Steinbeck Street	Maple Ridge	\$180,000		
5/2/2016	Dorothy LeBourdais	21 Dickens Lane	Maple Ridge	\$185,600		



TOWN OF TYNGSBOROUGH

Office of the Town Administrator

Town Offices | 25 Bryants Lane

Tyngsborough, MA 01879

Tel: (978) 649-2300 Ext. 100 | Fax: (978) 649-2320

03F

TO: Board of Selectmen
FROM: Curt Bellavance, Town Administrator 
DATE: April 29, 2016
RE: Comments for Land Use Boards

The forms that land use boards submit to the Board of Selectmen seek comments from the Board on particular matters brought to their boards and commissions.

Planning Board:

236 Pawtucket Blvd. & 222 Sherburne Ave. – Install Radio Access Network Antenna

324 Middlesex Road – proposed zoning change (citizens petition)

The proposed zoning change is a citizens petition that will be presented at town meeting. The Board typically waits for comments from the Planning Board before voting a recommendation on zoning amendments.

Zoning Board of Appeals:

384 Middlesex Road (Dream Diner) – Variance & Special Permit

It would be my recommendation that the Board of Selectmen does not offer an opinion on matters that the land use boards take up as they act as an independent board. I will continue to provide information so that the Board remains informed.

Furthermore, I would recommend **vote to take no action on the two applications.**





Town of Tyngsborough

Planning Board

25 Bryants Lane

Tyngsborough, Massachusetts 01879-1003

Office: (978) 649-2300, ext. 115

Fax: (978) 649-2301

APR 29 16 8:10:55

TYNGSBOROUGH BOS

REQUEST FOR DEPARTMENT COMMENT

Applicant: Joseph DiCarlo

Project Address: 324 Middlesex Rd.

Map 19 Parcel/Block 5 Lot 0

Type of Application: Zoning Map Amendment

Project Description: Change the zoning map classification for a portion of property from a B-3 District to an I-1

Department:

The Planning Board has received the above application. The Board requests your department's review of the application and any comments. Please attach a separate sheet for additional comments if necessary.

Hearing Date: 5/5/2016 Please return by: 5/4/2016

If your Department/Board must take action prior to issuance of this permit, please indicate the action below.

Comments: _____

Prepared by: _____ (print) Date: _____

Signature: _____

Cc:	<input type="checkbox"/> Assessors	<input type="checkbox"/> Building Insp.	<input type="checkbox"/> Board of Health
	<input type="checkbox"/> Conservation	<input type="checkbox"/> Fire Dept.	<input type="checkbox"/> Police Dept.
	<input type="checkbox"/> Sewer Dept.	<input type="checkbox"/> Highway Dept.	<input type="checkbox"/> Water Dept.
	<input type="checkbox"/> Tax Collector	<input checked="" type="checkbox"/> Selectmen	<input type="checkbox"/> ZBA <input type="checkbox"/> School Dept.

Attachments/



FORM Z

Town of Tyngsborough

PLANNING BOARD

25 Bryants Lane,

Tyngsborough, Massachusetts 01879-1003

Planning Office: (978) 649-2300, Ext. 115

Fax: (978) 649-2301

RECEIVED

2016 APR -7 AM 11: 33

TYNGSBOROUGH

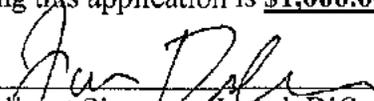
APPLICATION FOR ZONING BY-LAW AMENDMENT REVIEW

NOTICE TO APPLICANT:

The Zoning By-Law Amendment Petition must be filed with the Town Clerk prior to submittal to the Planning Board. One (1) Town Clerk endorsed Zoning By-Law Amendment Petition must be accompanied by Planning Board Form Z (Application for Zoning By-Law Amendment Review). Five (5) exact copies of the completed application must be submitted to the Planning Board. In addition, all supporting documentation must be included with Form Z, including, but not limited to, the proposed Town Meeting Warrant Article.

TO THE PLANNING BOARD, TOWN OF TYNGSBOROUGH:

1. The undersigned, being the petitioner of the Zoning By-Law Amendment to be presented at Annual Town Meeting on May 17, 2016 submits this petition and application for a Zoning By-Law Amendment Review according to the requirements of Section 1.14.00 of the Tyngsborough Zoning By-Laws and Chapter 40A of the Massachusetts General Laws.
2. This application is filed in accordance with the Zoning By-Laws, the Rules and Regulations of the Planning Board regarding Special Permits, and Massachusetts General Laws.
3. The zoning change seeks to amend the zoning map for a portion of the property known as 324 Middlesex Road, Tyngsboro, MA (a/k/a Assessor's Map 19, Lot 5) from Business Three (B3) to Industrial One (I1). The Warrant Article and related Zoning District Extension Plan from LandPlex Civil Engineering dated April 5, 2016 is submitted herewith. This zoning change will facilitate a front to back development of this vacant business parcel in the form of self storage and retail/business. This project is also the subject of a pending Planning Board Special Permit Application relating to the same development. The property has also been identified in the Tyngsboro Economic Development Plan for zoning change to foster development. The Applicant Tyngsboro D.J.D. LLC is the owner of the property by virtue of a Deed recorded in the Middlesex North District Registry of Deeds at Book 29698, Page 69 dated 12.19.15. The attorney for the Applicant is Peter Nicosia, Esquire of Nicosia & Associates, P.C., PO Box 721, Tyngsboro, MA 01879. T: 978-649-4300; F: 978-649-9306; E: nicosia@nicosia-associates.com.
3. Accompanying this application is the application fee of **\$250.00**. The 53G deposit accompanying this application is **\$1,000.00**.


Applicant Signature-Joseph DiCarlo, Mngr.
Tyngsboro D.J.D. LLC

4/7/16
April 7, 2016

303 Broadway Road, Dracut, MA 01826
T: 978-866-7229

NOTE: This application is not deemed to have been submitted until the following endorsement has been completed by the Tyngsborough Planning Board.

Accepted this 7th day of April, 2016 as duly submitted under the Rules and Regulations for Special Permit Applications of the Tyngsborough Planning Board.

By: *Linda C. Belmont* (Planning Board)



FORM Z5

Town of Tyngsborough
PLANNING BOARD

25 Bryants Lane,
Tyngsborough, Massachusetts 01879-1003

Planning Office: (978) 649-2300, Ext. 115

Fax: (978) 649-2301

ZONING BY-LAW AMENDMENT REVIEW
CONSULTANT RELEASE FORM

Date: 4/7/16

Project Name: 324 Middlesex Road

Project Location: 324 Middlesex Road

Applicant: Tyngsboro DJD LLC

I, Attorney Peter N. ... (please print), agree to pay the cost and expense of any expert consultant deemed necessary by the Tyngsborough Planning Board to review the attached application. I understand that I may seek an administrative appeal from the selection of the outside consultant to the Board of Selectmen. The grounds for such appeals shall be limited to claims that the consultant selected has a conflict of interest or does not possess the minimum required qualifications.

I further agree to attach a **BANK CHECK** or **MONEY ORDER** made out to the Town of Tyngsborough Planning Board for \$1000.00 or such amount as determined appropriate by the Planning Board, to this form for the purpose of payment for the consultant review. If when completed, the consultant review costs are less than \$1000.00, I understand that I will be reimbursed for the balance of the \$1000.00. If the consultant review costs exceed \$1000.00, I understand that I will be billed for the balance of the review costs.

Amount: \$ 1,000

Applicant's Signature: [Signature]

Applicant's Company: Witrosia + Associates

Applicant's Address: PO Box 721
Tyngsborough MA 01879

Applicant's Telephone Number: 978 649-4300

Property Owner's Name: _____

ARTICLE

**PETITION TO CHANGE ZONING
FROM BUSINESS (B3) TO INDUSTRIAL (I1)**

To see if the town will vote to ^(Assessor's Map 19 Lot 5) amend the zoning map from Business (B3) to Industrial One (I1) with respect to a certain portion of land situated in Tyngsborough, Middlesex County, Massachusetts, known as 324 Middlesex Road and being shown on a Zoning Extension Plan dated April 5, 2016 prepared by LandPlex Civil Engineering & Surveying containing the following metes and bounds:

Beginning at a point on the southerly side of a twenty-five foot wide Right of Way known as Chisholm Road, at the northwest corner of the premises ;

Thence running N 78°51'57"E along the southerly side of said Right of Way a distance of 164.54' ;

Thence running S 26°36'40"E a distance of 1,046.05' ;

Thence running S 63°23'20"W a distance of 328.66' ;

Thence running N 38°08'52"W a distance of 70.89' ;

Thence running along a curve to the right of radius 600.00' a length of 120.72' ;

Thence running N 26°37'11"W a distance of 227.19' ;

Thence running N 44°01'59"E a distance of 118.46' ;

Thence running N 19°00'27"W a distance of 639.76' to the point of beginning.

The remaining portion of the property shall remain zoned as currently designated.

The property is more particularly described in a deed to Tyngsboro D.J.D., LLC recorded at Book 29698, Page 69 on December 29, 2015 in the North Middlesex District Registry of Deeds.

1. 	<u>Pete Nirasia</u> <u>1 Samatham Circle</u>
2. <u>Janet E Timothy</u>	<u>pet Janet E Timothy</u> <u>177 Frost Rd</u>
3. <u>Stephen F Timothy</u>	<u>Stephen F Timothy</u> <u>177 Frost Rd</u>

4. David E. Robson

DAVID E. ROBSON
28 CONSTANCE DR.

5. Susan M. Robson

Susan M. Robson
28 Constance Dr.

6. Francis Nicosia

Francis Nicosia
31 Constantine Dr.

7. Gloria J. Nicosia

Gloria J. Nicosia
31 Constantine Dr.

8. Nicole Nicosia

Nicole Nicosia
1 Jonathan Cir.

9. Robert Rheaume

Robert Rheaume
70 GROTON RD.

10. Carol Rheaume

CAROL RHEAUME
70 GROTON RD

11. Pamela A. Berman

55 Sequoia Dr.
Pamela A. Berman

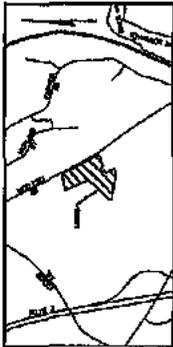
12. Joanne Shifrie

15 Laurel Ln
JOANNE SHIFRIE

13. _____

14. _____

15. _____



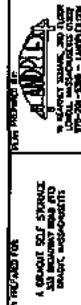
LOCUS
MAP SHEET

PLAN REFERENCES
 1. PLANNING BOARD REPORT OF 1988
 2. PLANNING BOARD REPORT OF 1991
 3. PLANNING BOARD REPORT OF 1993

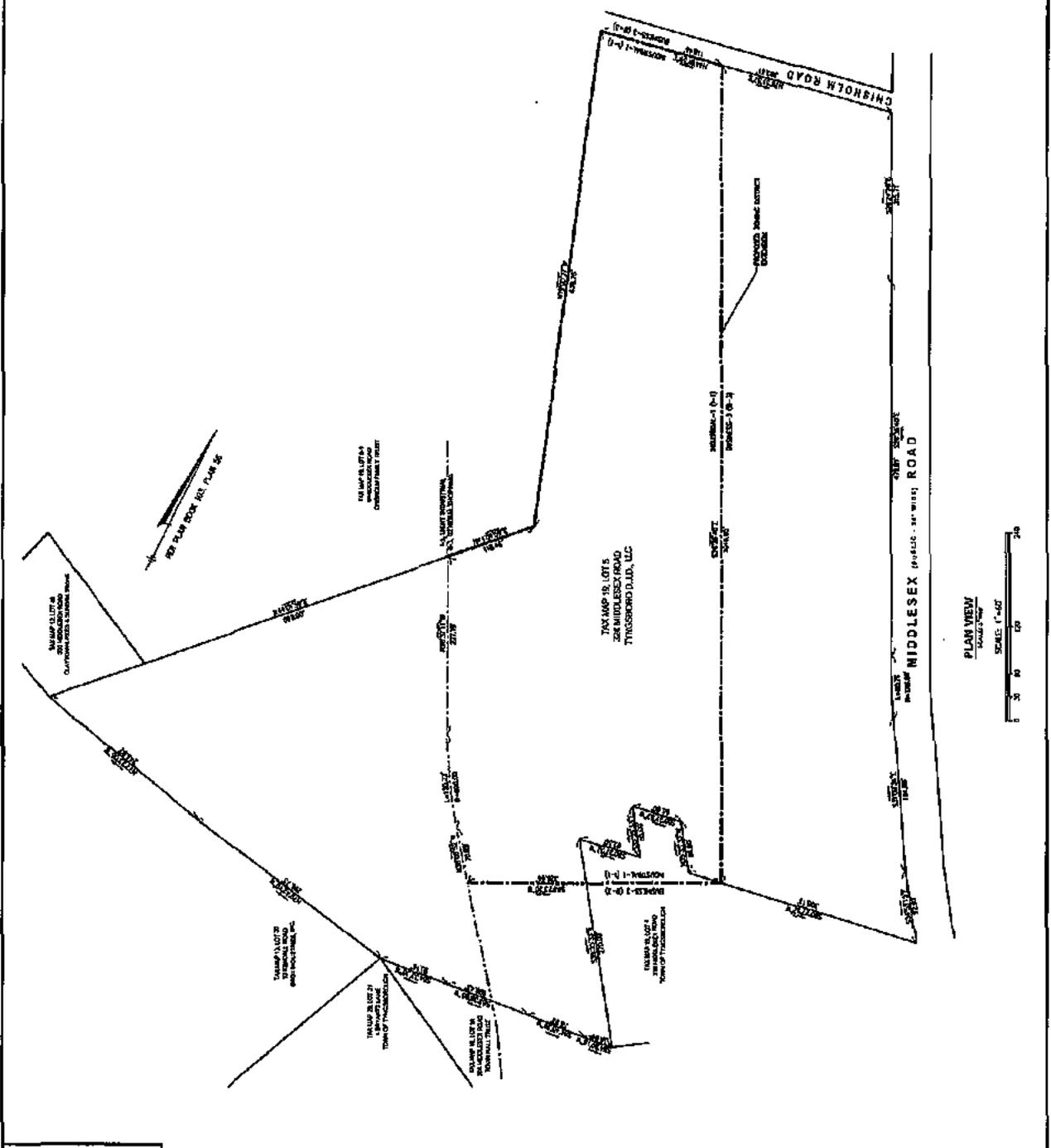
GENERAL NOTES
 1. THIS ZONING DISTRICT EXTENSION PLAN IS
 2. ADOPTED BY THE BOARD OF SELECTMEN ON
 DECEMBER 20, 2011.

ZONING DISTRICT
 EXTENSION PLAN

MIDDLESEX ROAD
 TITUSBOROUGH, MASSACHUSETTS



PLAN NUMBER	SCALE: 1" = 40'	DATE: 08/26/11
PROJECT NAME		
PROJECT LOCATION		
PROJECT OWNER		
PROJECT NUMBER		



FOR REVIEW USE ONLY

THE INFORMATION OF THIS PLAN
 IS FOR REVIEW ONLY AND IS NOT
 TO BE USED FOR ANY OTHER
 PURPOSES. THE BOARD OF
 SELECTMEN HAS REVIEWED THE
 PLAN AND HAS DETERMINED THAT
 IT IS IN ACCORDANCE WITH THE
 ZONING DISTRICT EXTENSION
 PLAN AND THE ZONING BYLAW.

ADOPTED BY THE BOARD OF
 SELECTMEN ON DECEMBER 20, 2011.

PLAN VIEW



TYNGSBOROUGH ECONOMIC DEVELOPMENT PLAN

June 2006



Prepared for:

**The Town of Tyngsborough
Economic Development Committee**

Prepared by:

Northern Middlesex Council of Governments

the need for sewer infrastructure along the corridor, from Old Tyng Road north to the New Hampshire line.

- **Address Traffic Operations and Safety Issues.** A recent traffic and safety study completed by the NMCOG identified the need for traffic improvements at the following locations: Middlesex Road at Kendall Road (Route 113); Middlesex Road at TJ Maxx Plaza; and Middlesex Road at the Route 3/Exit 36 ramp intersection. The town should work with MassHighway to address the Middlesex Road/Kendall Road intersection issues in conjunction with the improvements to the existing Tyngsborough Bridge and the design efforts for the second river crossing. The Nashua Regional Planning Commission (NRPC) has unveiled a plan to add a southbound off-ramp at Exit 36. Clearly, the project would impact traffic operations within the entire interchange area. Furthermore, should the northern alternative at the Pheasant Lane Mall be chosen as the appropriate location for a second Tyngsborough river crossing, there would be a need to reconfigure the roadway infrastructure in the area to accommodate the additional traffic. The town should continue to work closely with MassHighway, NRPC, NHDOT, and NMCOG to ensure that future plans for this area also meet the economic development and transportation needs of the Town.

- **Address parcels with split zoning.** Presently, there are 30 parcels throughout the study area, comprising 270.17 acres, which lie within two different zoning districts. The majority (14 parcels) of these are split B-3/I-1, including two of the largest remaining developable vacant parcels along the corridor: 324 Middlesex Road (15.86 acres) and 406 Middlesex Road (25 acres). In addition, other developed parcels are split zoned as R-1/B-3. Examples include: 383 Middlesex Road (42.53 acres), currently used as a mini-golf and recreation facility; and 347 Middlesex Road (11.09 acres), home of the Tyngsborough Garden Center. Properties, such as these, are likely to be redeveloped at some point in the future as a more intensive business or commercial use. The zoning classification of such parcels should be modified to provide consistency, to be compatible with adjacent properties, and to ensure the highest and best use of the property.

- **Promote and market the northern portion of the corridor as "Restaurant Row".** One of the competitive advantages that the Tyngsborough has over New Hampshire is the state's comparatively favorable meal tax rate. The town should continue to promote the northern section of the road as a highly desirable location for the food service industry. Construction of sewer infrastructure in this area would provide additional benefit in terms of attracting this type of development.
- **Create public access to the Merrimack River.** The Town should work toward acquiring land along the River in order to provide public access for active and passive recreation utilizing CPA monies or other possible funding sources, including state Self-Help monies. This action helps to improve quality of life and create balance between growth and development and environmental interests of the community.

Middlesex North Registry of Deeds

Electronically Recorded Document

This is the first page of this document - Do not remove

Recording Information

Document Number	: 59633
Document Type	: DEED
Recorded Date	: December 29, 2015
Recorded Time	: 01:02:23 PM
Recorded Book and Page	: 29698 / 69
Number of Pages(including cover sheet)	: 3
Receipt Number	: 721667
Recording Fee (including excise)	: \$4,229.00

MASSACHUSETTS EXCISE TAX
Middlesex North ROD #14 001
Date: 12/29/2015 01:02 PM
Ctrl# 064911 01437 Doc# 00059633
Fee: \$4,104.00 cons: \$900,000.00

Middlesex North Registry of Deeds
Richard P. Howe Jr., Register
360 Gorham Street
Lowell, Massachusetts 01852
978/322-9000
www.lowelldeeds.com

MASSACHUSETTS QUITCLAIM DEED

I, **Michelle Eno Lambros**, an unmarried woman, of 865 Hildreth Street, Dracut, Middlesex County, Massachusetts 01826,

for consideration paid, and in full consideration of NINE HUNDRED THOUSAND AND 00/100 Dollars (U.S. \$900,000.00)

grants to **Tyngsboro D.J.D., LLC**, a Massachusetts limited liability Company, with a mailing address of 324 Middlesex Road, Tyngsboro, Middlesex County, Massachusetts 01879

with *quitclaim covenants*

The land in Tyngsborough, Middlesex County, Massachusetts, with the buildings thereon, situated on Middlesex Road (Route 3) as shown on a plan entitled, "Plan of Land in Tyngsboro, Mass.", dated April 23, 1965 recorded with Middlesex North District Deeds, Plan Book 103, Plan 56, and bounded and described as follows:

NORTHEASTERLY by Middlesex Road by 5 lines, 215.71 feet, 479.81 feet, 80.71 feet, 194.86 feet and 92.92 feet;
SOUTHERLY by land now or formerly of John Keyes, 308.13 feet;
WESTERLY by land now or formerly of Achille Pelletier, as shown on said plan 66 feet;
SOUTHERLY by land now or formerly of Achille Pelletier, 66 feet;
EASTERLY by land now or formerly of Achille Pelletier, 66 feet;
SOUTHERLY by land of owners unknown, 82.50 feet;
NORTHEASTERLY by land of owners unknown, 270 feet;
SOUTHERLY by a stone wall and land now or formerly of Aaron Bryant, as shown on said plan, by 4 lines, 38.84 feet, 78.92 feet, 109.43 feet and 93.16 feet;
SOUTHWESTERLY by lands now or formerly of F.J. McCordick and James Danforth by 2 lines, as shown on said plan, 296.73 feet and 243.82 feet;
NORTHWESTERLY by land now or formerly of Chester J. Allgrove, 662 feet;
SOUTHWESTERLY by land now or formerly of said Chester J. Allgrove, 639.76 feet;
NORTHERLY by land now or formerly of Howard J. & Eleanor Britt, 393.61 feet;

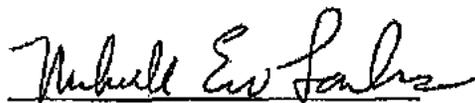
PROPERTY ADDRESS: 324 Middlesex Road, Tyngsboro, MA 01879

Containing 15.86 acres, more or less.

Being the same premises conveyed to the grantor by Deed of Nicholas Lambros dated December 27, 1993 and recorded with the Middlesex North District Registry of Deeds in Book 6881, Page 166.

This is not homestead property of the Grantor. However, the Grantor hereby waive any and all homestead rights in this property that may exist.

Witness my hand and seal this 24 day of December, 2015.


Michelle Eno Lambros

State of Florida
~~COMMONWEALTH OF MASSACHUSETTS~~
County of ~~Middlesex, SS~~ Manatee

On this 24th day of December, 2015, before me, the undersigned notary public, personally appeared Michelle Eno Lambros, proved to me through satisfactory evidence of identification, which was a driver's license, to be the persons whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.


Notary Public
My Commission Expires: 2-25-18





Corporations Division

Business Entity Summary

ID Number: 001202147

[Request certificate](#)

[New search](#)

Summary for: TYNGSBORO D.J.D., LLC

The exact name of the Domestic Limited Liability Company (LLC): TYNGSBORO D.J.D., LLC

Entity type: Domestic Limited Liability Company (LLC)

Identification Number: 001202147

Date of Organization in Massachusetts:
12-22-2015

Last date certain:

The location or address where the records are maintained (A PO box is not a valid location or address):

Address: 234 MIDDLESEX ROAD

City or town, State, Zip code, TYNGSBOROUGH, MA 01879 USA

Country:

The name and address of the Resident Agent:

Name: JOSEPH J. DI CARLO JR.

Address: 303 BROADWAY ROAD

City or town, State, Zip code, DRACUT, MA 01826 USA

Country:

The name and business address of each Manager:

Title	Individual name	Address
MANAGER	JOSEPH J. DI CARLO JR.	303 BROADWAY ROAD DRACUT, MA 01826 USA

In addition to the manager(s), the name and business address of the person(s) authorized to execute documents to be filed with the Corporations Division:

Title	Individual name	Address

The name and business address of the person(s) authorized to execute, acknowledge, deliver, and record any recordable instrument purporting to affect an interest in real property:

Title	Individual name	Address

REAL PROPERTY	JOSEPH J. DI CARLO JR.	303 BROADWAY ROAD DRACUT, MA 01826 USA	
<input type="checkbox"/> Consent	<input type="checkbox"/> Confidential Data	<input type="checkbox"/> Merger Allowed	<input type="checkbox"/> Manufacturing
View filings for this business entity:			
<div style="border: 1px solid black; padding: 5px;"><div style="background-color: #cccccc; height: 15px; margin-bottom: 5px;"></div>Annual Report Annual Report - Professional Articles of Ently Conversion Certificate of Amendment Certificate of Cancellation</div>			
View filings			
Comments or notes associated with this business entity:			

[New search](#)

COVER SHEET

ABUTTERS LIST AS PER CH 40A; SEC 11

TOWN BOARD: PLANNING/CONSERVATION

LOCATION: 324 MIDDLESEX ROAD (19-5-0) 

BY: TYNGSBORO DJD LLC

PREPARED BY: JENNIFER WILSON

DATE: 2/5/16

Abuffers List

ParcelID	Location	Owner	Co-Owner	Mailing Address	City	State	Zip
2480	330 MIDDLESEX RD	REED CLAYTON H	STONE SUNDRA	P. O. BOX 295	TYNGSBOROUGH MA		01879
2490	342 MIDDLESEX RD	JOUBERT CHRISTINE M		P O BOX 712	TYNGSBOROUGH MA		01879
249A0	338 MIDDLESEX RD	FRANKS REALTY TRUST	W J + E J FRANKS TRUSTEE	P O BOX 18	TYNGSBOROUGH MA		01879
3300	93 KENDALL RD	BROX INDUSTRIES INC		1471 METHUEN ST	DRACUT MA		01826
910	298 MIDDLESEX RD	BROMAGHIM MICHAEL		38 MUSQUASH RD	HUDSON NH		03051
91A0	304 MIDDLESEX RD	TOWN HALL TRUST	LANGTHORNE ERNEST TRU	115 WINDKIST FARM RD	NORTH ANDOVERMA		01845-6353
91B0	306 MIDDLESEX RD	TOWN HALL TRUST	LANGTHORNE ERNEST TRU	115 WINDKIST FARM RD	NO ANDOVER MA		01845
920	310 MIDDLESEX RD	TOWN OF TYNGSBOROUGH	TAX TITLE	25 BRYANTS LN	TYNGSBOROUGH MA		01879
930	312 MIDDLESEX RD	TOWN OF TYNGSBOROUGH	TAX TITLE	25 BRYANTS LN	TYNGSBOROUGH MA		01879
940	316 MIDDLESEX RD	TOWN OF TYNGSBOROUGH	TAX TITLE (UNKNOWN)	25 BRYANTS LN	TYNGSBOROUGH MA		01879
950	324 MIDDLESEX RD	TYNGSBORO DJD LLC		324 MIDDLESEX ROAD	TYNGSBOROUGH MA		01879
960	346 MIDDLESEX RD	SOUSA LEONARDO M		4 CHARD RD	TYNGSBOROUGH MA		01879
961	MIDDLESEX RD	SOUSA LEONARDO M		4 CHARD RD	TYNGSBOROUGH MA		01879
970	352 MIDDLESEX RD	MEADOWBROOK REALTY TRUST	CALLAHAN W J JR & J J TRU	P O BOX 269	BEDFORD MA		01730
980	363 MIDDLESEX RD	QWEST INC		7 BALDWIN ROAD	WESTFORD MA		01886
990	347 MIDDLESEX RD	347 MIDDLESEX RD REALTY TRUS	RAMOS EDMILSON TRUSTE	3 MIDDLESEX RD	TYNGSBOROUGH MA		01879
991	315 MIDDLESEX RD	APPLEWOOD PLAZA LIM LIA CO	C/O WATERSTONE PROPEF	322 RESERVOIR ST SUITE 2	NEEDHAM MA		02494
1210	4 BRYANTS LN	TOWN OF TYNGSBOROUGH.		25 BRYANTS LN	TYNGSBOROUGH MA		01879
1400	292 MIDDLESEX RD	TOWN HALL TRUST	LANGTHORNE ERNEST TRU	115 WINDKIST FARM RD	NORTH ANDOVERMA		01845-6353

End of Report



Town of Tyngsborough

Planning Board

25 Bryants Lane

Tyngsborough, Massachusetts 01879-1003

Office: (978) 649-2300, ext. 115

Fax: (978) 649-2301

REQUEST FOR DEPARTMENT COMMENT

APR 29'16 8:11:24
TYNGSBOROUGH BOS

Applicant: Cellco Partnership, dba Verizon Wireless

Project Address: 236 Pawtucket Blvd. & 222 Sherburne Ave.

Map -- Parcel/Block -- Lot -

Type of Application: Special Permit

Project Description: Installation of a Centralized Radio Access Network antenna with a fiber-optic infrastructure station on existing utility poles.

Department:

The Planning Board has received the above application. The Board requests your department's review of the application and any comments. Please attach a separate sheet for additional comments if necessary.

Hearing Date: 5/5/2016 Please return by: 5/4/2016

If your Department/Board must take action prior to issuance of this permit, please indicate the action below.

Comments: _____

Prepared by: _____ (print) Date: _____

Signature: _____

- | | | | |
|-----|--|---|--|
| Cc: | <input type="checkbox"/> Assessors | <input type="checkbox"/> Building Insp. | <input type="checkbox"/> Board of Health |
| | <input type="checkbox"/> Conservation | <input type="checkbox"/> Fire Dept. | <input type="checkbox"/> Police Dept. |
| | <input type="checkbox"/> Sewer Dept. | <input type="checkbox"/> Highway Dept. | <input type="checkbox"/> Water Dept. |
| | <input type="checkbox"/> Tax Collector | <input checked="" type="checkbox"/> Selectmen | <input type="checkbox"/> ZBA |
| | | | <input type="checkbox"/> School Dept. |

Attachments/



FORM 1

RECEIVED

2016 APR 19 PM 12:52

Town of Tyngsborough
PLANNING BOARD

25 Bryants Lane,

Tyngsborough, Massachusetts 01879-1003

Planning Office: (978) 649-2300, Ext. 115

Fax: (978) 649-2301

TOWN CLERK
TYNGSBOROUGH, MA

APPLICATION FOR SPECIAL PERMIT

NOTICE TO APPLICANT:

File one completed form with the Planning Board and an exact copy with the Town Clerk. Ten (10) copies of the plan for which a Special Permit is applied for shall be included with ten (10) copies of this application. Please ensure that all information required pursuant to the Town of Tyngsborough Zoning By-Laws has been included with this application. Lack of such required information filed with the application shall be considered an incomplete/invalid application.

TO THE PLANNING BOARD, TOWN OF TYNGSBOROUGH:

1. The undersigned, being the owner of land included on the attached plan entitled Lowell MA SC50; Lowell MA SC51 and dated 9/9/2015; 8/27/2015, submits this plan and application for a Special Permit according to the requirements of Section 4.16.00 of the Tyngsborough Zoning By-Laws.
2. The owner's title to the land is derived under deed from _____ dated _____, And recorded in Middlesex North Registry of Deeds, Quitclaim, Book _____, Page _____ OR under Certificate of Title No. _____ registered in Middlesex Land Registry District Book _____, Page _____. Please see enclosed License.
3. This application is filed in accordance with the Zoning By-Laws and the Rules and Regulations of the Planning Board regarding Special Permits.
4. This application is accompanied by the Certified List of Parties in Interest (Form 2), the Designer's Certificate (Form 3), and the application fee.
Cellco Partnership d/b/a Verizon Wireless c/o McLane Middleton, P.A.
Applicant
900 Elm Street, Manchester, NH 03101 603-628-1362
Address, Phone

NOTE: This application is not deemed to have been submitted until the following endorsement has been completed by the Tyngsborough Planning Board and the Town Clerk.

Accepted this 19th day of April, 2016 as duly submitted under the Rules and Regulations for Special Permit Applications of the Tyngsborough Planning Board.

By: [Signature] (Town Clerk)

By: [Signature] (Planning Board)



FORM 2

Town of Tyngsborough
PLANNING BOARD

25 Bryants Lane,

Tyngsborough, Massachusetts 01879-1003

Planning Office: (978) 649-2300, Ext. 115

Fax: (978) 649-2301

CERTIFIED LIST OF PARTIES IN INTEREST

TO THE PLANNING BOARD OF THE TOWN OF TYNGSBOROUGH:

The undersigned, being an applicant for approval of a special permit for the land shown on Assessor's Map No. 34 as Lot No. 6 submits the attached list of parties in interest, including abutters to the subject property, owners of land within 300 feet of a boundary or part thereof, of the subject property, and owners of land directly opposite on any public or private street from the subject property. All parties of interest are listed as they appear in the most recent applicable tax list of Tyngsborough and abutting town, if any party of interest is located in another town.

Celico Partnership d/b/a Verizon Wireless c/o McLane Middleton, P.A.

Applicant

900 Elm Street, Manchester, NH 03101

Address, Phone

Accepted by the Tyngsborough Planning Board April 19, 2016

TO THE PLANNING BOARD OF THE TOWN OF TYNGSBOROUGH:

This is to certify that at the time of the last taxation made by the Town of Tyngsborough, the names and addresses of the parties in interest to the subject property were as listed on the attached page(s).

See Attached

Board of Assessors

Town of Tyngsborough

COVER SHEET

ABUTTERS LIST AS PER CH 40A; SEC 11

TOWN BOARD: PLANNING

LOCATION: 250 PAWTUCKET BLVD (34-6-0)

BY: JOSH LANZETTA

PREPARED BY: JENNIFER WILSON



DATE: 4/8/16

**Town of Tyngsborough
Abutters List**

ParcelID	Location	Owner	Co-Owner	Mailing Address	City	State	Zip
28 115 0	185 PAWTUCKET BV	VESPER COUNTRY CLUB		185 PAWTUCKET BLVD	TYNGSBOROUGH MA		01879
34 1 0	234 PAWTUCKET BV	OSBOURNE CAROLINE M &	OSBOURNE HOWARD I	234 PAWTUCKET BLVD	TYNGSBOROUGH MA		01879
34 10 0	262 PAWTUCKET BV	WALCOTT GREGORY R &	WALCOTT PHYLLIS D	262 PAWTUCKET BV	TYNGSBOROUGH MA		01879
34 11 0	266 PAWTUCKET BV	GOULET ROLAND R + BEATRICE A		266 PAWTUCKET BLVD	TYNGSBOROUGH MA		01879
34 12 0	270 PAWTUCKET BV	BELAND STEPHEN E & JENNIFER		270 PAWTUCKET BOULEVAF	TYNGSBOROUGH MA		01879
34 16 0	273 PAWTUCKET BV	SOUCY JEAN R	SOUCY ALICE	273 PAWTUCKET BV	TYNGSBOROUGH MA		01879
34 17 0	267 PAWTUCKET BV	HARVEY WILLIAM F		267 PAWTUCKET BV	TYNGSBOROUGH MA		01879
34 18 0	265 PAWTUCKET BV	MACIEL ROBERT F &	BEVERLY	P O BOX 304	TYNGSBOROUGH MA		01879-0304
34 19 0	263 PAWTUCKET BV	MACIEL ROBERT F JR &	AMY JANE	263 PAWTUCKET BV	TYNGSBOROUGH MA		01879
34 2 0	PAWTUCKET BV	GREATER LOWELL REGIONAL	VO-TECH H S	250 PAWTUCKET BV	TYNGSBOROUGH MA		01879
34 20 0	259 261 PAWTUCKET BV	KASTANAS STANLEY T	KAFASIS NAOMI	261 PAWTUCKET BLVD	TYNGSBOROUGH MA		01879
34 21 0	255 257 PAWTUCKET BV	KASTANAS STANLEY T	KAFASIS NAOMI	261 PAWTUCKET BLVD	TYNGSBOROUGH MA		01879
34 22 0	253 PAWTUCKET BV	DOYLE THOMAS C	JACQUELINE R	253 PAWTUCKET BV	TYNGSBOROUGH MA		01879
34 23 0	251 PAWTUCKET BV	FAZ NOMINEE TRUST	ZARBA FRANKLIN A TRUSTE	251 PAWTUCKET BV	TYNGSBOROUGH MA		01879
34 24 0	247 PAWTUCKET BV	FYFE WILLIAM JR &	MARLENE	247 PAWTUCKET BV	TYNGSBOROUGH MA		01879
34 25 0	241 PAWTUCKET BV	SHARON M GREENHALGH REVOC	GREENHALGH SHARON M T	3 JOSIAH DR	LITCHFIELD NH		03052
34 26 0	239 PAWTUCKET BV	THERESA M WEBSTER TRUST	T M & F L WEBSTER TRUSTI	239 PAWTUCKET BLVD	TYNGSBOROUGH MA		01879
34 27 0	237 PAWTUCKET BV	WEBSTER FREDERICK L JR &	WEBSTER STACY M	237 PAWTUCKET BV	TYNGSBOROUGH MA		01879
34 28 0	235 PAWTUCKET BV	MCCANN PATRICIA E		235 PAWTUCKET BV	TYNGSBOROUGH MA		01879
34 29 0	200 SHERBURNE AV	LOISELLE DORIS M		P O BOX 225	TYNGSBOROUGH MA		01879-0225
34 3 0	240 PAWTUCKET BV	OSHEA CAROL R &	OSHEA RICHARD H	240 PAWTUCKET BV	TYNGSBOROUGH MA		01879
34 30 0	208 SHERBURNE AV	LEDUC RUDOLPH N	JEANNE A	208 SHERBURNE AV	TYNGSBOROUGH MA		01879
34 31 0	214 SHERBURNE AV	LESCARD DONALD A	ANNE M	214 SHERBURNE AV	TYNGSBOROUGH MA		01879
34 32 0	218 SHERBURNE AV	PAPADOPOULOS ALEXANDROS S		P O BOX 1903	LOWELL MA		01853
34 33 0	222 SHERBURNE AV	ANDERSON TIMOTHY &	CHRISTINA B	222 SHERBURNE AV	TYNGSBOROUGH MA		01879
34 34 0	225 SHERBURNE AV	TATSEOS GEORGE A		225 SHERBURNE AVE	TYNGSBOROUGH MA		01879
34 4 0	244 PAWTUCKET BV	NGUYEN XUAN		244 PAWTUCKET BV	TYNGSBOROUGH MA		01879
34 41 0	245 SHERBURNE AV	MARQUIS LEO H JR	LOUISE	245 SHERBURNE AV	TYNGSBOROUGH MA		01879
34 42 0	241 SHERBURNE AV	TONER DAVID M &	KATHLEEN	241 SHERBURNE AV	TYNGSBOROUGH MA		01879
34 43 0	237 SHERBURNE AV	SOW ARNAUD G &	ARMELLE	237 SHERBURNE AV	TYNGSBOROUGH MA		01879
34 44 0	SHERBURNE AV	GREATER LOWELL REGIONAL	VOC-TECH H S	250 PAWTUCKET BV	TYNGSBOROUGH MA		01879
34 5 0	248 PAWTUCKET BV	DUBE MARK A		248 PAWTUCKET BLVD	TYNGSBOROUGH MA		01879
34 6 0	250 PAWTUCKET BV	GREATER LOWELL REGIONAL	VO-TECH H S	250 PAWTUCKET BV	TYNGSBOROUGH MA		01879
34 7 0	252 PAWTUCKET BV	BENJAMIN G CHAPMAN TRUST	BETTY J CHAPMAN TRUST	252 PAWTUCKET BLVD	TYNGSBOROUGH MA		01879
34 8 0	254 256 PAWTUCKET BV	MATTUCK KENNETH A	LAURETTE H	254 PAWTUCKET BV	TYNGSBOROUGH MA		01879
34 9 0	260 PAWTUCKET BV	TURCOTTE LYNDA		260 PAWTUCKET BV	TYNGSBOROUGH MA		01879

*** Abutter's in Lowell Mass. Please Contact the Lowell Assessor's Office

End of Report



FORM 2

Town of Tyngsborough
PLANNING BOARD

25 Bryants Lane,
Tyngsborough, Massachusetts 01879-1003

Planning Office: (978) 649-2300, Ext. 115

Fax: (978) 649-2301

CERTIFIED LIST OF PARTIES IN INTEREST

TO THE PLANNING BOARD OF THE TOWN OF TYNGSBOROUGH:

The undersigned, being an applicant for approval of a special permit for the land shown on Assessor's Map No. 34 as Lot No. 44 submits the attached list of parties in interest, including abutters to the subject property, owners of land within 300 feet of a boundary or part thereof, of the subject property, and owners of land directly opposite on any public or private street from the subject property. All parties of interest are listed as they appear in the most recent applicable tax list of Tyngsborough and abutting town, if any party of interest is located in another town.

Cellco Partnership d/b/a Verizon Wireless c/o McLane Middleton, P.A.

Applicant
900 Elm Street, Manchester, NH 03101

Address, Phone

Accepted by the Tyngsborough Planning Board April 19, 2016

TO THE PLANNING BOARD OF THE TOWN OF TYNGSBOROUGH:

This is to certify that at the time of the last taxation made by the Town of Tyngsborough, the names and addresses of the parties in interest to the subject property were as listed on the attached page(s).

See Attached
Board of Assessors
Town of Tyngsborough

COVER SHEET

ABUTTERS LIST AS PER CH 40A; SEC 11

TOWN BOARD: PLANNING

LOCATION: SHERBURNE AVE (34-44-0)

BY: JOSH LANZETTA

PREPARED BY: JENNIFER WILSON 

DATE: 4/8/16

TOWN OF TYNGSBOROUGH

Abutters List

ParcelID	Location	Owner	Co-Owner	Mailing Address	City	State	Zip
34 32 0	218 SHERBURNE AV	PAPADOPOULOS ALEXANDROS S		P O BOX 1903	LOWELL	MA	01853
34 33 0	222 SHERBURNE AV	ANDERSON TIMOTHY &	CHRISTINA B	222 SHERBURNE AV	TYNGSBOROUGH MA		01879
34 34 0	226 SHERBURNE AV	TATSEOS GEORGE A		226 SHERBURNE AVE	TYNGSBOROUGH MA		01879
34 35 0	236 SHERBURNE AV	TASSI PAUL S	CHERIE K	236 SHERBURNE AV	TYNGSBOROUGH MA		01879
34 36 0	238 SHERBURNE AV	JOYCE HERBERT R + ANN A		238 SHERBURNE AVE	TYNGSBOROUGH MA		01879
34 38 0	SHERBURNE AV	TATSEOS GEORGE A		228 SHERBURNE AVE	TYNGSBOROUGH MA		01879
34 42 0	241 SHERBURNE AV	TONER DAVID M &	KATHLEEN	241 SHERBURNE AV	TYNGSBOROUGH MA		01879
34 43 0	237 SHERBURNE AV	SOW ARNAUD G &	ARMELLE	237 SHERBURNE AV	TYNGSBOROUGH MA		01879
34 44 0	SHERBURNE AV	GREATER LOWELL REGIONAL	VOC-TECH H S	250 PAWTUCKET BV	TYNGSBOROUGH MA		01879
34 6 0	250 PAWTUCKET BV	GREATER LOWELL REGIONAL	VO-TECH H S	250 PAWTUCKET BV	TYNGSBOROUGH MA		01879

End of Report



FORM 3

Town of Tyngsborough
PLANNING BOARD

25 Bryants Lane,

Tyngsborough, Massachusetts 01879-1003

Planning Office: (978) 649-2300, Ext. 115

Fax: (978) 649-2301

DESIGNER'S CERTIFICATE

Tyngsborough, Massachusetts

April 19, 2016

*Please see enclosed plans.

TO THE TYNGSBOROUGH PLANNING BOARD:

I hereby certify that the accompanying plan, entitled Lowell MA SC50; Lowell MA SC51
and dated 9/9/2015; 8/27/2015, 20 , is true
and correct to the accuracy required by the Rules and Regulations of the Board regarding Special
Permits and the Town of Tyngsborough Zoning By-Laws.

Registered Professional Engineer
MASS. REGISTRATION NO. _____

Registered Land Surveyor
MASS. REGISTRATION NO. _____

Address

Note: This Certificate is not deemed to have been submitted until the following endorsement
has been completed by the Tyngsborough Planning Board or an authorized agent thereof:

Received and accepted this 19th day of April, 2016 as duly submitted under the
Rules and Regulations of the Tyngsborough Planning Board regarding Special Permits.

TYNGSBOROUGH PLANNING BOARD

By Pamela C. Burner



FORM 5

Town of Tyngsborough
PLANNING BOARD

25 Bryants Lane,
Tyngsborough, Massachusetts 01879-1003

Planning Office: (978) 649-2300, Ext. 115

Fax: (978) 649-2301

CONSULTANT RELEASE FORM

Date: April 6, 2016

Project Name: Lowell MA SC50; Lowell MA SC51

Project Location: 236 Pawtucket Blvd.; 222 Sherburne Ave.

Applicant: Cellco Partnership d/b/a Verizon Wireless c/o McLane Middleton, P.A.

I, Joshua P. Lanzetta as Attorney for Verizon Wireless (please print), agree to pay the cost and expense of any expert consultant deemed necessary by the Tyngsborough Planning Board to review the attached application. I understand that I may seek an administrative appeal from the selection of the outside consultant to the Board of Selectmen. The grounds for such appeals shall be limited to claims that the consultant selected has a conflict of interest or does not possess the minimum required qualifications.

I further agree to attach a **BANK CHECK** or **MONEY ORDER** made out to the Town of Tyngsborough Planning Board for \$2000.00 or such amount as determined appropriate by the Planning Board, to this form for the purpose of payment for the consultant review. If when completed, the consultant review costs are less than \$2000.00, I understand that I will be reimbursed for the balance of the \$2000.00. If the consultant review costs exceed \$2000.00, I understand that I will be billed for the balance of the review costs.

Amount: \$2,000.00

Applicant's Signature: _____

Applicant's Company: McLane Middleton, P.A.

Applicant's Address: 900 Elm Street, Manchester, NH 03101

Applicant's Telephone Number: 603-628-1362

Property Owner's Name: National Grid/ Verizon N.E.

October 20, 2015

Attention :State and Municipal Permitting Authorities

**RE: Evidence of Pole Attachment Agreement and Consent to File for
Permits Granted to Verizon Wireless**

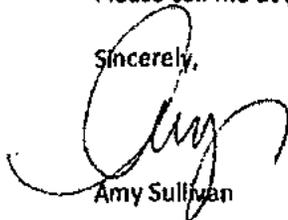
To Whom It May Concern:

The undersigned jointly owns and controls certain utility poles in public rights-of-way and on private property throughout the geographic areas where it operates.

Please be advised that the undersigned has entered into a Pole Attachment Agreement ("Agreement") authorizing Verizon Wireless ("Applicant") to install, attach, maintain, repair, upgrade and use wireless communications equipment and appurtenances on certain utility poles pursuant to the terms and conditions of the Agreement. Permission is hereby granted to Applicant, or its agents, to make application for any Land Use, Access, Building, Electrical or Regulatory Permit(s) required to effectuate the initial installation, on-going maintenance and upgrades or replacements of said equipment.

Please call me at (781) 907-3252 if you have any questions.

Sincerely,



Amy Sullivan

ULS License

700 MHz Upper Band (Block C) License - WQJQ689 - Cellco Partnership

Call Sign	WQJQ689	Radio Service	WU - 700 MHz Upper Band (Block C)
Status	Active	Auth Type	Regular
Market			
Market	REA001 - Northeast	Channel Block	C
Submarket	0	Associated Frequencies (MHz)	000746.00000000-000757.00000000-000776.00000000-000787.00000000

Dates

Grant	11/26/2008	Expiration	02/17/2019
Effective	11/26/2008	Cancellation	

Buildout Deadlines

1st	02/17/2013	2nd	02/17/2019
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Notification Dates

1st		2nd	
-----	--	-----	--

Licensee

FRN	0003290673	Type	General Partnership
-----	------------	------	---------------------

Licensee

Cellco Partnership 1120 Sanctuary Pkwy #150 - GASASREG Alpharetta, GA 30004 ATTN Regulatory	P:(770)797-1070 F:(770)797-1036 E:network.regulatory@verizonwireless.com
--	--

Contact

Verizon Wireless 1300 I Street, NW - Suite 400 West Washington, DC 20005 ATTN John T. Scott, III	P:(202)589-3760 F:(202)589-3750 E:john.scott@verizonwireless.com
---	--

Ownership and Qualifications

Radio Service Type Mobile

Regulatory Status	Common Carrier	Interconnected	Yes
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Alien Ownership

Is the applicant a foreign government or the representative of any foreign government?	No
Is the applicant an alien or the representative of an alien?	No

Is the applicant a corporation organized under the laws of any foreign government? No

Is the applicant a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country? No

Is the applicant directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country? Yes

If the answer to the above question is 'Yes', has the applicant received a ruling(s) under Section 310(b)(4) of the Communications Act with respect to the same radio service involved in this application?

Basic Qualifications

The Applicant answered "No" to each of the Basic Qualification questions.

Tribal Land Bidding Credits

This license did not have tribal land bidding credits.

Demographics

Race

Ethnicity

Gender

APPLICATION AND POLE ATTACHMENT LICENSE - FORM 1

Licensee	VERIZON WIRELESS
Agreement No.	AMA140012
Pole Attachment License	AMA1400120821
Customer License Number	LOWELL_MA_SC50-390837
State of	MA
Municipality	TYNGSBORO

Type of Attachment	Number of Attachments	Billing Description
Anchor	0	
Antenna	1	MA CAE-ANTENNA-JO
Cable/ADSS	0	
Cable/Strand	0	
Decorative	1	MA CAE-POWER METER-JO
Drop	0	
ERUV	0	
Misc	1	MA - JOINT OWNED URBAN TELECOM
Overlash	0	
Power supply	1	MA - PS URBAN TELECOM
Riser	0	

Total Attachments	4
Total Attachments Billable	4
Total Attachments - No Bill	0

Licensor's Name (Print)	DEBORAH TOBIN
Signature	Approved by DEBORAH TOBIN on 02/03/2016
Date	02/03/2016
Title	SUPERVISOR
Phone	617-743-4511

APPLICATION AND POLE ATTACHMENT LICENSE - FORM 1

Licensee	VERIZON WIRELESS
Agreement No.	AMA140012
Pole Attachment License	AMA1400120822
Customer License Number	LOWELL MA SC51-390838
State of	MA
Municipality	TYNGSBORO

Type of Attachment	Number of Attachments	Billing Description
Anchor	0	
Antenna	1	MA CAE-ANTENNA-JO
Cable/ADSS	0	
Cable/Strand	0	
Decorative	1	MA CAE-POWER METER-JO
Drop	0	
ERUV	0	
Misc	1	MA - JOINT OWNED URBAN TELECOM
Overlash	0	
Power supply	1	MA - PS URBAN TELECOM
Riser	0	

Total Attachments	4
Total Attachments Billable	4
Total Attachments - No Bill	0

Licensor's Name (Print)	DEBORAH TOBIN
Signature	Approved by DEBORAH TOBIN on 02/11/2016
Date	02/11/2016
Title	SUPERVISOR
Phone	617-743-4511

MCLANE MIDDLETON

JOSHUA P. LANZETTA
Direct Dial: 603.628.1362
Email: joshua.lanzetta@mclane.com
Admitted in NH and CO
900 Elm Street, P.O. Box 326
Manchester, NH 03105-0326
T 603.625.6464
F 603.625.5650

April 15, 2016

Tyngsborough Planning Board
Town of Tyngsborough
25 Bryant Lane
Tyngsborough, MA 01879

**Re: Special Use Permit Application to Install a Centralized Radio Access Network
("CRAN") by Celco Partnership d/b/a Verizon Wireless ("Verizon")**

Ladies and Gentlemen:

The purpose of this letter is to deliver the enclosed materials in support of Verizon's Special Permit Application to install a CRAN in the Town of Tyngsborough. This network will substantially increase wireless capacity and fill existing coverage gaps while minimally impacting the town's infrastructure.

CRAN systems encompass state-of-the-art wireless technology by coupling utility pole mounted antennas with fiberoptic infrastructure and remote processing stations. At its core, this technology increases wireless capacity by deploying unobtrusive antennas in areas of high demand, such as Tyngsborough's Vesper Country Club and the Greater Lowell Technical High School.

Accordingly, Verizon respectfully requests that the Planning Board add this application to its Agenda on May 5, 2016.

I. ENCLOSED MATERIALS

Pursuant to the Town of Tyngsborough's Zoning Bylaws and Special Permit Application, Verizon respectfully submits one (1) \$500.00 check, one (1) \$2,000.00 cashier's check, and ten (10) application packets including the following documents:

1. Special Permit Application;
2. National Grid Letter of Authorization;
3. Federal Communications Commission ("FCC") License;
4. Verizon Pole Attachment License;

Mclane Middleton, Professional Association
Manchester, Concord, Portsmouth, NH | Woburn, MA

Mclane.com

5. Certified Abutter's List;
6. One (1) set of 11" x 17" plans for each pole locus.

II. APPLICANT INFORMATION

Verizon is one of the world's largest companies focused on communications technology. As one of the nation's leading wireless communication suppliers, Verizon provides voice and data services to over 135 million customers in virtually all U.S. wireless markets where it strives to develop the largest and most reliable wireless network in the United States.

Currently, wireless communications infrastructure is rapidly expanding in response to increasing consumer use of wireless data services. With 2/3rds of Americans using smartphones, Verizon's response to this exponential increase is to construct and maintain state-of-the-art communications infrastructure to fill coverage gaps and increase network capacity. Here, Verizon seeks to invest in wireless infrastructure to improve Tyngsborough's wireless network by deploying voice, data, Long Term Evolution ("LTE" or "4G"), and Advanced Wireless Service ("AWS") communication services in the township.

III. TECHNOLOGY AND PROJECT NARRATIVE

CRAN technology provides a pinpointed and camouflaged approach to the continued deployment of Verizon's LTE and AWS networks in Tyngsborough and the greater Commonwealth.

CRAN systems mount innocuous transformer-style antennas to existing utility poles. This stealth, and site specific installation, allows Verizon to dramatically increase network capacity by accessing fiberoptic infrastructure connected to offsite and centrally located processing stations. CRAN's combination of targeted antennas and centralized processing provides enormous benefits to municipalities such as Tyngsborough, where the demand for network capacity is rapidly increasing near the Vesper Country Club and Greater Lowell Technical High School.

As such, this application proposes the installation of two (2) CRAN units to increase network capacity near the Vesper Country Club and Greater Lowell Technical High School. Each unit consists of a 15.1" x 24.2" cylindrical antenna, designed to resemble a common electric transformer. Verizon proposes mounting these units on the following utility poles:

1. Elco. pole 81-1, 236 Pawtucket Boulevard, Tyngsborough, MA 01951;
2. Elco. pole 96-1, 222 Sherburne Avenue, Tyngsborough, MA 01951.

All equipment contemplated herein complies with applicable FCC radio frequency emissions standards and regulations, requires minimal maintenance, and does not impact Tyngsborough's utilities, schools, traffic or other municipal resources.

Additionally, this proposal is part of Verizon's regional initiative to improve voice and data coverage in Massachusetts and greater New England. To this end, Verizon secured agreements with National Grid and Eversource expediting the licensing and attachment of CRAN antennas on existing utility poles throughout the Commonwealth, including in the Merrimack Valley and the Town of Tyngsborough.

IV. COMPLIANCE WITH THE TOWN OF TYNGSBOROUGH ZONING BYLAWS

This proposal substantially complies with the Tyngsborough's Zoning Bylaws ("TZB"). *Town of Tyngsborough Zoning Bylaws (2014)*. Tyngsborough provides guidelines for wireless facilities in Section 4.16.00 Special Permit – Telecommunications Tower (TC-1). *TZB § 4.16.00* Verizon lists (*italicized*) and addresses relevant TZB sections below:

- A. Purpose: The purpose of these regulations include: minimizing adverse impacts of wireless communications facilities, satellite dishes and antennas; minimizing the overall number and height of such facilities to only what is essential, and promoting shared use of existing facilities to reduce the need for new facilities.*

This CRAN installation minimizes any adverse impact associated with wireless communication facilities by utilizing state-of-the-art canister antennas designed to resemble common electric transformers. As described herein, these antennas are placed in targeted areas to fill coverage gaps and increase wireless capacity. Because they mount and blend with existing utility poles, these antennas minimize the overall number of macro facilities and limit height to that of the host utility pole.

B. General Requirements:

- 1. No wireless communications facility, which shall include monopoles, satellite dish(es) over three (3) feet in diameter or antenna, shall be erected or installed except in compliance with the provisions of this Section. In all cases, a Special Use Permit (SUP) is required from the Planning Board (the "Board"). Any proposed extension in the height, addition of cells, antenna or panels, or construction of a new or replacement of a facility shall be subject to a new application for a Special Use Permit.*

This network proposes the installation of two (2) canister antennas, in compliance with the provisions of this section. Verizon's Special Use Permit application is enclosed.

- 2. Only free-standing monopoles, with associated antenna and/or panels are allowed as specified in Paragraph D below. Lattice style towers and similar facilities requiring three or more legs and/or guy wires for support are not allowed unless the Board determines that based on specific findings of fact*

that a monopole is not suitable for the location and that the best interest of the Town will be served by the construction of a lattice style tower. Any lattice style tower previously constructed on premises of the Tyngsborough Water District or the Town of Tyngsborough prior to the enactment of this by-law will be allowed.

Not applicable.

- 3. Wireless communications facilities shall be located in telecommunication zoning districts and shall be suitably screened from abutters and residential neighborhoods.*

Not applicable.

- 4. Structures shall be removed within one (1) year of cessation of use. Certification demonstrating continuing compliance with the standards of the Federal Communications Commission, Federal Aviation Administration and the American National Standards Institute and required maintenance shall be filed with the Building Commissioner by the Special Use Permit holder if requested by the Building Commissioner.*

In the event of cessation of use, Verizon will remove the antennas.

- 5. The Board shall require the applicant to post a bond acceptable to the Town in an amount sufficient to pay the cost for the removal of the facility.*

Not applicable.

C. Application Process: All applications for wireless communications facilities, antenna or satellite dishes shall be made and filed on the applicable application form in compliance with the Planning Board Application Instructions. For an application to be considered complete, ten (10) copies of the following information must be submitted:

- 1. A locus plan at a scale of 1" = 1000' which shall show all property lines, the exact location of the proposed structure(s), streets, landscape features, residential dwellings and neighborhoods and all buildings within five hundred (500) feet of the facility.*

Please see enclosed plans.

- 2. A color photograph or rendition of the proposed monopole or tower with its antenna and/or panels. A rendition shall also be prepared illustrating a view*

of the monopole, tower, dish and antenna from the nearest street or streets with a visual impact analysis statement.

Not applicable.

3. *The following information prepared by one or more professional engineers:*

a. A description of the monopole and the technical, economic and other reasons for the proposed location, height and design;

Not applicable.

b. Confirmation that the monopole complies with all applicable Federal and State standards;

Not applicable.

c. A description of the capacity of the monopole including the number and type of panels, antenna, and/or transmitter receivers that it can accommodate and the basis for these calculations.

Not applicable.

4. *If applicable, a written statement that the proposed facility complies with, or is exempt from applicable regulations administered by the Federal Aviation Administration (FAA), Federal Communications Commission (FCC), Massachusetts Aeronautics Commission and the Massachusetts Department of Public Health.*

The proposed equipment complies with all FCC standards and regulations.

5. *The applicable review and advertising fees as noted in the application guidelines.*

Please see enclosed check.

D. Design Guidelines: The following guidelines shall be used when preparing plans for the siting and construction of all wireless communications facilities.

1. *All monopoles shall be designed to be constructed at the minimum height necessary to accommodate the anticipated and future use. The setback of a monopole from the property line of the lot on which it is located shall be at least one fourth to the height of the monopole.*

a. No monopole, or attached accessory antenna on a monopole, shall exceed 200 feet in height as measured from ground level at the base of the pole. No monopole shall be constructed which requires guy wires. Monopoles shall not be located on buildings unless the Board makes a determination with specific findings of fact that such location on a building is in the best interest of the Town.

Not applicable.

2. *All wireless communications facilities shall be sited in such a manner that the view of the facility from adjacent abutters, residential neighborhoods and other areas of Town shall be as limited as possible. All monopoles and dishes shall be painted or otherwise colored so they will blend in with the landscape or the structure on which they are located. A different coloring scheme shall be used to blend the structure with the landscape below and above the tree or building line.*

Verizon proposes installation of stealth antennas, designed to mimic common electric transformers found throughout the United States. These canister antennas are virtually indistinguishable from said transformers and blend with the landscape in Tyngsborough.

3. *Satellite dishes and/or antenna shall be situated on or attached to a structure in such a manner that they are screened, preferably not being visible from abutting streets. Free standing dishes or antenna shall be located on the landscape in such a manner so as to minimize visibility from abutting streets and residences and to limit the need to remove existing vegetation. All equipment shall be colored, molded and or installed to blend into the structure and/or the landscape.*

Not applicable.

4. *Wireless communications facilities shall be designated to accommodate the maximum number of users technologically practical. The intent of this requirement is to reduce the number of facilities, which will be required to be located within the community. Require co-use.*

Not applicable.

5. *An applicant proposing a wireless communications facilities Telecommunications District shall prove to the satisfaction of the board that the visual, economic and aesthetic impacts of the facility on abutters will be minimal. And, that the facility must be located at the proposed site due to technical, topographical or other unique circumstances. Further, the*

monopole shall be located at a minimum of 500 feet from the nearest residential structure unless waived by the owner(s) of said residential structure.

Not applicable.

6. *Fencing shall be provided to control access to wireless communications facilities and shall be compatible with the scenic character of the Town and shall not be razor wire.*

Not applicable.

7. *There shall be no signs, except for announcement signs, no trespassing signs and a required sign giving a phone number where the owner can be reached on a twenty-four (24) hour basis. All signs shall conform with the Town Zoning Sign By-Law.*

Not applicable.

8. *Night lighting of towers shall be prohibited unless required by the Federal Aviation Administration. Lighting shall be limited to that needed for emergencies and/or as required by the FAA.*

Not applicable.

9. *There shall be a minimum of one (1) parking space for each facility, to be used in connection with the maintenance of the site, and not to be used for the permanent storage of vehicles or other equipment.*

Not applicable.

V. FEDERAL LAW PREEMPTS CERTAIN LOCAL ZONING REGULATIONS THAT PROHIBIT PROVISION OF WIRELESS SERVICES

Under the Federal Telecommunications Act of 1996 (hereinafter the "TCA"), Verizon respectfully requests that Tyngsborough allow installation of the proposed CRAN. Pub. L. No. 104-104, 110 Stat. 56 (1996).

In 1996, Congress enacted the TCA to facilitate the rapid deployment of telecommunications infrastructure in the United States. 47 U.S.C. § 332; *City of Arlington, Texas v. Federal Communications Commission*, 133 S.Ct. 1863, 1866-67 (2013). The TCA preserves state and municipal zoning authority to regulate personal wireless service facilities, subject to five substantive and procedural limitations designed to prevent state and municipal government from delaying the application process and/or discriminating against specific wireless service

providers. 47 U.S.C. § 332(C)(i)–(v); *T-Mobile South, LLC v. City of Roswell, Ga.*, 135 S.Ct. 808, 814 (2015); *City of Arlington*, 133 S.Ct. at 1866-67; *Rancho Palos Verdes v. Abrams*, 544 U.S. 113, 115 (2005); *Omnipoint Holdings, Inc. v. City of Cranston*, 586 F.3d 38, 45 (1st Cir. 2009).

Specifically, the TCA reflects Congress's intent to expand wireless services and increase competition among providers by preempting state and municipal regulations inconsistent with infrastructure development. *Rancho Palos Verdes*, 544 U.S. at 115; *Omnipoint Holdings*, 586 F.3d at 47; *Sprint Spectrum L.P. v. Town of Swansea*, 574 F.Supp. 2d 227, 235 (D. Mass. 2008). Although the TCA does not preempt all local zoning laws, it expressly preempts rules and laws attempting to regulate the “placement, construction, and modification of personal wireless service facilities that effectively prohibit the provision of personal wireless services.” *City of Roswell, Ga.*, 135 S.Ct. at 814 (citing *Rancho Palos Verdes*, 544 U.S. at 115; 47 U.S.C. § 332(c)(7)(B)(i)(II)); *Green Mountain Realty Corp. v. Leonard*, 750 F.3d 30, 38 (1st Cir. 2014); *Town of Swansea*, 574 F.Supp. at 235; *Nextel Communications of the Mid-Atlantic, Inc. v. Town of Provincetown*, 2003 WL 21497159, *8 (D. Mass. 2003).

Where a wireless communications provider seeks relief under a local zoning ordinance, the relevant inquiry is whether the local ordinance prevents a wireless provider from closing significant gaps in the availability of its wireless services. *Omnipoint Holdings*, 586 F.3d at 50. The resulting two-part inquiry requires that wireless service providers 1) demonstrate a significant coverage gap, and 2) that there are no alternatives to the carrier’s proposed solution such that a denial of relief would constitute an effective prohibition of wireless services. *Green Mountain Realty*, 688 F.3d at 58; *Omnipoint Holdings, Inc.*, 86 F.3d at 48; *Nextel Communications v. Town of Wayland*, 231 F.Supp.2d 396, 406 – 407 (D. Mass. 2001).

“Accordingly, the TCA significantly limits the ability of state and local authority to apply zoning regulations to wireless telecommunications.” *Telecorp Realty, LLC v. Town of Edgartown*, 81 F.Supp.2d 257, 259 (D. Mass. 2000); *Town of Swansea*, 574 F.Supp. at 235; 47 U.S.C. § 332(c)(7)(B)(i)(II).

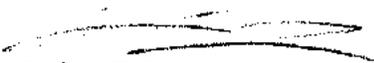
Here, a significant capacity gap exists near the Vesper Country Club and the Lowell Technical High School. Verizon proposes the least intrusive means to fill this gap and increase wireless capacity. Subsequently, denial of this Special Permit limits the Company’s ability to provide wireless services in Tyngsborough and expressly violates the TCA.

VI. CONCLUSION

Verizon's Centralized Radio Access Network increases Tyngsborough's wireless capacity by deploying unobtrusive wireless technology in the municipality.

For the foregoing reasons, Verizon respectfully requests that the Planning Board review this application during its meeting on May 5, 2016. Please do not hesitate to contact me with questions about the enclosed materials.

Sincerely,



Joshua P. Lanzetta

JPL

Enclosures



AFFIDAVIT OF RADIO FREQUENCY ENGINEER

The undersigned, in support of the application to install a wireless communications facility consisting of one antenna and associated radio equipment on the existing utility poles located at 236 Pawtucket Boulevard (Pole #81-1) and 222 Sherburne Avenue (Pole #2-96, 96-1) in Tyngsborough, Massachusetts, states the following:

1. My name is Keith Vellante. I have a Bachelor of Science degree in Electrical Engineering from the University of New Hampshire and I am employed as a Radio Frequency (RF) Engineer for C Squared Systems, LLC. C Squared Systems has entered into a contract with Verizon Wireless to provide RF consulting services on behalf of Verizon Wireless. I have reviewed the proposed sites with the Radio Frequency Engineer responsible for the Verizon Wireless network design in the area of Massachusetts that includes the Town of Tyngsborough, MA.
2. Verizon Wireless is a federally licensed provider of wireless communications services with a national footprint.
3. The above mentioned locations are within areas where Verizon Wireless has identified a need to install a wireless telecommunications facility on each of the above referenced utility poles in order to provide reliable wireless service. The search area for each proposed facility was determined by the fact that wireless service needs significant improvement throughout the Greater Lowell Technical High School campus, and the immediately surrounding roads such Pawtucket Boulevard and Sherburne Avenue in Tyngsborough, MA. Furthermore, it was determined that the areas served by each facility would interact well with those of existing and planned facilities in the surrounding area.

The following table details the proposed sites' specifications:

Site Name:	Site Address:	Utility Pole Number:	Latitude:	Longitude:	Elevation (AMSL):	Antenna Centerline Height (AGL):
Lowell MA SC 50	236 Pawtucket Blvd.	81-1	42.6515	-71.3885	104'	30.0'
Lowell MA SC 51	222 Sherburne Ave.	2-96, 96-1	42.6562	-71.3838	114'	30.2'

4. A conventional Verizon Wireless LTE macro-site consists (in part) of RRH's (Remote Radio Heads) located near the antennas on a tower, rooftop, or other support structure, which are connected via fiber optic cables to a BBU (Baseband Unit) located on site in an equipment shelter or other weatherproof enclosure. The BBU performs network signal processing between the RRH's at the site, and Verizon's LTE core network.
5. C-RAN (Cloud Radio Access Network) nodes and Small Cells also utilize RRH's at each site, however a centralized BBU capable of supporting RRH's at multiple sites is implemented to gain certain efficiencies, both from a network and environmental standpoint. The proposed locations are two of the multiple C-RAN nodes and Small Cells planned to address capacity and coverage deficiencies in Tyngsborough and the surrounding area.

6. C-RAN and Small Cell deployments are intended to complement, not replace, the conventional LTE macro-network sites, and are typically used as a capacity solution targeting isolated areas of heavy network usage, a.k.a "hot spots." In doing so, the C-RAN and Small Cells serve to offload the demand on the existing sites serving these "hot spots." This not only improves service to the specifically targeted area, but also improves overall system performance elsewhere in the network.
7. The purpose of the proposed facilities are to provide adequate service capacity and coverage improvement to areas of Tyngsborough throughout the Greater Lowell Technical High School campus, and the immediately surrounding roads such as Pawtucket Boulevard and Sherburne Avenue. Verizon Wireless does not currently provide acceptable LTE service on its network in these areas.
8. To find a site that provides acceptable capacity and coverage improvement, the Verizon Wireless RF Design Group utilizes computer modeling to define a search area. The search area is designed such that a site located within the area and at a given height would have a high probability of completing the capacity and coverage objectives in the target areas. The RF Design Group develops the network by working off existing sites from which to build out the network design.
9. Verizon Wireless' search of the area and subsequent analysis determined that installing the proposed facilities on the existing utility poles located at 236 Pawtucket Boulevard (Pole #81-1) and 222 Sherburne Avenue (Pole #2-96, 96-1) would be the most appropriate solution to meet its network capacity and coverage objectives.
10. I have reviewed the proposed installations to be placed on the subject utility poles as well as the other existing and proposed antenna site locations used in Verizon Wireless' system in and around the surrounding areas. I have analyzed the potential benefits these sites would represent to Verizon Wireless' network and its users. I employ computer simulations, which incorporate the results of field tests of existing facilities, to determine existing radio frequency (RF) coverage for Verizon Wireless' system. These simulations model characteristics such as antenna types, antenna height, output power, terrain, ground elevations and RF propagation effects of the frequency utilized.
11. The following table details site specific information of the surrounding Verizon Wireless telecommunications facilities used to generate the RF plots attached as exhibits to Verizon Wireless' application.

Cell Name:	Latitude:	Longitude:	Street Address:	City, State:	Structure Type:	Antenna Centerline Height (AGL):	Status:
N Chelmsford	42.6315	-71.4106	7 Doris Drive	Chelmsford, MA	Lattice	148'	On-Air
N Chelmsford 3	42.6356	-71.3861	Washington Street	Chelmsford, MA	Water Tank	125'	On-Air
Dracut 3	42.6826	-71.3504	91 Mill Street	Dracut, MA	Rooftop/ Flag Pole	102.3'	On-Air
Dunstable 2	42.6741	-71.4823	518 Main Street	Dunstable, MA	Steeple	47.5'	Approved
Hudson W	42.7293	-71.4297	24 Flagstone Drive	Hudson, NH	Monopole	70'	On-Air
Chelmsford 2	42.6276	-71.3577	1221 Westford St.	Lowell, MA	Monopole	82'	On-Air
Lowell West	42.6416	-71.3533	525 Pawtucket Blvd.	Lowell, MA	Rooftop	88/99'	On-Air
Nashua 3	42.7091	-71.4869	124 Ridge Road	Nashua, NH	Monopole	165'	On-Air
Nashua S	42.7004	-71.4433	311 Daniel Webster Hwy	Nashua, NH	Monopole	128'	On-Air
Lowell 9	42.6606	-71.3885	Off Sherburne Avenue	Tyngsborough, MA	Monopole	147'	On-Air
Tyngsboro	42.6510	-71.4300	Tower Road	Tyngsborough, MA	Lattice	178'	On-Air
Tyngsboro 3	42.6795	-71.4031	56 Coburn Road	Tyngsborough, MA	Unipole	110'	On-Air
Tyngsboro North	42.6717	-71.4445	86 Progress Ave	Tyngsborough, MA	Lattice	130'	On-Air
Westford 3	42.6169	-71.4606	St Augustine Drive	Westford, MA	Stealth Monopole	118'	On-Air

12. The signal propagation plots provided as attachments were produced using deciBel Planner™, a Windows-based RF propagation computer modeling program and network planning tool. The software takes into account the geographical features of an area, land cover, antenna models, antenna heights, RF transmitting power and receiver thresholds to predict coverage and other related RF parameters used in site design and network expansion.
13. The RF map titled “Lowell MA SC50, SC51 – Existing 700 MHz LTE Sector Footprints” attached as an exhibit to Verizon Wireless’ application depict the areas primarily served by the sectors (a.k.a. signal “footprints”) of the “On-Air” and “Approved” Verizon Wireless sites in the area, and shows a unique color (red) for one particular sector of interest – “Lowell 9” beta. “On-Air” sites are existing Verizon Wireless facilities, and “Approved” sites are defined as those that are in the final stages of permitting or construction and are expected to be turned on-air in the near future. For clarity, all other sectors of less interest with respect to the proposed sites are shown in grey. As demand for wireless voice and data services continues to grow, Verizon Wireless manages the footprint of each sector so that it can support the demand within the area it is primarily serving. In addition to improving coverage to the immediate area, the proposed sites are also needed to serve existing and anticipated demand in the vicinity and thereby offload some of the burden experienced by the surrounding sites. In that way, those sites will be able to more adequately serve the demand for service in the areas nearer to those surrounding sites. Please note that the outer parts of each sector footprint include areas that presently have signal strength below the targeted value required for reliable service to Verizon Wireless’ customers. The fact that low-level signal is capable of reaching these areas does not mean that these areas experience adequate coverage. These unreliable areas of low signal level impose a significant capacity burden on the sites primarily serving the area.
14. The RF map titled “Lowell MA SC50, SC51 – Existing 700 MHz LTE Sector Footprints with Aerial” attached as an exhibit to Verizon Wireless’ application is a “zoomed-in” aerial view¹ of the aforementioned plot. As shown with this map, the proposed facilities are centrally located within the targeted area of deficient service, making them suitable to provide capacity relief to the overloaded “Lowell 9” beta sector currently serving this area. In addition to providing a dominant server and improved capacity and coverage to this “hot spot” of network usage, the proposed facilities will offload some of the burden experienced by the surrounding sites, and improve overall system performance within their respective service areas.
15. I have concluded that the proposed facilities located at 236 Pawtucket Boulevard (Pole #81-1) and 222 Sherburne Avenue (Pole #2-96, 96-1) will satisfy the present capacity and coverage needs that motivated Verizon Wireless to establish search rings in this vicinity. Any reduction in the proposed antenna configuration and/or equipment would also limit optimal performance of the sites, which would substantially limit the sites’ effectiveness.
16. Verizon Wireless certifies that the proposed facilities will not cause interference to any lawfully operating emergency communication system, television, telephone or radio, in the surrounding area. The FCC has licensed Verizon Wireless to transmit and receive in the Upper C Block of the 700 MHz band, B Block of the Cellular (850 MHz) band, the F, C3, and C4 Blocks of the PCS (1900 MHz) band, and the A and B Blocks of the AWS (2100 MHz) band of the RF spectrum. As a condition of the FCC licenses, Verizon Wireless is prohibited from interfering with other licensed devices that are being operated in a lawful manner. Furthermore, no emergency communication system, television, telephone, or radio is licensed to operate on these frequencies, and therefore interference is highly unlikely.

¹ Source: “Tyngsborough, MA” 42° 39’ 13.7” N and 71° 23’ 09.7” W. Google Earth, June 6, 2015. April 13, 2016.

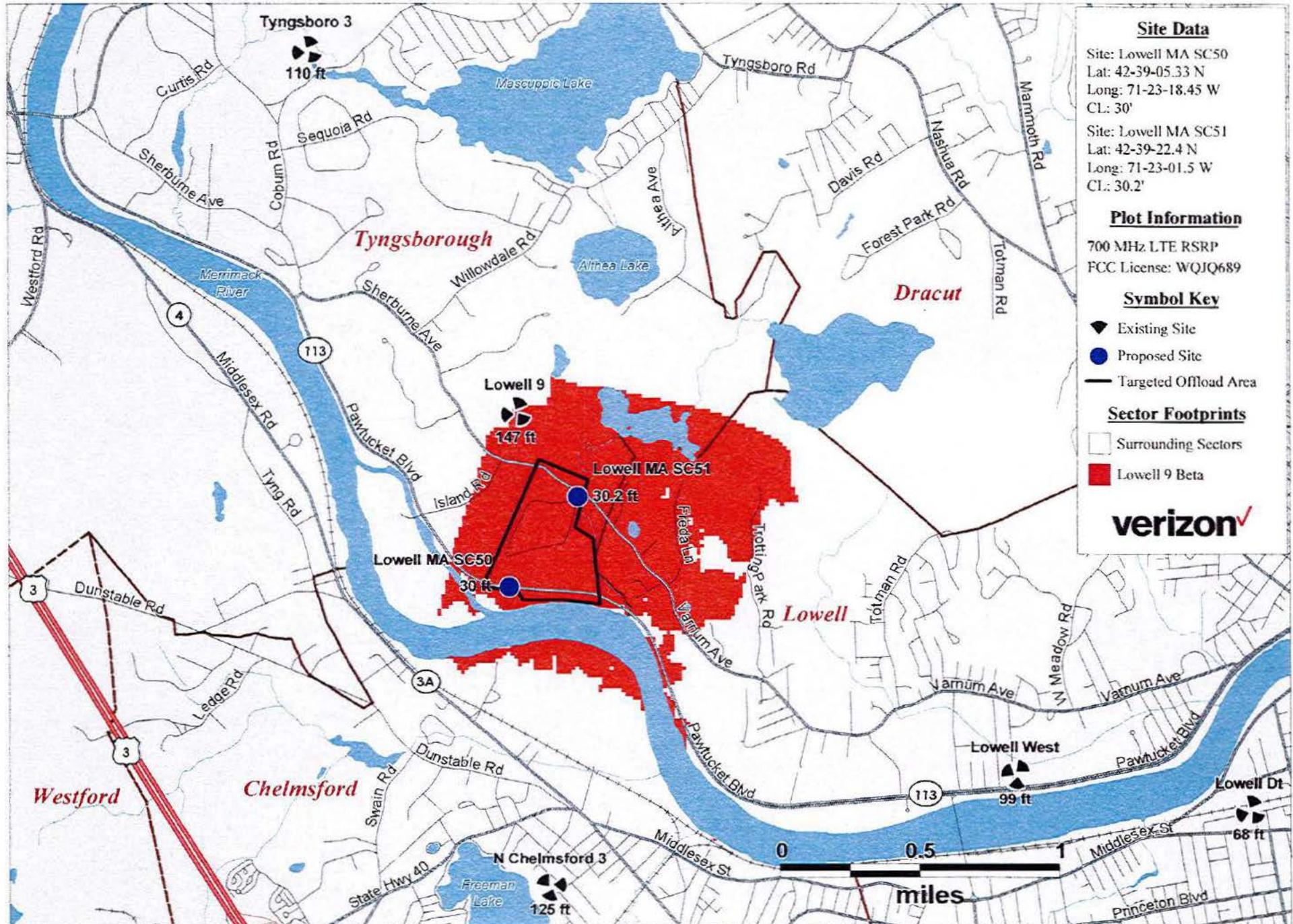
17. Pursuant to its Federal Communications Commission (FCC) licenses, Verizon Wireless is required to ensure that all radio equipment operating at the proposed communications facilities and the resulting radio frequency exposure levels are compliant with FCC requirements as well as federal and state health and safety standards.
18. Providing wireless communication services is a benefit to the residents of the Town of Tyngsborough, as well as to mobile customers traveling throughout the area. The proposed facilities are well suited to meet Verizon Wireless' network requirements for the intended areas. The absence of a wireless telecommunications facility at or near these immediate locations will result in the continued existence of inadequate network capacity and coverage gaps in this area. Without the proposed facilities, Verizon Wireless will be unable to provide reliable wireless communication services in this area of the Town of Tyngsborough; therefore, Verizon Wireless respectfully requests that the Town of Tyngsborough act favorably upon the proposed facilities.

Signed and sworn under the pains and penalties of perjury April 19th, 2016.

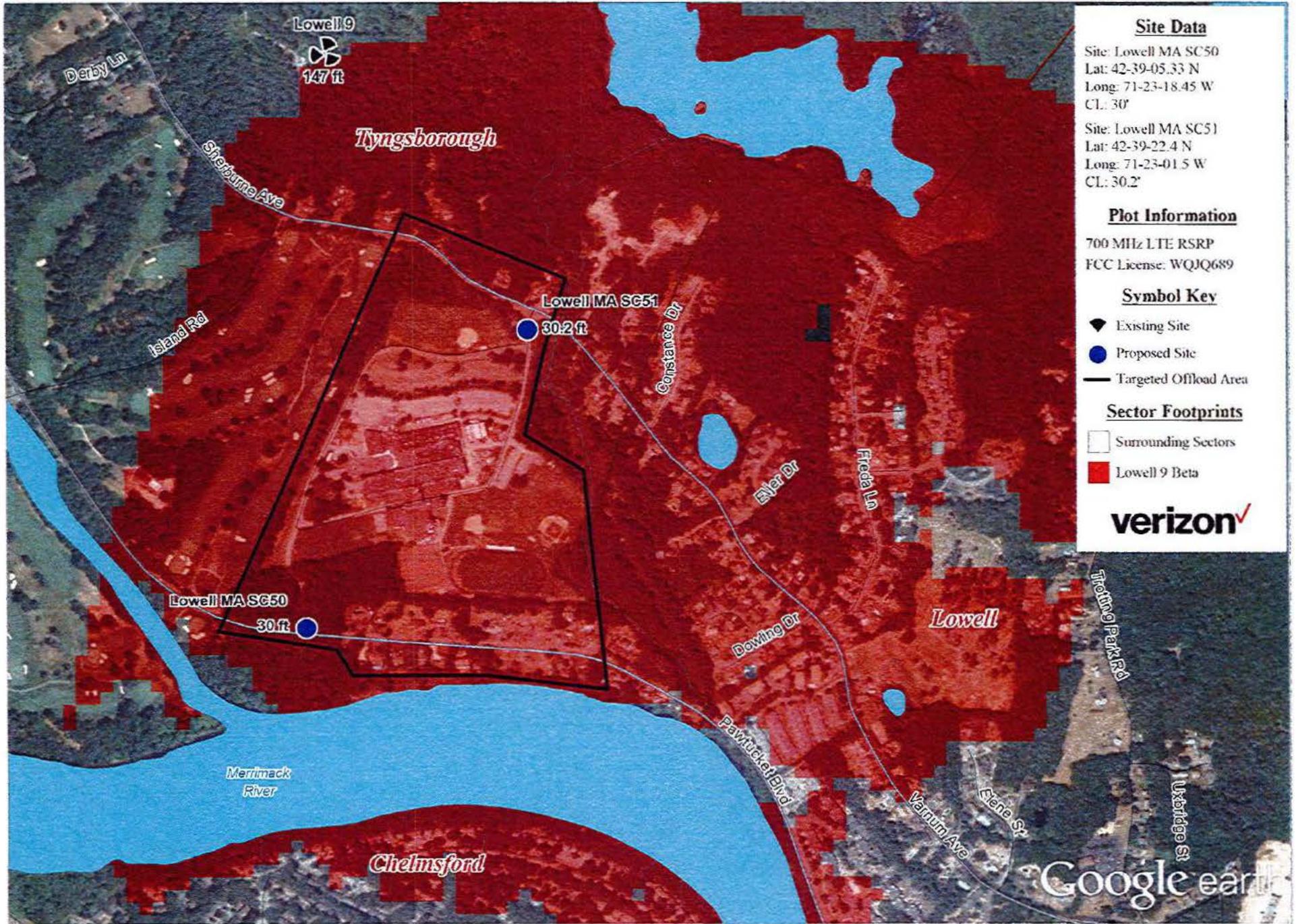
Keith Vellante

Keith Vellante
Radio Frequency (RF) Engineer
C Squared Systems, LLC
65 Dartmouth Drive
Auburn, NH 03032

Lowell MA SC50, SC51 - Existing 700 MHz LTE Sector Footprints



Lowell MA SC50, SC51 - Existing 700 MHz LTE Sector Footprints with Aerial



NOTE:
 AN ANALYSIS OF THE CAPACITY OF THE EXISTING STRUCTURE TO SUPPORT THE PROPOSED LOADING HAS NOT BEEN COMPLETED BY HUDSON DESIGN GROUP, LLC. DRAWINGS ARE SUBJECT TO CHANGE PENDING OUTCOME OF A STRUCTURAL ANALYSIS.

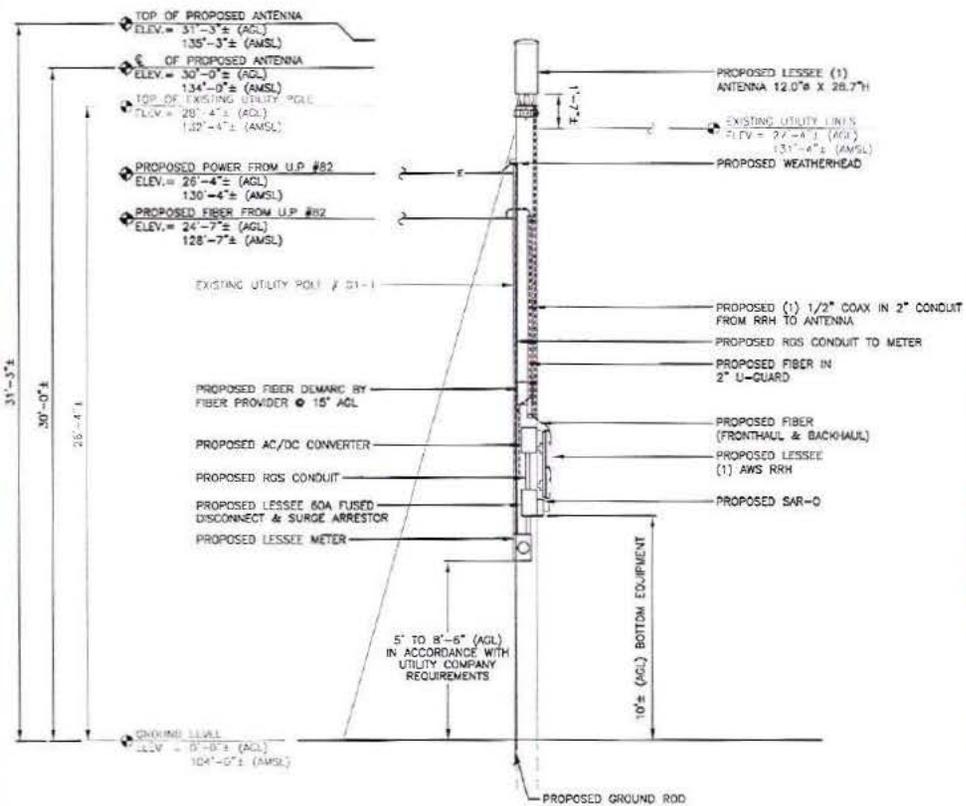
LEASE EXHIBIT
 THIS LEASE PLAN IS DIAGRAMMATIC IN NATURE AND IS INTENDED TO PROVIDE GENERAL INFORMATION REGARDING THE LOCATION AND SIZE OF THE PROPOSED WIRELESS COMMUNICATION FACILITY. THE SITE LAYOUT WILL BE FINALIZED UPON COMPLETION OF SITE SURVEY AND FACILITY DESIGN.

APPROXIMATE COORDINATES: LAT: N42° 30' 22.4" LONG: W71° 23' 01.5"

LEASE EXHIBIT



1480 CHOCORUS ST
 BUILDING 20 NORTH SUITE 100
 W ANDOVER, MA 01875
 TEL: (978) 337-5113
 FAX: (978) 337-5114



ELEVATION
 22x34 SCALE: 3/8"=1'-0"
 11x17 SCALE: 3/16"=1'-0"

GRAPHIC SCALE
 0 1'-4" 2'-8" 5'-4" 8'-0"



EXISTING PHOTO DETAIL
 SCALE: N.T.S.

CHECKED BY: JX

APPROVED BY: DPH

SUBMITTALS

REV	DATE	DESCRIPTION	BY

SITE NAME:
 LOWELL MA SC50

SITE ADDRESS:
 236 PAWTUCKET BLVD
 TYNDSBORO, MA 01879

SHEET TITLE:
 ELEVATION & PHOTO

SHEET NUMBER:
 L-2

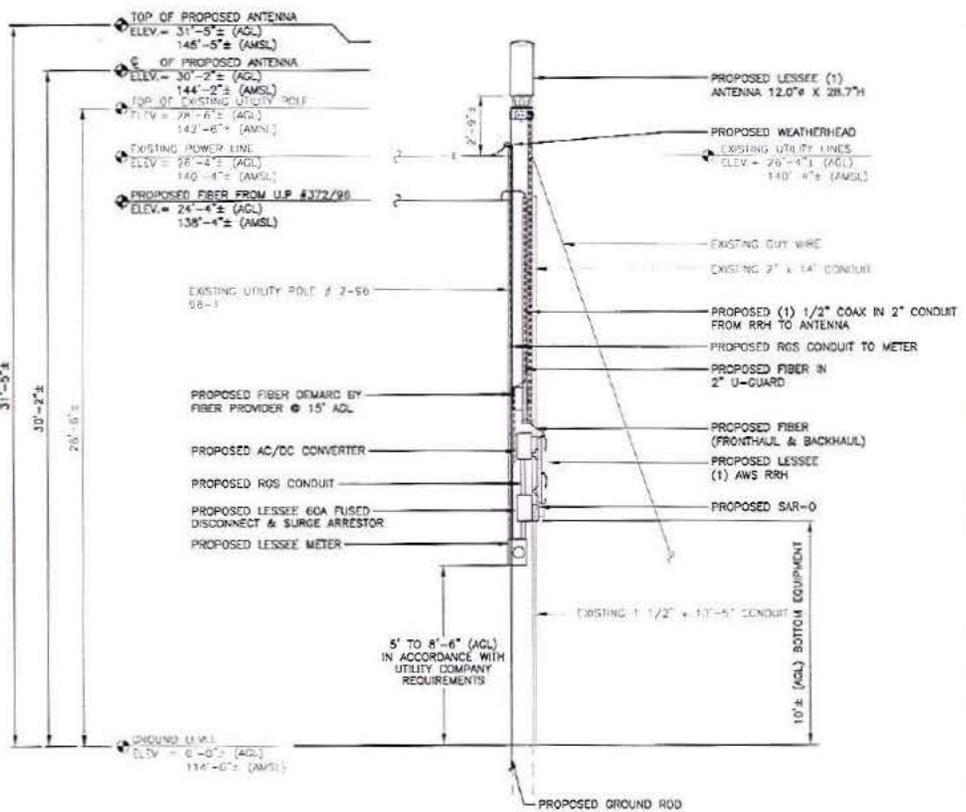
NOTE:
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APPROXIMATE COORDINATES: LAT: N42° 39' 22.4" LONG: W71° 23' 01.5"

LEASE EXHIBIT

Hudson Design Group, LLC
 400 WASHINGTON STREET, SUITE 200, LYNN, MASSACHUSETTS 01902
 TEL: 781.585.3333 FAX: 781.585.3334



EXISTING PHOTO DETAIL
 SCALE: N.T.S.

CHECKED BY: JX

APPROVED BY: DPH

SUBMITTALS

REV	DATE	DESCRIPTION	BY

SITE NAME:
LOWELL MA SC51

SITE ADDRESS:
 222 SHERBURNE AVE
 TYNGSBORO, MA 01879

SHEET TITLE
ELEVATION & PHOTO

SHEET NUMBER
L-2



Town of Tyngsborough

Zoning Board of Appeals

25 Bryants Lane
Tyngsborough, Massachusetts 01879-1003
Office: (978) 649-2300, ext. 115
Fax: (978) 649-2301

APR 29'16 10:26:48
TYNGSBOROUGH BOS

REQUEST FOR DEPARTMENT COMMENT

Applicant: Dream Diner Realty Trust

Project Address: 384 Middlesex Rd.

Map 12 Parcel/Block 37 Lot 0

Type of Application: Variance & Special Permit

Project Description: Renovation & addition to existing restaurant

Public Hearing Date: May 12, 2016

Department:

The Zoning Board of Appeals has received the above application. The Board requests your department's review of the application and any comments. Please attach a separate sheet for additional comments if necessary.

Please return by: 5/11/2016

If your Department/Board must take action prior to issuance of this permit, please indicate the action below.

Comments: _____

Prepared by: _____ (print) Date: _____

Signature: _____

Cc: Assessors Building Insp. Board of Health School Dept.
 Conservation Fire Dept. Police Dept.
 Sewer Dept. Highway Dept. Water Dept.
 Tax Collector Selectmen Planning Board

Attachments/



RECEIVED

2016 APR 15 AM 11:39

[384 Middlesex Road
[DREAM DINER
[CASE: 16-05-003
[Date Application Filed: 4/15/2016
[Hearing Date: 12-MAY-2016
[Decision: _____
[Do not write in this space
[

**TOWN OF TYNGSBOROUGH
APPLICATION TO THE BOARD OF APPEALS**

Applicant: Dream Realty Trust, 384 Middlesex Road, Tyngsboro, MA 01879

Mailing Address: c/o Attorney Peter Nicosia of Nicosia & Associates, P.C. PO Box 721
Tyngsboro, MA 01879 (Attorney for Applicant)

1. Application is hereby made: (Check one or more and fill in appropriate blank spaces.)

(a) For a **Variance** from the requirements of Section 2.12.50 of the Zoning By-Law. Seeking 36.5 front yard set-back relief as it relates to Middlesex Road frontage and 58.8 front yard set-back relief as it relates to Locust Avenue frontage. All other dimensional limitations are pre-existing non-conforming and no Variance is required. See the 'zoning table' on the attached certified plot plan for specific dimensions of relief.

(b) For a **Special Permit** under Sections 2.15.22 of the Zoning By-Law (Renovation of Pre-Existing Non-Conforming Residential Dwelling--Existing Structures to be Razed.)

(c) As a party aggrieved, for review of a decision made by the Building Commissioner or other authorities.

Set forth other authorities:

2.

(a) Premises affected is vacant land and buildings numbered _____

384 Middlesex Road, Tyngsboro, MA 01879

(b) Premises affected is vacant land with frontage on _____

_____ Street(s).

Describe how to locate: _____

3. (a) Premises affected in Zoning District: Business 3 (B3)

Property has 20,290 square feet of land.

Frontage, side yard and rear yard set-backs all shown on the plan.

See the attached Certified Plot Plan along with Zoning Table for additional dimensions of dwelling and garage.

(b) Stone bounds (are not) existing on premises.

(c) Assessors Map 12-37-0.

4. Ownership:

Name and Address of owner (if joint ownership, give all names: Dream Realty Trust _____

5. (a) Size of (proposed) (existing) structure: * feet.

Front: * feet.

Height: * feet. Stories *.

Total floor area * square feet.

* See attached Certified Plot Plan, Front Elevation and Floor Plans.

(b) Approximate date of erection, if known: 1985 approximate.

(c) Present occupancy of use: (of each floor or section) Restaurant/Diner.

6. Description of proposed work and use: Renovation and addition to existing restaurant per the plans submitted.
-

7. Has applicant made a previous appeal involving these premises to this Board: No.
If "yes" give the date of the appeal: Yes, for an increase in sign size on June 27, 2002.
8. Deed recorded with the Middlesex North District Registry of Deeds
Land Court Department of said Registry of Deeds (Registered Land):
Certificate No. 0033142, Book 168, Page 283
Attach copy of Deed or Certificate. See attached.
9. The reasons for the change that I request are as follows: (Use additional page(s), if necessary.)
- A. One of the stated objectives of the Tyngsboro Economic Development Plan of 2006 indicates on Page 49 (submitted herewith) that "the town should focus on promoting the northern portion of Middlesex Road corridor as a highly desirable location for the food service industry." The application before the Board will help support a long standing and respected business here in town to flourish and further the planning objectives of the town.
- B. General Laws c. 40A, § 6, provides, in pertinent part, "Pre-existing nonconforming structures ... may be extended or altered, provided, that no such extension or alteration shall be permitted unless there is a finding by the ... special permit granting authority ... that such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming use to the neighborhood." See also Davis v. Zoning Board of Appeals of Chatham, 52 Mass.App.Ct. 349 (2001.) In the case before the Board, the applicants have demonstrated both on the merits of the present petition and based upon the prior finding of the same board that the relief is warranted. A front reconstruction and increase in size in the business will not detrimentally affect the town. It will provide increased food service to the residents of Tyngsboro. Parking spots in the front being removed are being replaced in the back. This is actually a much safer condition as pedestrian ingress and egress is in the front where cars are currently entering and exiting.
- C. M.G.L. c.40A, s.10 requires a showing of "circumstances relating to soil conditions, shape or topography." If one of these requirements is met than a

variance should be granted. The circumstance must not affect “generally the zoning district in which it is located.” It is important to note that “a condition need not affect all property in a district in order to be regarded as a condition generally affecting the district as a whole.” Planning Board of Watertown v. Board of Appeals of Watertown, 5 Mass.App.Ct. 833 (1977.) The lot shape standing alone can warrant variance relief under M.G.L. c.40A, s.10. Shafer v. Zoning Board of Appeals of Scituate, 24 Mass.App.Ct. 966; See also, Deflice v. Board of Appeals of Lexington, Misc. Case Nos. 147228 and 153998 (Land Ct. 1992) and, Paulding v. Bruins, 18 Mass.App.Ct. 707 (1984.) Here you have a unique lot shape. Also, the location of the septic tank, pump tank and grease trap prevent expansion on the rear of the building. Lastly, you have an existing well and catch basin on the front of the property and a slope to the main road.

- D. Lastly, the desired relief can be granted without any detriment to the neighborhood, the public good or the intent behind the by-law. A literal enforcement of the by-law here would cause great hardship to befall the homeowner. Cavanaugh v. DiFlumera, 9 Mass.App.Ct. 396 (1980.) See also 3 Rathkopf, Zoning & Planning, 38.06, at 38-63 (4th ed. 1979) and, Handbook of Massachusetts Land Use and Planning Law, Mark Bobrowski, Section 8. (2002 ed.) The renovation of the property will improve the aesthetics of the neighborhood and property values. The expansion has plenty of parking as it owns the Carraba’s restaurant land as well and shares parking for expansion purposes pursuant to a Parking Easement Agreement dated September 15, 2003. Additionally, Carraba’s peek hours are 5pm to 12 midnight. Dream Diner’s peek hours are 5am to 2pm. As such, there really is no overlap. There is no detriment to the integrity of the neighborhood or zoning district as this restaurant is a permitted use surrounded by other businesses in the main economic thoroughfare of the town.

Names and address of parties in interest as defined in M.G.L. c 40A, § 11.

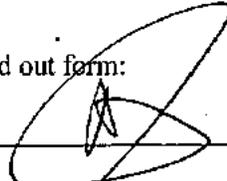
Use additional pages(s), if necessary.

Abutters: Certified Abutter’s list is attached. _____

Other parties in interest: None.

I represent that the information submitted by the undersigned is true to the best of my knowledge.

Date: April 15, 2016 Signature of person who filled out form:



Attorney Peter J. Nicosia
Nicosia & Associates, P.C.

PO Box 721

Tyngsboro, MA 01879

T: 978-649-4300

F: 978-649-9306

E: nicosia@nicosia-associates.com

Date: April 15, 2016 Signature of Applicant: Marybeth Shanahan, Trustee

Marybeth Shanahan, Trustee

384 Middlesex Road,

Tyngsboro, MA 01879

978-804-2593

dreamdinertyngsboro@gmail.com



Town of Tyngsborough
ZONING BOARD OF APPEALS

25 Bryants Lane,

Tyngsborough, Massachusetts 01879-1003

ZBA Office: (978) 649-2300, Ext. 115

Fax: (978) 649-2301

CONSULTANT RELEASE FORM

Date: April 21, 2016

Project Name: Dream Diner

Project Location: 384 Middlesex Rd.

Applicant: Dream Realty Trust, Marybeth Shanahan, Trustee

I, Robert N. Posner Attorney at Law (please print), agree to pay the cost and expense of any expert consultant deemed necessary by the Tyngsborough Zoning Board of Appeals to review the attached application. I understand that I may seek an administrative appeal from the selection of the outside consultant to the Board of Selectmen. The grounds for such appeals shall be limited to claims that the consultant selected has a conflict of interest or does not possess the minimum required qualifications.

I further agree to attach a **BANK CHECK** or **MONEY ORDER** made out to the Town of Tyngsborough for \$1000.00 or such amount as determined appropriate by the Zoning Board of Appeals, to this form for the purpose of payment for the consultant review. If when completed, the consultant review costs are less than \$1000.00, I understand that I will be reimbursed for the balance of the \$1000.00. If the consultant review costs exceed \$1000.00, I understand that I will be billed for the balance of the review costs.

Amount: \$1,000

Applicant's Signature: 

Applicant's Company: Dream Realty Trust

Applicant's Address: 384 Middlesex Rd.

Applicant's Telephone Number: 978-804-2593

Property Owner's Name: Marybeth Shanahan, Trustee

1. This plan is the property of the architect and is not to be used for any other purpose without his written consent. It is to be used only for the project and site specified herein. It is not to be used for any other project or site without the written consent of the architect. The architect assumes no responsibility for the construction of the building or for the safety of the building or its occupants. The architect is not a contractor and is not to be held liable for the construction of the building or for the safety of the building or its occupants. The architect is not to be held liable for the construction of the building or for the safety of the building or its occupants.

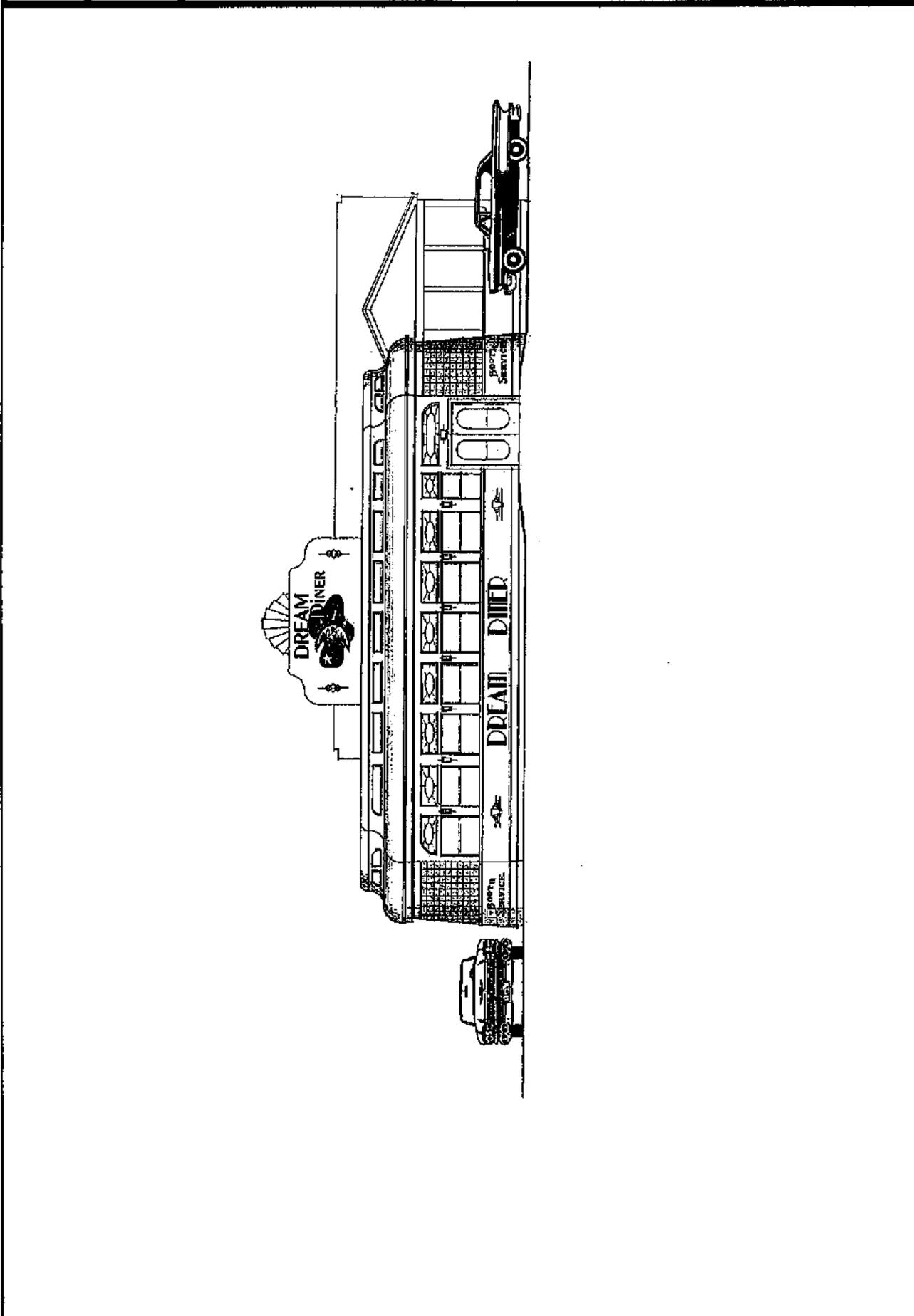
OWNER'S SIGNATURE _____
DATE _____
DRAWN BY _____

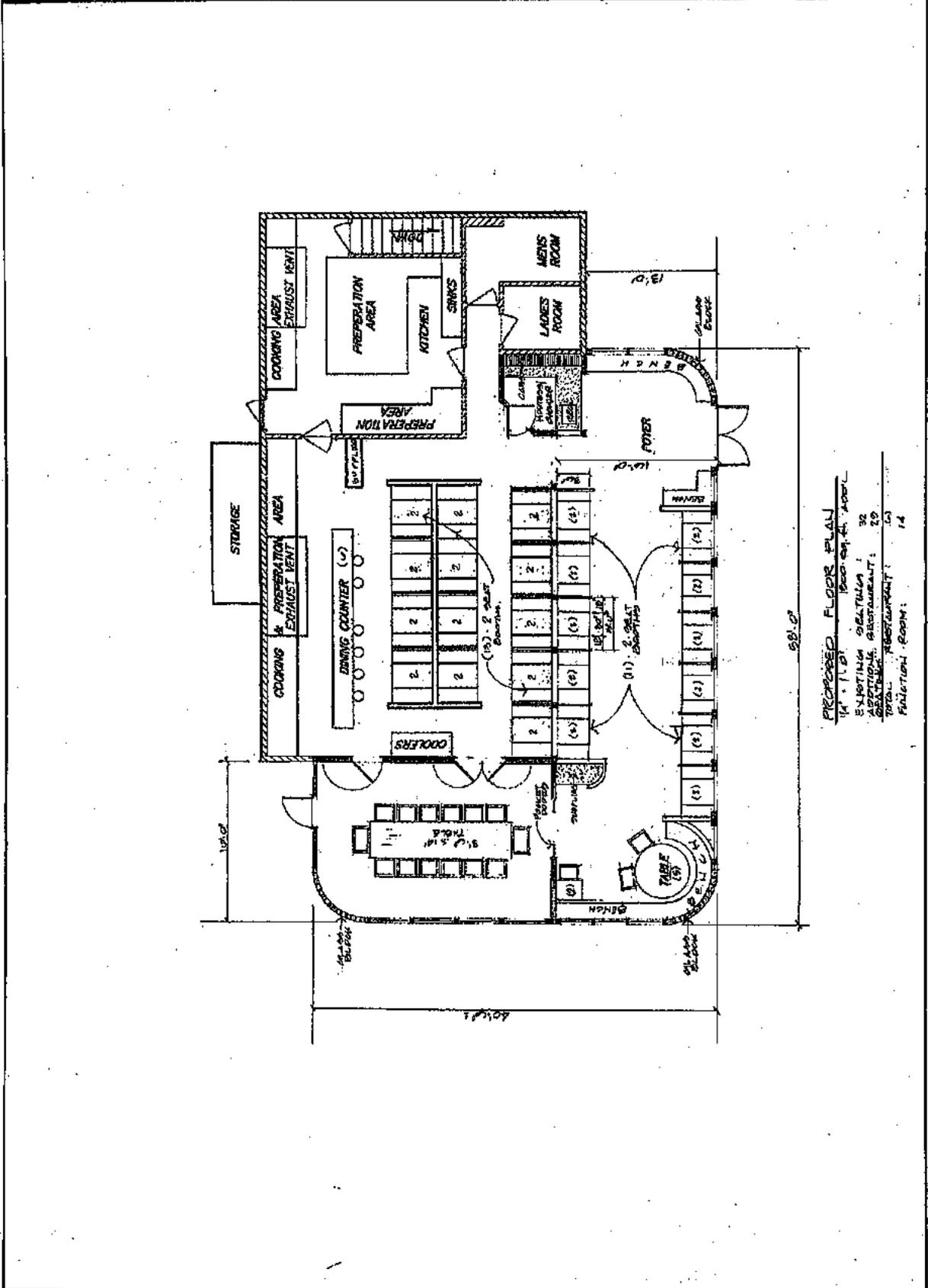
REFERENCE FORM

BUILDER'S PLAN SERVICE
A DIVISION OF LOWELL BLYBERN, INC.
83 PARKHURST ROAD
CHELSEA, MA 01824
(978) 537-5025 1-888-937-5111

STAMP

SHEET _____ OF _____





PROPOSED FLOOR PLAN
 14' x 11' 6" 1800 sq. ft. APRIL
 EXHIBITION RESTAURANT
 ADDITIONAL RESTAURANT: 30
 BREAKFAST RESTAURANT: 20
 TOTAL RESTAURANT: 50
 PANTRY ROOM: 14

COVER SHEET

ABUTTERS LIST AS PER CH 40A; SEC 11

TOWN BOARD: ZBA

LOCATION: 384 MIDDLESEX ROAD (12-37-0)

BY: DREAM REALTY TRUST

PREPARED BY: JENNIFER WILSON



DATE: 2/16/16

Abutters List

ParcelID	Location	Owner	Co-Owner	Mailing Address	City	State	Zip
12 35 0	394 MIDDLESEX RD	REALTY INCOME CORPORATION	ATTN: PM #0936	11995 EL CAMINO REAL	SAN DIEGO	CA	92130
12 35 1	80 LOCUST AV	DREAM REALTY TRUST	SHANAHAN M B + P K TRUS	220 WESTFORD ST	DUNSTABLE	MA	01827
12 36 0	386 MIDDLESEX RD	DREAM REALTY TRUST	CARRABAS ITALIAN GRILL II	2202 NORTH WEST SHORE I	TAMPA	FL	33607-5747
12 37 0	384 MIDDLESEX RD	DREAM REALTY TRUST	SHANAHAN M B + P K TRUS	220 WESTFORD ST	DUNSTABLE	MA	01827
12 38 0	383 MIDDLESEX RD	TWINCO REALTY LLC		383 MIDDLESEX RD	TYNGSBOROUGH MA		01879
12 39 0	375 MIDDLESEX RD	TOWN OF TYNGSBOROUGH		25 BRYANTS LN	TYNGSBOROUGH MA		01879
12 40 0	371 MIDDLESEX RD	M3G REALTY LLC		119 OCEAN DRIVE	SEABROOK	NH	03874
12 42 0	378 MIDDLESEX RD	378-380 MIDDLESEX ROAD RLTY T	SARANTOS-ECONOMOS FAI	63 TIGHE FARM RD	WILTON	NH	03086
12 43 0	LOCUST AV	JANET HICKS 2007 REVOC TRUST	BEVERLY COLLINS TRUST -	P.O. BOX 521	HOLLIS	NH	03049
19 24 0	127 FARWELL RD	SALVESEN BRYANT C	ALDELINE G	127 FARWELL RD	TYNGSBOROUGH MA		01879
19 8F 0	118 FARWELL RD	LALLY DAVID G	CHARLENE M	118 FARWELL RD	TYNGSBOROUGH MA		01879

End of Report

12 37 0
Map Block Lot

1 of 1 COMMERCIAL
CARD

TOTAL ASSESSED: 369,500
199!

Town of Tyngsborough



Patriot Properties Inc.

PROPERTY LOCATION

No	Alt No	Direction/Street/City
384		MIDDLESEX RD, TYNGSBOROUGH

OWNERSHIP

Owner 1: DREAM REALTY TRUST
Owner 2: SHANAHAN M B + P K TRUSTEES
Owner 3:
Street 1: 220 WESTFORD ST
Street 2:
Twn/City: DUNSTABLE
S/Prov: MA Cntry: Own Occ: Y
Postal: 01827 Type:

PREVIOUS OWNER

Owner 1:
Owner 2:
Street 1:
Twn/City:
S/Prov: Cntry:
Postal:

NARRATIVE DESCRIPTION

This Parcel contains .466 ACRES of land mainly classified as RST/BAR with a(n) RESTAURANT Building Built about 1985, Having Primarily TEX 111 Exterior and ASPHALT Roof Cover, with 1 Units, 0 Baths, 2 HalfBaths, 0 3/4 Baths, 0 Rooms, and 0 Bdrms.

OTHER ASSESSMENTS

Code	Descrp/No	Amount	Com. Int

PROPERTY FACTORS

Item	Code	Descrp	%	Item	Code	Descrp
Z	B3	B3	100	U	3	TWN WATER
o				t		
n				l		
Census:				Exmpt		
Flood Haz:				Topo		
s				Street		
t				Traffic		

LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / Price/Units	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Inlu	Neigh Mod	Infl 1	%	Infl 2	%	Infl 3	%	Appraised Value	Alt Class	%	Spec Land	J Code	Fact	Use Value	Notes
326	RST/BAR		20290		SQUARE FESITE			0	8.1459	CG										236,784						236,800	

IN PROCESS APPRAISAL SUMMARY

Use Code	Building Value	Yard Items	Land Size	Land Value	Total Value	Legal Description	User Acct
326	128,000	4,700	0.466	236,800	369,500		
Total Card	128,000	4,700	0.466	236,800	369,500	Entered Lot Size	
Total Parcel	128,000	4,700	0.466	236,800	369,500	Total Land:	
Source: Market Adj Cost		Total Value per SQ. unit /Card:		211.26	/Parcel:	211.26	Land Unit Type:

PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2016	326	FV	128,000	4700	.466	236,800	369,500	369,500	Year end roll	12/17/2015
2015	326	FV	128,000	4700	.466	236,800	369,500	369,500	Year End Roll	12/15/2014
2014	326	FV	130,200	27400	.466	236,800	394,400	394,400	Year End Roll	12/23/2013
2013	326	FV	135,500	27500	.466	236,800	399,800	399,800	Year End	12/13/2012
2012	326	FV	135,500	27500	.466	236,800	399,800	399,800	Year End	12/22/2011
2011	326	FV	135,500	27500	.466	236,800	399,800	399,800		12/28/2010
2010	326	FV	135,500	27500	.466	236,800	399,800	399,800		12/29/2009
2009	326	FV	146,100	29200	.466	251,600	426,900	426,900		1/12/2009

SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Assoc PCL Value	Notes
JOHNSON ROBERT	CT 33142		7/7/1997		273,900	No		No		
	CT 26417		4/19/1985		231,500	No		No		
CUNNINGHAM	CT 21861		3/15/1977		22,800	Yes		No		

BUILDING PERMITS

Date	Number	Descrp	Amount	C/O	Last Visit	Fed Code	F. Descrp	Comment
12/13/2013	13-403	HVAC		C				ADD HOOD EXTENSION
2/3/2005	05-012	RE-ROOF	5,000	C				REPAIR ROOF SHINGL
9/16/2002	313	MANUAL	6,500	C	8/14/2003			SIGN 48 SQ FT
4/25/2002	099	MANUAL		C	8/14/2003			SIDE+WIN
7/2/1997	213	MANUAL		C				OCCUP

ACTIVITY INFORMATION

Date	Result	By	Name
7/29/2014	PERMIT M + L	336	MATT MCGRATH
7/21/2009	MEAS+INSPCTD	197	MIKE CASSIDY
8/14/2003	PERMIT M + L	294	DENNIS M
8/20/2001	MEAS+INSPCTD	197	MIKE CASSIDY
3/10/1988	MMC INFO	999	CONVERSION

Sign: VERIFICATION OF VISIT NOT DATA

Total AC/HA: 0.46579 Total SF/SM: 20289.81 Parcel LUC: 326 RST/BAR Prime NB Desc: COMM GD Total: 236,784 Spl Credit: Total: 236,800

MASSACHUSETTS
State Form of
Quitclaim Deed

(INDIVIDUAL)

Robert E. Johnson, Sr.

TO

Mary Beth Quinn, Trustee
of
Dream Realty Trust

_____ 19____

at _____ o'clock and _____ minutes _____ m.

Received and entered with _____

_____ Deeds

Book _____ Page _____

Attest:

_____ Register

FROM THE OFFICE OF

Marshall L. Field, Esq.
Field, Hurley & Sullivan
Nine Central Street
Lowell, Massachusetts 01852
Telephone: (508) 454-5491

RETURN TO →

FORM 881

REVISED CHAPTER 487-1001 - 727-1000

H&W HOBBS & WARREN™

EL
22
110
06
67
9/11/01

* MASS. EXCISE TAX: 1249.44 *

CERT 0026417 BK 135 PG 38

NEW CERTIFICATE(S) CREATED:

CERT 0026417 BK 135 PG 38

NOTE ON:

ON 07/07/97 AT 09:02:22 40.00

NO. MIDDLESEX LAND COURT
REGISTRY DISTRICT
RECEIVED FOR REGISTRATION

DOCUMENT 170468

9/11/01

(Please print or type)

Robert E. Johnson, Sr.

of Hampstead, Rockingham
New Hampshire,

County, Massachusetts,

being unmarried, for consideration paid, and in full consideration of Two Hundred Seventy-Three Thousand Nine Hundred and 00/100 Dollars (\$273,900.00) grant to Mary Beth Quinn, Trustee of Dream Realty Trust under Declaration of Trust dated July 1, 1997 and recorded herewith of 384 Middlesex Road, Tyngsborough, Massachusetts, with quitclaim covenants

the land in

(Receipt is not encumbrance (any))

Property Address: 384 Middlesex Road, Tyngsborough

135/23

A certain parcel of land situated in Tyngsborough in the County of Middlesex and said Commonwealth, bounded and described as follows:

Southeasterly by Locust Ave. one hundred forty-three and 34/100 (143.34) feet;

Southwesterly one hundred fifty-eight and 24/100 (158.24) feet;

Northwesterly one hundred fourteen and 81/100 (114.81) feet, by land now or formerly of Ethel M. Dupuis;

Northeasterly one hundred fifteen and 09/100 (115.09) feet; and

Southeasterly by a curved line thirty-three and 90/100 (33.90) feet, by parcel 4-1.

All of said boundaries are determined by the Land Court to be located as shown on subdivision plan 19872-C, drawn by Massachusetts Department of Public Works, E. J. McCarthy, Chief Engineer, dated August 25, 1959 and February 24, 1960, as approved by the Court, filed in the Land Registration Office a copy of a portion of which is filed with Certificate of Title 21504, and said land is shown as Lot two (2) on said plan.

For my title see Certificate of Title No. 26417.

Witness my hand and seal this 1st day of July, 1997

Robert E. Johnson

Robert E. Johnson, Sr.

n/k/a Robert E. Johnson

DEEDS REG 14
MIDDLE NORTH
07/07/97
TAX 1249.44
CHK 249.44
538048
EXCISE TAX
EXCISE TAX
+ MASS. EXCISE TAX

The Commonwealth of Massachusetts

Middlesex, ss.

July 1, 1997

Then personally appeared the above-named Robert E. Johnson, Sr. *n/k/a Robert E. Johnson* and acknowledged the foregoing instrument to be his free act and deed before me

Marshall L. Field

Notary Public - Justice of the Peace
Marshall L. Field
My commission expires November 8, 2002

(* Individual — Joint Tenants — Tenants in Common.)

CHAPTER 183 SEC. 6 AS AMENDED BY CHAPTER 497 of 1969

Every deed presented for record shall contain or have endorsed upon it the full name, residence and post office address of the grantee and a recital of the amount of the full consideration thereof in dollars or the nature of the other consideration therefor, if not delivered for a specific monetary sum. The full consideration shall mean the total price for the conveyance without deduction for any liens or encumbrances assumed by the grantee or remaining thereon. All such endorsements and recitals shall be recorded as part of the deed. Failure to comply with this section shall not affect the validity of any deed. No register of deeds shall accept a deed for recording unless it is in compliance with the requirements of this section.



Town of Tyngsborough- Zoning Bylaw

(Amended Through June 30, 2014)

Town of Tyngsborough- Zoning Bylaw

2.12.50 Table of Standard Dimensional Requirements

Dimensions	Zoning District							
	R-1	R-2	1/ R-3	B-1	B-2	B-3	B-4	I-1
Minimum Lot Area (Square feet) X 1000	65	20	20	20	20	80	80	80
Minimum Lot Frontage (Lin. Feet)	200	75	75	100	50	150	150	200
Minimum Lot Width (Lin. Feet)	50	50	50	50	50	50	50	100
Minimum Front Yard (Lin. Feet)	30	30	30	30	30	75	75	100
Minimum Side Yard 2/ (Lin Feet)	30	20	15	15	15	30	30	40
Minimum Rear Yard 2/ (Lin Feet)	30	20	15	15	15	40	40	40
Minimum Open Space (Percent of Total Lot Area)	3/	N/A	N/A	N/A	N/A	25	25	25
Maximum Building Height (Lin. Feet)	4/ 36	4/ 36	4/ 36	4/ 36	4/ 36	5/ 40	5/ 40	6/ 45

Codes:

1/ Multi-family development must comply with Section 4.12.00 of this By-law. Single-family homes in the R-3 district shall require 44,000 square feet of area and 200 feet of frontage, and duplexes in the R-3 district shall require 88,000 square feet of area and 400 feet of frontage.

2/ See Section 3.13.00 Buffering, Screening and Grading.

3/ See Section 4.14.00 Open Space Residential Development

4/ Not to exceed 2 ½ stories

5/ Not to exceed 3 stories

6/ Not to exceed 3 ½ stories

2.13.00 Flood Plain and Floodway Districts

The Flood Plain District is herein established as an overlay district. The District includes all special flood hazard areas within The Town of Tyngsborough designated as Zone A and AE, on the Middlesex County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program.

Town of Tyngsborough- Zoning Bylaw

3. Any proposed structure is situated on the lot so as to conform with the minimum yard requirements, if any, in effect at the time the boundaries of such lot were defined.

2.15.20 Nonconforming Uses and Structures

2.15.21 Existing Use - Any structure or use lawfully existing at the time of the adoption of this By-law or any amendment hereto and any use or structure lawfully begun or in respect of which a building or special permit has been issued before the first publication of notice of public hearing on this By-law or any amendment hereto may be continued or completed, although such structure or use does not conform to the provisions hereof, provided that, in the case of the issuance of a building or special permit, construction or operation thereunder shall conform to the provisions of this By-law or any amendment hereto, unless the construction or use has commenced within a period of not more than six months after the issuance of the permit and that in cases involving construction, such construction is continued through to completion as continuously and expeditiously as is reasonable.

2.15.22 Changes, Extensions and Alterations - A nonconforming structure or use may be changed, extended or altered, provided that in each case the Board of Appeals finds that such change, extension or alteration is not substantially more detrimental or injurious to the neighborhood than the existing nonconforming structure or use.

2.15.23 Restoration - Restoration of a nonconforming structure, which has been damaged by fire, flood or other casualty or by vandalism, may be made without conformance to the provisions of this By-law or any amendment hereto, provided that such restoration shall have commenced within six months of the date the damage was sustained and that such restoration continue through to completion as continuously and expeditiously as is reasonable, provided that if the cost of such restoration shall exceed 50% of the fair market value of the structure immediately prior to such damage, as determined by the Building Inspector, such restoration shall only proceed if authorized by special permit and if the Planning Board shall find that the restoration of the structure would not:

1. Substantially impinge upon any public right of way that adjoins the lot on which the structure is to be constructed;
2. Create a danger to public safety by reason of traffic access, flow and circulation; and
3. Be out of character with the traditional settlement and construction patterns of the area in which it is to be reconstructed.

TYNGSBOROUGH ECONOMIC DEVELOPMENT PLAN

June 2006



Prepared for:

**The Town of Tyngsborough
Economic Development Committee**

Prepared by:

Northern Middlesex Council of Governments

addition, many of the industrial properties located along the corridor are either limited in scope or vacant.

The study area is comprised of 164 parcels comprising 712.06 acres. An analysis of parcel level data shows that 67.3% of the parcels are zoned for commercial use. However, these parcels comprise 39.3% of the acreage within the study area. Approximately 28.4% of the parcels within the study area are zoned for industrial use. Collectively, these parcels represent 60% of the total acreage within the study area.

Presently, there are approximately 30 parcels throughout the study area, comprising 270.17 acres, which lie within two different zoning districts. The majority of these parcels (14) are split B-3/I-1, including two of the largest remaining developable vacant parcels along the corridor: 324 Middlesex Road (15.86 acres) and 406 Middlesex Road (25 acres). In addition, other developed parcels are split zoned as R-1/B-3. Examples include: 383 Middlesex Road (42.53 acres), currently used as a mini-golf and recreation facility; and 347 Middlesex Road (11.09 acres), home of the Tyngsborough Garden Center. Properties such as these are likely to be redeveloped at some point in the future as a more intensive commercial or business use. The zoning classification of such parcels should be modified to provide consistency, to be compatible with adjacent properties, and to ensure the highest and best use of the property

As the gateway to Tyngsborough, future planning efforts for this area should focus on creating cohesive, concentrated commercial nodes along the corridor. Each node should be designed so that structures are similar or compatible in terms of type, quality, design and character. In addition, the community should work to support development of its undeveloped industrial zoned parcels and to promote the reuse of vacant industrial properties.

One of the competitive advantages that Tyngsborough has over New Hampshire is the Commonwealth's comparatively favorable meal tax rate. Therefore, the Town should focus on promoting the northern portion of the Middlesex Road corridor as a highly desirable location for the food service industry. As discussed below, the construction of sewer infrastructure would be advantageous in terms of attracting this type of "Restaurant Row" style development.

Infrastructure and Transportation Issues

Future development of the corridor will be impeded by the lack of available sewer infrastructure north of Old Tyng Road. Furthermore, there is a need for water service in the northern end of the corridor between Applewood Plaza and the intersection of Farwell Road and Locust Avenue. In addition, there are traffic and safety issues that will need to be addressed as the area continues to grow. A recent traffic and safety study completed by the NMCOG identified the need for traffic improvements at the following locations: Middlesex Road at Kendall Road (Route 113); Middlesex Road at TJ Maxx Plaza; and Middlesex Road at the Route 3/Exit 36 ramp intersection.

036



TOWN OF TYNGSBOROUGH

Office of the Town Administrator

Town Offices | 25 Bryants Lane

Tyngsborough, MA 01879

Tel: (978) 649-2300 Ext. 100 | Fax: (978) 649-2320

TO: Board of Selectmen

FROM: Curt Bellavance, Town Administrator *W*

DATE: April 29, 2016

RE: Street Acceptance – Approve Order of Taking

In accordance with the procedures for the layout and acceptance for town ways, M.G.L. c. 82, § 24, the attached Order of Street Layout, Acceptance, and Taking are prepared and presented for the Board's signature.

Roadway: Mascuppic Trail

This Order of Taking will be recorded with the Middlesex North Registry of Deeds (or the Land Court Section).

Recommended motion:

Where the Board after hearing laid out Mascuppic Trail as a Town Way and the Town Meeting of December 8, 2015, voted to accept as laid out, move the Board execute the Order of Taking.

Attached: Order of Taking



COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

TOWN OF TYNGSBOROUGH
BOARD OF SELECTMEN

ORDER OF STREET LAYOUT, ACCEPTANCE, AND TAKING

At a meeting of the Board of Selectmen (the "Board") of the Town of Tyngsborough (Town) held on the _____ day of May _____, 2016, it is ordered:

WHEREAS, the Board, having determined and adjudged that common convenience and necessity require that certain Town Ways be laid out and accepted, to wit: Mascuppic Trail. The Town, at the Special Town Meeting duly called and held on December 8, 2015, voted to accept Mascuppic Trail as laid out; and it is necessary to acquire land or an interest therein for the purpose of such Way;

NOW THEREFORE, we the undersigned Selectmen of the Town, under the authority of Chapters 79 and 82 of the General Laws of Massachusetts as most recently amended, and of any and every other power and authority in any way enabling, take by eminent domain in the name of and on behalf of the Town the right and easement to use for all purposes of a Town Way the land in the Town, included within the limits of said Way, the Way as shown on a plan entitled, "Mascuppic Trail" Street Acceptance Plan of Land in Tyngsborough, MA, Prepared for Town of Tyngsborough November , 2015, David E. Ross Associates, Inc., to which reference may be had for a more particular description of the Way as so laid out, a copy of which plan has been filed in the Office of the Town Clerk of the Town and the original of which is to be recorded with the Middlesex North Registry of Deeds (or the Land Court Section), [together with the perpetual right and easement to use the areas of land in the Town, described on said plan as "drainage easements" for all drainage purposes, including the right and easement (a) to drain or flow surface water from any source whatsoever, in, through or over said areas of land from the Way as shown on said Plan; (b) to install, maintain, repair, replace, relocate and use for drainage in and through said areas of land a drainage ditch or ditches and/or drainage pipe or pipes, together with any headwalls, catch basins, manholes or other appurtenances or any replacement or replacements of said items which the Town may deem necessary to conduct surface drainage from the Way; and/or (c) from time to time to enter upon said areas of land for any of the above purposes.]

This Order of Taking is to be recorded with the Middlesex North Registry of Deeds (or the Land Court Section).

The owners of the several lots of land, if any, over which the Way is laid out are allowed thirty (30) days from this date to remove any trees, walls, and any structure which may lie within the lines of the street layout and which may obstruct the building or maintenance of the Way or impede the use of the space for highway purposes.

The below schedule sets forth the names of the owners and abutters of property subject to this taking.

NAME AND ADDRESS	TITLE REFERENCE MIDDLESEX NORTH REGISTRY OF DEEDS
Leo P. Chase, Jr. Francine D. Chasse 19 Parham Road	Book 3759, Page 112
Darlene P. Dumais Cecile C. Joyal Life Estate 52 Mascuppic Trail	Book 27116, Page 103
Darlene P. Dumais 53 Mascuppic Trail	Book 27116, Page 105
Georgette Bilodeau 54 Mascuppic Trail	Book 7249, Page 35
Mary Alice Rodrigues 55 Mascuppic Trail	Book 5990, Page 27
Denise Nelson Robert Hatch 56 Mascuppic Trail	Book 22246, Page 50
James A. Melanson, Jr. 57 Mascuppic Trail	Page 7372, Page 137
Peter Eliopoulos 58 & 60 Mascuppic Trail 27 & 29 Pleasant View Avenue	Book 28585, Page 61
John M. Earle Eileen T. Earle 59 Mascuppic Trail	Book 2785, Page 264
Brian N. Gariepy, Trustee Normand L. Gariepy & Doris M Gariepy Irrevocable Trust Irrevocable Trust 61 Mascuppic Trail	Book 21650, Page 112

Laurie A. Sanz Robert J. Perras 63 Mascuppic Trail	Book 26417, Page 150
Alfred L. Bellerose & Sheryl A. Bellerose Trustees of the Bellerose 2009 Family Trust 65 Mascuppic Trail	Book 23050, Page 94
Bryan M. Riley Jennifer L. Riley 66 Mascuppic Trail	Book 25944, Page 69
John M. Boute Dora Boute 68 Mascuppic Trail	Book 22216, Page 187
Joanne G. Craig Edward J. Couture Life Estate 69 Mascuppic Trail	Book 12642, Page 314
David G. Wiggins & Elizabeth J. Taylor-Wiggins Trustees of David & Elizabeth Wiggins Revocable Trust 70 Mascuppic Trail	Book 28089, Page 273
Edwin R. Derby III, Trustee E. D. Realty Trust 71 Mascuppic Trail	Book 25262, Page 12
Raymond J. Couture Sandra C. Couture 73 Mascuppic Trail	Book 4123, Page 72
Barbara Vanderheide 74 Mascuppic Trail	Book 18836, Page 248
Walter, J. Cantwell Ann Marie Cantwell 75 Mascuppic Trail	Book 3425, Page 85
John J. Dillon, IV Kathleen F. Dillon 77 Mascuppic Trail	Book 18720, Page 243

Raymond V. Trudel Jeffrey C. Trudel Joseph V. Trudel Joan F. Trudel Life Estate 79 & 81 Mascuppic Trail	Book 23508, Page 228
Esther O. Hughes Brian Hughes 80 Mascuppic Trail	Book 12347, Page 230
Michael J. Vaillancourt 84 Mascuppic Trail	Book 26288, Page 246
Nicole J. Duey 85 Mascuppic Trail	Book 18730, Page 232
Robert Gauthier Lorraine Gauthier 87 Mascuppic Trail	Book 2654, Page 49
Joseph A. Jean Joanne F. Jean 89 Mascuppic Trail	Book 1526, Page 187
Suron Property Management 93 Mascuppic Trail	Book 16295, Page 167
Gerard W. Richall 94 Mascuppic Trail	Book 11761, Page 237
Sheila Roy 96 Mascuppic	Book 7689, Page 150
George C. Logan 97 Mascuppic Trail	Book 25580, Page 285
Cheurm Sokon Linda Pream 100 Mascuppic Trail	Book 28436, Page 127
Kenneth M. Fleming Christine B. Fleming 104 Mascuppic Trail	Book 7521, Page 100

William Thomas Morris Joan V. Morris 105 Mascuppic Trail	Book 4506, Page 245
Jane M. Stabile 107 Mascuppic Trail	Book 9558, Page 134
Virginia M. Greco 109 Mascuppic Trail	Book 20156, Page 169
Darlene Matheson Judith Finan W. Scott Matheson 110 Mascuppic Trail	Book 18169, Page 271
George Bousios 111-113 Mascuppic Trail	Book 28119, Page 25
Michael J. Widmayer Jacqueline M. Widmayer 115 Mascuppic Trail	Book 18753, Page 172
Lorraine B. Levesque Alfred H. Levesque 117 Mascuppic Trail	Book 19680, Page 245
Bruce C. Meyer Jane L. Meyer 118 Mascuppic Trail	Book 26337, Page 148
William T. Look, Jr. Linda L. Look 119 Mascuppic Trail	Book 2246, Page 705
Vanessa D. Hanley Scott James Hanley 122 Mascuppic Trail	Book 21006, Page 51
Evan N. Walsh 124 Mascuppic Trail	Book 26926, Page 177
Carl W. Fryatt A. Janice Fryatt 125 Mascuppic Trail	Book 12052, Page 83

James Spanos
Jennifer R. Spanos
126 Mascuppic Trail

Book 23948, Page 93

The Board has determined that the owners and abutters sustained no damages, and no award is made except as provided below:

ASSESSORS MAP	OWNER(S)	TITLE REFERENCE MIDDLESEX NORTH REGISTRY OF DEEDS	DAMAGES
32B 56 0	Georgette Bilodeau 54 Mascuppic Trail	Book 7249, Page 35	\$300.00
32B 37 0	Bellerose 2009 Family Trust Alfred L. Bellerose & Sheryl A. Bellerose, Trustees 65 Mascuppic Trail	Book 23050, Page 94	\$300.00
32B 34 0	Joanne G. Craig Edward J. Couture Life Estate 69 Mascuppic Trail	Book 12642, Page 314	\$300.00

WITNESS our hands and seals the day and year first above written.

TOWN OF TYNGSBOROUGH
BY ITS BOARD OF SELECTMEN,

Richard D. Reault, Chairman

William F. Gramer, Vice-Chairman

Robert G. Jackson, Clerk

Corliss F. Lambert, Member

Steven A. Nocco, Member

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS

On ____ day of _____, 2016, before me, the undersigned notary public, personally appeared Richard D. Reault, known to me, whose name is signed on the preceding document, and acknowledged to me that he signed it as the free act of the Board of Selectmen and signed it voluntarily for its stated purpose

, Notary Public
My Commission Expires:

Tyngs/Mascuppic Trail Order of Street Layout, Acceptance, and Taking

4A. Freedom Alley Shooting Sports



TOWN OF TYNGSBOROUGH

Office of the Town Administrator

Town Offices

25 Bryants Lane

Tyngsborough, MA 01879

Tel: (978) 649-2314 | Fax: (978) 649-2320

TO: Board of Selectmen

FROM: Matt Hanson, Assistant Town Administrator

DATE: May 2, 2016

RE: Request to deem property surplus and available for sale- Lakeview Ave

Our office was approached by resident Michael Dehney who is interested in purchasing a parcel of residentially zoned tax title property on Lakeview Ave, identified on assessor maps as parcel 25 51 0. Please see the attached photos. Mr. Dehney is the direct abutter on three sides of the Lakeview Ave parcel and the Town is the fourth abutter, owning the Sherburne property to the west of the parcel.

On March 14th our office solicited feedback from Boards, Committees, and Departments on this parcel, as well as a second parcel of tax title property, 26 39 A, located just south of parcel 25 51 0. The only response was from the Conservation Commission. The Commission voted to take no action on parcel 25 51 0, allowing the surplus process to move forward. The Commission also voted to request that parcel 26 39 A be transferred to the care and custody of the Conservation Commission, so we are not requesting any action to surplus this property at this time.

Our office requests that the Board vote that parcel 25 51 0 be deemed surplus and available for sale to an abutter. The next step in the disposition process is Town Meeting approval. If approved at Town Meeting, the Board would have the authority to set a sale price and approve a sale of the property. It is our recommendation that the Board clarify that the pre-existing non-conforming uses on the abutting properties, which encroach parcel 25 51 0, are not expanded.

Please note that an error was found in the property record card, which identifies the parcels as 3.5 acres, while the correct property size appears to be approximately 1.7 acres.

Requested Motion: I move that the Board declare a parcel of land on Lakeview Avenue, taken through tax title on August 1, 1992, and identified as Assessor Map 25, Parcel 51, Lot 0, as surplus property and available for disposition with the following condition:

The non-conforming buildings and/or uses which encroach upon the property at Assessors Map 25, Parcel 51, Lot 0, shall not be extended, increased, altered, or reconstructed, in perpetuity.

CC: Curt Bellavance



Card 1 of 1

Location LAKEVIEW AV

Property Account Number

Parcel ID 25 51 0
Old Parcel ID 35A --

Current Property Mailing Address

Owner TOWN OF TYNGSBOROUGH
TAX TITLE
Address 25 BRYANTS LNCity TYNGSBOROUGH
State MA
Zip 01879
Zoning R1

Current Property Sales Information

Sale Date 9/1/1992
Sale Price 0Legal Reference 6084 347
Grantor(Seller) TAX LIEN

Current Property Assessment

Year 2016
Land Area 3.500 acres

<u>Card 1 Value</u>	
Building Value	0
Xtra Features Value	0
Land Value	152,700
Total Value	152,700

Narrative Description

This property contains 3.500 acres of land mainly classified as N/A with a(n) N/A style building, built about , having N/A exterior and N/A roof cover, with 0 unit(s), 0 total room(s), 0 total bedroom(s), 0 total bath(s), 0 total half bath(s), 0 total 3/4 bath(s).

Legal Description

Property Images

No Sketch

Available





TOWN OF TYNGSBOROUGH

Conservation Commission
Town Offices | 25 Bryants Lane
Tyngsborough, MA 01879
Tel: (978) 649-2300 Ext. 119 | Fax: (978) 649-2320

March 25, 2016

Mr. Matthew Hanson
Assistant Town Administrator
Town Hall
25 Bryants Lane
Tyngsborough, MA 01879

Dear Sir,

During the course of the March 22, 2016 meeting, the Conservation Commission discussed two parcels of land currently in tax title as the directly abut the land of the Sherburne Nature Center. The Commission considered parcel 26-39A and parcel 25-51.

After consideration, the Commission unanimously voted to request that parcel 26-39A be transferred to the custody of the Conservation Commission. We do not wish to acquire parcel 25-51.

Thank you for your consideration in this matter.

Matthew S. Marro,
Conservation Director
cc : Con Com
File



4C. Budgets



TOWN OF TYNGSBOROUGH

ANNUAL TOWN MEETING WARRANT

TYNGSBOROUGH ELEMENTARY SCHOOL
205 WESTFORD ROAD, TYNGSBOROUGH, MA 01879

May 17, 2016

7:00 PM

Middlesex, SS.

To either of the Constables of the Town of Tyngsborough, Massachusetts, in the County of Middlesex:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town of Tyngsborough, qualified to vote in the election, to meet at the following locations:

PRECINCT 1 & 2. TYNGSBOROUGH MIDDLE SCHOOL, 50 NORRIS ROAD
PRECINCT 3 & 4. TYNGSBOROUGH ELEMENTARY SCHOOL, 205 WESTFORD ROAD

in Tyngsborough on Tuesday, the tenth day of May in the year two thousand sixteen from 7 o'clock in the forenoon to 8 o'clock in the evening. And to meet at the following location:

TYNGSBOROUGH ELEMENTARY SCHOOL, 205 WESTFORD ROAD

on Tuesday, the seventeenth day of May in the year two thousand sixteen at 7 o'clock in the evening to act on the following articles:

GENERAL ARTICLES:

Article 1. To bring in their votes by ballot for 1 Selectmen for the term of three years, 1 Assessor for the term of three years, 1 Board of Health Member for the term of three years, 1 Board of Health for the term of two years, 1 Cemetery Commissioner for the term of three years, 1 Cemetery Commission for the term of two years, 1 Cemetery Commissioner for the term of one year, 2 Finance Committee Member for the term of three years, 2 Library Trustees for the term of three years, 2 School Committee Members for the term of three years, 1 Sewer Commissioner Member for the term of three years, 1 Tax Collector for the term of three years, 1 Planning Board Member for the term of five years, 1 Tyngsborough Housing Authority Member for the term of five years.

Article 2: Reports of the Town Officers and Committees. To see if the Town will vote to accept the reports of the Town Officers and Committees as printed, or take any other action relative thereto.

Submitted by: Board of Selectmen

Article 3: Choose all Officers Not Named. To see if the Town will choose all officers not named in Article 1 of the Annual Town Election Warrant, or take any other action relative thereto.

Submitted by: Board of Selectmen

FINANCIAL ARTICLES:

Article 4: Compensation of Elected Officials. To see if the Town will vote to fix the salary and compensation of elective officers of the Town as provided by Section 108 of Chapter 41 of the Massachusetts General Laws, as amended, for the Fiscal Year 2017 (July 1, 2016 - June 30, 2017), or take any other action relative thereto.

Salaries of the Elected Officials are included in the Department Appropriations to be submitted within Article 5.

	REQUEST		
	SALARIES	SALARIES	RECOMMENDED
	7/01/15	7/01/16	7/01/16
	6/30/16	6/30/17	6/30/17
<u>Elective Town Officers</u>			
Moderator	\$ 0	\$ 500	\$ 0
Selectmen Members (4)	\$ 0	\$ 5,000	\$ 0
Chairman	\$ 0	\$ 6,000	\$ 0
Tax Collector	\$ 64,627	\$	\$ 0
Town Clerk	\$ 59,242	\$ 60,427	\$ 0
Assessors (3)			
Chairman	\$ 0	\$ 2,500	\$ 0
Member (1)	\$ 0	\$ 2,000	\$ 0
Member (1)	\$ 0	\$ 2,000	\$ 0
Board of Health			
Chairman	\$ 0	\$ 1,250	\$ 0
Members (4)	\$ 0	\$ 1,000	\$ 0
Tree Warden	\$ 0	\$ 0	\$ 0
Cemetery Commissioners (3)	\$ 0	\$ 0	\$ 0
School Committee (7)	\$ 0	\$ 0	\$ 0
Library Trustees (6)	\$ 0	\$ 0	\$ 0
Sewer Commissioners (3)			
Chairman	\$ 1,500	\$ 1,500	\$ 0
Member (1)	\$ 1,500	\$ 1,500	\$ 0
Member (1)	\$ 1,500	\$ 1,500	\$ 0
Planning Board (5)			
Chairman	\$ 0	\$ 1,750	\$ 0
Members (4)	\$ 0	\$ 1,500	\$ 0
Finance Committee (5)	\$ 0	\$ 0	\$ 0
Constables (2)	\$ 0	\$ 0	\$ 0
Greater Lowell Technical HS (1)	\$ 0	\$ 1,500	\$ 0

Submitted by: Board of Selectmen

Article 5: Appropriation – General Fund for Fiscal Year 2017. To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money as may be necessary to fund town expenses for Fiscal Year 2017 (July 1, 2016 - June 30, 2017), or take any other action relative thereto.

BUDGET...

Submitted by: Board of Selectmen and Finance Committee

Article 6: Transfer of Funds. To see if the Town will vote to appropriate by transfer from the Billboard Stabilization Fund the sum of \$20,000.00 to be expended by the Board of Selectmen to be used to stabilize the tax rate for Fiscal Year 2017 by funding recreational, public safety, or other public purposes, or take any other action relative thereto.

Submitted by: Board of Selectmen

Article 7: Transfer of Funds. To see if the Town will vote to appropriate by transfer the sum of \$5,000.00 from the Wetland Protection Fund to stabilize the tax rate for FY 2017, or take any other action relative thereto.

Submitted by: Board of Selectmen

Article 8: Transfer of Funds. To see if the Town will vote to appropriate by transfer the sum of \$242,140.00 from the PEG Fund to stabilize the tax rate for FY 2017, or take any other action relative thereto.

Submitted by: Board of Selectmen

Article 9: Transfer to Stabilization. To see if the Town will vote to appropriate by transfer the sum of \$576,656.06 from Free Cash to the following funds, or take any other action relative thereto.

Transfer from:	Free Cash	\$576,656.06
Transfer to:	Stabilization Fund	\$326,771.77
	Capital Asset Stabilization Fund	\$249,884.29

Submitted by: Board of Selectmen

Article 10: Transfer of Funds. To see if the Town will vote to appropriate by transfer the sum of \$100,914.81 from Free Cash to the following funds, or take any other action relative thereto.

Transfer from:	Free Cash	\$100,914.81
Transfer to:	Other Post-Employment Benefits Liability Trust Fund	\$52,860.14
	Compensated Absence Fund	\$48,054.67

Submitted by: Board of Selectmen

Article 11: Appropriation – Capital Improvements for Fiscal Year 2017. To see if the Town will vote to transfer from available funds the sum of \$283,522.00, and that the Town be authorized to accept any available grant dollars, for the following purposes:

Department	Project	Amount Not to Exceed	Expended by
Fire Department	Portable Radios	\$24,000	Selectmen
Police Department	Portable Radios	\$30,676	Selectmen
Highway	¾-Ton Truck with Plow	\$50,000	Selectmen
Selectmen	Town Offices Improvements	\$62,846	Selectmen
Information Tech.	Town Hall Phone system	\$21,000	Selectmen
School	Technology Replacement	\$50,000	School Committee
School	Maintenance vehicle	\$45,000	School Committee
		\$283,522	

for a total of \$283,522.00, or take any other action relative thereto.

Submitted by: Board of Selectmen and Capital Asset Management Committee

Article 12: Appropriation – Sewer Enterprise Fund for Fiscal Year 2017. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be expended by the Sewer Commission to operate the Sewer Enterprise for Fiscal Year 2017 as follows:

That the following sums be appropriated:

Salaries & Stipends	\$ 195,554.00
Expenses	\$ 727,404.00
Capital Outlay	\$ 863,750.00
Debt	\$ 75,318.00
<u>Subtotal</u>	<u>\$ 1,862,026.00</u>
Indirect Costs to General Fund	\$ 114,819.00
Total	\$ 1,976,845.00

That \$1,862,026 be appropriated from the Sewer Enterprise fund

Department receipts	\$ 1,209,715.00
<u>Retained Earnings</u>	<u>\$ 767,130.00</u>
Total	\$ 1,976,845.00

That \$114,819.00 be included in appropriations from the General Fund for indirect costs and be allocated to the Sewer Enterprise for funding, or take any other action relative thereto.

Submitted by: Sewer Commissioners

Article 13: Appropriation – Ambulance Enterprise Fund for Fiscal Year 2017. To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be expended by the Board of Selectmen to operate the Ambulance Enterprise for Fiscal Year 2017 as follows:

Salaries	\$ 253,352.00
Expenses	\$ 30,000.00
Capital Outlay – Year 1	\$ 40,000.00

Subtotal	\$ 323,352.00
Indirect Costs to the General Fund	\$ 5,342.00
TOTAL	\$ 372,074.00

That \$372,074.00 be raise through Department Receipts

Department Receipts	\$ 372,074.00
TOTAL	\$ 372,074.00

That \$48,722.00 be included in appropriations from the General Fund for indirect costs and be allocated to the Ambulance Enterprise for funding, or take any other action relative thereto.

Submitted by: Board of Selectmen

Article 14: Authorization of the Board of Selectmen Regarding Contracts in Excess of Three Years. To see if the Town will vote to authorize the Board of Selectmen to enter into Lease/Purchase Agreements up to five years to purchase equipment for Town Departments. Said contracts shall be subject to annual appropriations, or take any other action relative thereto.

Submitted by: Board of Selectmen

Article 15: Authorization of the School Committee Regarding a Transportation Contracts in Excess of Three Years. To see if the Town will vote to authorize the School Committee to enter into an Agreement up to five years to provide transportation services for the school department. Said contracts shall be subject to annual appropriations, or take any other action relative thereto.

Submitted by: School Committee

Article 16: Authorization for the Board of Selectmen to Lease Property for a Billboard. To see if the Town will vote to authorize the Board of Selectmen to enter into any and all necessary agreements to let and/or lease the property for the construction, installation, operation and maintenance of a billboard, on such terms and conditions as the Board of Selectmen deem appropriate, property identified as 120 Westford Road, shown as Assessors Map 22, Parcel 1-0, containing approximately 14.61 acres of land, zoned Industrial 1 Light (I-1), recorded in Middlesex North Registry of Deeds in Book 2652, Page 722, or take any other action relative thereto.

Submitted by: Board of Selectmen

Article 17: Authorization to Accept Chapter 90 Funds. To see if the Town will vote to accept the State Grant of Chapter 90 Highway Funds and authorize the Board of Selectmen to expend said funds for Highway purposes in accordance with the terms of said grants; or take any other action relative thereto.

Submitted by: Board of Selectmen

Article 18: Continue and Approve Revolving Funds. To see if the Town will vote to authorize pursuant to the authority granted under Massachusetts General Laws Chapter 44, Section 53E½ the following revolving funds for the purpose of receiving fees and making disbursements in connection with the duties of the following town entities or as so specified below, and that any surplus revenue accumulated in FY2016 and FY2017 shall remain in the revolving accounts for each of the following town entities:

Fund	Programs and Purposes	Departmental Receipts	Authorization	Max. Annual Expenditure
Fire Department	Fire programs and materials	Hazmat fees	Board of Fire Engineers	\$10,000.00
Ambulance	Ambulance programs and materials	Fees	Board of Fire Engineers	\$50,000.00
Recreation Committee	Recreational programs and activities	Fees collected from participants	Board of Selectmen	\$120,000.00
Old Town Hall	Old Town Hall operation and maintenance	Fees	Board of Selectmen	\$25,000.00
School Field Use Committee	Field maintenance	Field use fees	School Field Use Committee	\$50,000.00
Board of Health	Recycling programs and materials	Fees collected from participants	Board of Health	\$7,000.00
Board of Health	Collection and disposal of bulky items	Fees collected from Republic Services and participants	Board of Health	\$40,000.00
Board of Health	Reimbursement program for Medicare Plan members	Medicare reimbursements	Board of Health	\$6,000.00
Conservation Commission	Conservation Commission activities	Fees from local Wetland Protection By-law	Conservation Commission	\$5,000.00
Sealer of Weights and Measures	Inspection activities	Fees collected from participants	Board of Selectmen	\$3,000.00

or take any other action relative thereto.

Submitted by: Town Entities as shown

Article 19: Establish a Police Detail Revolving Fund. To see if the Town will vote to establish a Traffic Police Detail Revolving Fund as authorized by Chapter 44, §53E½ of the Massachusetts General Laws. This fund shall be funded by citations and other traffic violations charged. These funds may be expended without further appropriation for wages and expenses related to traffic and roadway safety. The Board of Selectmen may expend from this account an amount not to exceed \$30,000 for the fiscal year beginning July 1, 2016, or take any action in relation thereto.

Submitted by: Board of Selectmen

Article 20: Transfer Funds. To see if the Town will vote to transfer an amount in FY16 from Stabilization Fund for Debt & Debt Assessment and said funds be used by the Treasurer to be used towards the payment of debt principal and interest for the Early Childhood Center (ECC) Roof, 135 Coburn Road, and the Greater Lowell Technical High School for Debt Assessment; or to take any other action relative thereto.

Transfer from:	Stabilization Fund for Debt & Debt Assessment	\$57,395.00
Transfer to:	Long Term Debt Principal	\$50,000.00
	Long Term Debt Interest	\$ 7,395.00

Transfer from:	Stabilization Fund for Debt & Debt Assessment	\$69,378.00
Transfer to:	Technical School Assessment	\$69,378.00

Submitted by: Board of Selectmen

Article 21: Appropriation from Community Preservation Committee Fund. To see if the Town will vote a sum of money to be appropriated or reserved from estimated annual revenues of the Community Preservation Fund for the fiscal year 2017, with each item to be considered a separate appropriation, for the payment of administrative expenses of the Community Preservation Committee, debt service, community preservation projects, and all other necessary and proper expenses,

<u>Description</u>	<u>Amount</u>	<u>Fund Category</u>
Administrative Expenses	\$25,000.00	Administrative
Lake Mascuppic Weed Control Program	\$7,000.00	Open Space/Rec
Flint Pond Restoration	\$35,000.00	Open Space/Rec
First Parish Fence	\$9,913.75	Open Space/Rec
Winslow School	\$30,000.00	Historic
Artifact Display Cabinet	\$4,000.00	Historic
Tyngsborough Housing Authority Study	\$30,000.00	Housing
Pay off Red Pine Housing debt	\$299,909.90	Housing
	<u>\$100,090.10</u>	<u>Undesignated</u>
	\$400,000.00	TOTAL
Pay off First Parish Meeting House debt	\$348,867.40	Historic
	<u>\$121,132.60</u>	<u>Undesignated</u>
	\$470,000.00	TOTAL
Long Term Debt Services	\$ _____	
Interest on Long Term Debt	\$ _____	
Interest on Short Term Debt	\$ _____	
Total CPC Appropriations	\$ _____	
Reserve for Historic Preservation	\$ _____	
Reserve for Affordable Housing	\$ _____	
Reserve for Open Space	\$ _____	
FY 2017 Budgeted Reserve	\$ _____	

or take any other action relative thereto.

Submitted by: Community Preservation Committee

MISCELLANEOUS ARTICLES

Article 22: Authorization to Sell Surplus Property. To see if the Town will vote to authorize the Board of Selectmen to convey to direct abutters a parcel of land situated on Lakeview Avenue, having approximately 1.7 acres of land and shown on Assessors Map 25, Block 21, Lot 0, and also recorded in the Middlesex North Registry of Deeds, Book 6084 Page 347, such land having been determined to be no longer needed for any municipal purposes, upon such terms and conditions as determined by the Selectmen, or take any other action relative thereto.

Submitted by: Board of Selectmen

Article 23: Amend the Wetland Bylaw. To see if the Town will vote to amend the Wetlands Bylaw, Article XXXIII, Section 5.1 by amending the following language by deleting the underlined words and replacing them with the **BOLDED** words;

5.1 Any person filing a permit application or a RDA with the Commission at the same time shall give written notice thereof, by certified mail (return receipt requested) **Certificate of Mail** or hand delivered, to all abutters at their mailing addresses shown on the most recent applicable tax list of the assessors,”

or to take any other action relative thereto

Submitted by: Conservation Commission

CITIZEN PETITIONS:

Article 24: Citizen Petition to Amend the Zoning Bylaw. To see if the town will vote to amend the zoning map from Business (B3) to Industrial One (I1) with respect to a certain portion of land situated in Tyngsborough, Middlesex County, Massachusetts, known as 324 Middlesex Road and being shown on a Zoning Extension Plan dated April 5, 2016 prepared by LandPlex Civil Engineering & Surveying containing the following metes and bounds:

Beginning at a point on the southerly side of a twenty-five foot wide Right of Way known as Chisholm Road, at the northwest corner of the premises;

Thence running N 78°51'57"E along the southerly side of said Right of Way a distance of 164.54' ;

Thence running S 26°36'40"E a distance of 1,046.05' ;

Thence running S 63°23'20"W a distance of 328.66' ;

Thence running N 38°08'52"W a distance of 70.89' ;

Thence running along a curve to the right of radius 600.00' a length of 120.72' ;

Thence running N 26°37'11"W a distance of 227.19' ;

Thence running N 44°01'59"E a distance of 118.46' ;

Thence running N 19°00'27"W a distance of 639.76' to the point of beginning.

The remaining portion of the property shall remain zoned as currently designated.

The property is more particularly described in a deed to Tyngsboro D.J.D., LLC recorded at Book 29698, Page 69 on December 29, 2015 in the North Middlesex District Registry of Deeds, or to take any other action relative thereto.

Citizen Petition

And you are hereby directed to serve this Warrant, by posting attested copies thereof at the Town Hall, Kendall Road Fire Station No.1, Council on Aging Center, Lakeview Avenue Fire Station No.2, in said Town, seven (7) days at least before the time of holding said meeting.

HEREOF FAIL NOT, and make due return the Warrant, with your doings thereon to the Town Clerk at the time and place of meeting, aforesaid.

Given under our hands and seals this 2nd day of May, in the year two thousand sixteen.

Board of Selectmen

Richard D. Reault, Chair

William F. Gramer, Vice Chair

Robert G. Jackson, Clerk

Corliss F. Lambert

Steven A. Nocco

Pursuant to the foregoing Warrant, I have notified and warned the inhabitants of the Town of Tyngsborough by posting attested copies of same at the Town Hall, Kendall Road Fire Station No. 1, Council on Aging Center, and Lakeview Avenue Fire Station No. 2, and at least seven (7) days before the date thereof, as within directed.

Constable

Date

Time

TOWN OF TYNGSBOROUGH
SPECIAL TOWN MEETING WARRANT
May 17, 2016
7:30 PM

- Article 1.** Department Transfers
- Article 2:** Transfer of Funds for Town Collector Retirement
- Article 3.** Transfer of Funds for School Medicaid
- Article 4.** Prior Year Bills
- Article 5.** Sewer Enterprise Fund transfer (if needed)

Article 1: Department Transfers from Available Funds. To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, and/or appropriate by transfer from one or more municipal government accounts a sum of money to supplement various municipal government groups for fiscal year 2016, or take any other action relative thereto.

Submitted by: Board of Selectmen

Article 2: Transfer of Funds for Town Collector Retirement. To see if the Town will vote to transfer from available funds \$10,813.62 for the Town Collector's planned retirement in May 2016, or to take any other action thereto.

Submitted by: Board of Selectmen

Article 3: Transfer of Funds for School Medicaid. To see if the Town will vote to appropriate by transfer from Free Cash (available funds) the sum of \$139,965.56 to supplement the Tyngsborough School Budget for fiscal year 2016 to be expended by the School Committee. Said amount represents reimbursements made through June 30, 2015 from the Municipal Medicaid Program for school services provided to eligible residents, or take any other action relative thereto.

Submitted by: Board of Selectmen and School Committee

Article 4: Approve Payment of Prior Year Unpaid Bills. To see if the Town will vote to appropriate by transfer from Fiscal Year 2016 departmental appropriations the following amounts to pay prior years' bills, or to take any other action relative thereto.

<u>Prior Year</u>	<u>Invoices/Vendor</u>	<u>Amount</u>	<u>Department</u>
FY15	The Lowell Publishing Co.	266.64	Planning Board
FY15	The Lowell Publishing Co.	266.64	Planning Board

Submitted by: Board of Selectmen

Article 5: Transfer from Sewer Enterprise. To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, and/or appropriate by transfer from one or more municipal government accounts an amount to be expended by the Sewer Commissioners, or to take any other action relative thereto.

Petition of the Sewer Commissioners

5. Citizen/Business Time



The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON 02133-1054

COMMITTEES
House Committee on Ways and Means
Joint Committee on Ways and Means
Joint Committee on the Judiciary
House Personnel and Administration
House Committee on Redistricting

COLLEEN M. GARRY
REPRESENTATIVE
36TH MIDDLESEX DISTRICT
DRACUT - TYNGSBOROUGH
55 CHAPMAN STREET
DRACUT, MA 01826

ROOM 238, STATE HOUSE
TEL: (617) 722-2380
FAX: (617) 722-2847

Colleen.Garry@MAhouse.gov

April 5, 2016

Mr. Curt Bellevance
Tyngsborough Town Administrator
Tyngsborough Town Hall
25 Bryants Lane
Tyngsborough, MA 01879

APR 25 '16 8:22:23
TYNGSBOROUGH BOS

Dear Mr. Bellevance,

I am writing today to inform you that the Legislature has approved a \$200 million Chapter 90 appropriation, with that passage, the Town of Tyngsborough has been appropriated \$416,696.00 in Chapter 90 Funding for FY17.

In keeping our commitment to help towns with local road projects, this on top of last year's disbursement means that over the past two years Tyngsborough has been allocated a total of \$833,885.00 in Chapter 90 Funding for the FY16 and FY17.

We will continue to work together to assure cities and towns throughout the Commonwealth receive the funding necessary to keep our local roads and highways safe for travel.

If you should have any questions or concerns, please feel free to contact me at 617-722-2380.

Sincerely,


COLLEEN M. GARRY
State Representative



April 19, 2016

Dear Chief Municipal Official,

APR 21 '16 10:58:50

TYNGSBOROUGH BOS

On behalf of the Massachusetts Municipal Association, I want to thank your community for providing us with information for our 2015-2016 Massachusetts Municipal Directory. We are now beginning to gather information for the 2016-2017 edition.

You will soon receive an email with a link to your community's current information. This email will give you an opportunity to review the data and determine who would be the best person to update the pre-populated online form, which will take just a few minutes.

Towns will receive this email within two weeks of your spring election, along with a username and password.

Cities will receive this email, with username and password, by the end of April.

If you do not receive the email within the above timeframe, please contact me directly at ddemain@mma.org and another email will be sent.

We want to thank you in advance for providing the MMA with the most complete and accurate information for your community.

If you have any questions, please let me know.

Best regards,

A handwritten signature in black ink, appearing to read "Dann".

Dann DeMaina
Editor, Massachusetts Municipal Directory

SMOKEY BONES

Bar & Fire Grill

April 26, 2016

APR 27'16 8:28:31

TYNGSBOROUGH BOS

Town of Tyngsborough
Town Offices
25 Bryants Lane
Tyngsborough, MA 01879

RE: 2015 Gross Sales Percentages

This letter serves as a declaration of the 2015 gross sales percentages for Smokey Bones Bar and Fire Grill restaurant.

Food/Non-Alcohol Sales	\$3,884,192.20	(68%)
Alcohol Sales	\$1,822,875.24	(32%)
Total Sales	\$5,707,067.44	(100%)

Should you have any questions, please feel free to contact me at 316/685-1622 x3155 or by email terri.carman@issvc.com.

Thank you for your attention to this licensing matter.

Terri M. Carman

Terri M. Carman
License Supervisor

Tyngsborough Public Schools
School Committee Meeting – Budget Public Hearing
Tyngsborough High School Library
Tuesday, May 3, 2016
7:00 P.M.

AGENDA

***PLEASE NOTE LOCATION, DATE AND TIME**

APR 29 16 8:19:39
TYNGSBOROUGH BOS

1. Call to Order
2. Public Hearing on the Proposed FY17 School Budget
3. Approval of Minutes – April 12, 2016 School Committee Budget Work Session Minutes
4. Correspondence
 - A. Superintendent’s Letter(s)
 - B. Town Hall Correspondence
5. Visitors’ Comments and Questions
6. Share the Success
7. Policy
8. Personnel
 - A. Appointment of TMS Assistant Principal
 - B. Appointment of TES Associate Principal
 - C. Appointment of TMS Principal
 - D. Notification of Request for Leave of Absence
9. Unfinished Business – Submit FY17 School Budget
10. New Business
 - A. 2016/2017 Academic Calendar Approval
 - B. Unit D Contract Ratification
11. Finance
 - A. Signing of Bills
 - B. Signing of Payroll
 - C. March Financial Packet
 - D. Other
12. School Committee Discussion
13. Executive Session
14. Adjournment

APR 28'16 9:32:53

TYNGSBOROUGH BOS

APRIL 27, 2016

ENCLOSED:

CTV FORM 200 FINANCIAL BALANCE SHEET

**CTV FORM 300 STATEMENT OF REVENUE & EXPENSES
PARTS A & B**

CTV FORM 400 STATEMENT OF OWNERSHIP

**FOR THE COMBINED MASSACHUSETTS CABLE TELEVISION
OPERATIONS OF COMCAST CABLE COMMUNICATIONS, LLC
FOR THE FISCAL YEAR ENDED
DECEMBER 31, 2015.**

CTV FORM 200
FINANCIAL BALANCE SHEET

Reporting Entity: Combined Massachusetts Operations of Comcast Cable Communications Holdings, Inc.
Franchises Served: See Attachment A
Year Ending: December 31, 2015

	Current Year 2015	Prior Year 2014
ASSETS		
<u>Current Assets</u>		
200 Cash and Equivalents	\$ -	\$ -
210 Accounts Receivable, Less Allowances	\$ 39,231,299	\$ 40,627,917
220 Inventory	\$ 6,241,621	\$ 7,286,928
230 Prepaid Expenses	\$ 3,423,136	\$ 3,254,632
240 Other Current Assets	\$ 160,004	\$ 149,636
250 Total Current Assets	\$ 49,056,060	\$ 51,319,113
<u>Fixed Operating Assets</u>		
260 Land	\$ 11,062,805	\$ 11,091,077
270 Buildings	\$ 82,674,555	\$ 87,542,166
280 Headend Equipment	\$ 309,746,870	\$ 433,546,206
290 Trunk and Distribution Equipment	\$ 1,078,736,473	\$ 1,793,238,930
300 Subscriber Devices	\$ 736,274,584	\$ 668,619,819
310 Other Fixed Operating Assets	\$ 91,306,118	\$ 87,704,257
320 Construction Work in Progress	\$ -	\$ -
330 Total Fixed Operating Assets	\$ 2,309,801,405	\$ 3,081,742,455
340 Accumulated Depreciation	\$ (1,616,075,971)	\$ (2,328,936,975)
Net Fixed Operating Assets	\$ 693,725,434	\$ 752,805,480
<u>Other Operating Assets</u>		
350 Franchise Acquisition Costs	\$ 4,169,462,879	\$ 4,171,464,133
360 Excess Fair Value	\$ -	\$ -
370 Goodwill	\$ 27,597,247	\$ 27,597,247
380 Other Intangible Assets	\$ 94,230,239	\$ 95,464,350
390 Total Other Assets	\$ 4,291,290,365	\$ 4,294,525,730
400 Accumulated Amortization	\$ (55,889,633)	\$ (57,616,322)
Net Other Assets	\$ 4,235,400,732	\$ 4,236,909,408
Non-Operating Assets	\$ -	\$ -
410 Total Net Assets	\$ 4,978,182,226	\$ 5,041,034,001

**CTV FORM 200
FINANCIAL BALANCE SHEET**

Reporting Entity: Combined Massachusetts Operations of Comcast Cable Communications Holdings, Inc.
Franchises Served: See Attachment A
Year Ending: December 31, 2015

	Current Year 2015	Prior Year 2014
LIABILITIES AND OWNER'S EQUITY		
<u>Current Liabilities</u>		
420 Accounts Payable	\$ 4,830,666	\$ 3,965,387
430 Subscriber Advance Payments and Deposits	\$ 14,531,347	\$ 13,568,349
440 Debt Due within One Year	\$ -	\$ 278,579
450 Current Taxes Payable	\$ 705,301	\$ 720,946
460 Other Current Liabilities	\$ 30,913,380	\$ 28,798,255
470 Total Current Liabilities	\$ 50,980,694	\$ 47,331,516
<u>Non Current Liabilities</u>		
480 Long-Term Debt	\$ -	\$ -
490 Notes Payable	\$ -	\$ -
500 Bonds Payable	\$ -	\$ -
510 Obligation on Capitalized Leases	\$ 4,146,537	\$ 915,538
520 Deferred Taxes	\$ -	\$ -
530 Other Non Current Liabilities	\$ 7,542,339	\$ 4,522,606
540 Total Non Current Liabilities	\$ 11,688,876	\$ 5,438,144
<u>Owner's Equity</u>		
550 Net Assets due from/to Parent Company	\$ (1,694,557,901)	\$ (1,226,812,080)
560 Capital Stock	\$ 6,523,231,203	\$ 6,523,231,203
570 Retained Earnings - Gross	\$ 851,839,354	\$ 456,845,218
580 Accumulated Dividends	\$ (765,000,000)	\$ (765,000,000)
590 Other	\$ -	\$ -
600 Total Owner's Equity	\$ 4,915,512,656	\$ 4,988,264,341
610 Total Liabilities and Equity	\$ 4,978,182,226	\$ 5,041,034,001

ATTACHMENT A

COMBINED MASSACHUSETTS OPERATIONS OF COMCAST CABLE COMMUNICATIONS HOLDINGS, INC.

SCHEDULE OF FRANCHISES SERVED IN COMMONWEALTH OF MASSACHUSETTS AS OF DECEMBER 31, 2015

1 Abington	41 Chatham	81 Groveland	121 Mattapoisett	161 Plainville	201 Tewksbury
2 Acton	42 Chelmsford	82 Halifax	122 Maynard	162 Plymouth	202 Tisbury
3 Acushnet	43 Chelsea	83 Hamilton	123 Medfield	163 Plympton	203 Topsfield
4 Agawam	44 Chester	84 Hanover	124 Medford	164 Provincetown	204 Townsend
5 Amesbury	45 Chilmark	85 Hanson	125 Medway	165 Quincy	205 Truro
6 Amherst	46 Clinton	86 Hardwick	126 Melrose	166 Randolph	206 Tyngsborough
7 Andover	47 Cohasset	87 Harwich	127 Mendon	167 Raynham	207 Upton
8 Aquinnah	48 Concord	88 Hatfield	128 Merrimac	168 Reading	208 Wakefield
9 Arlington	49 Conway	89 Haverhill	129 Methuen	169 Rehoboth	209 Walpole
10 Ashburnham	50 Danvers	90 Hingham	130 Middleborough	170 Revere	210 Waltham
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14 Avon	54 Dennis	94 Hopedale	134 Milton	174 Rowley	214 Watertown
15 Ayer	55 Dighton	95 Hopkinton	135 Monson	175 Salem	215 Wayland
16 Barnstable	56 Dover	96 Hudson	136 Montague	176 Salisbury	216 Wellesley
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36 Burlington	76 Gill	116 Marblehead	156 Palmer	196 Sunderland	236 Winthrop
37 Cambridge	77 Gloucester	117 Marion	157 Peabody	197 Swampscott	237 Woburn
38 Canton	78 Granby	118 Marlborough	158 Pelham	198 Swansea	238 Wrentham
39 Carlisle	79 Granville	119 Marshfield	159 Pembroke	199 Taunton	239 Yarmouth
40 Carver	80 Greenfield	120 Mashpee	160 Phillipston	200 Templeton	

CTV FORM 300
STATEMENT OF REVENUE & EXPENSES
PART A
INCOME STATEMENT

Reporting Entity: Combined Massachusetts Operations of Comcast Cable Communications Holdings, Inc.

Franchises Served: See Attachment A

Year Ending: December 31, 2015

	Current Year 2015	Prior Year 2014
OPERATING INCOME		
<u>Subscriber Revenues</u>		
620 Installation Income	\$ 11,566,967	\$ 14,398,859
630 Equipment Revenue	\$ 75,619,502	\$ 75,848,732
640 Basic/Other Tier Subscriber Revenue	\$ 1,258,203,870	\$ 1,052,345,083
650 Premium Channel Revenue	\$ 156,559,360	\$ 318,183,222
660 Pay Per View Revenue	\$ 67,325,578	\$ 64,689,139
670 Other Subscriber Revenues	\$ 89,575,789	\$ 8,214,440
680 Total Subscriber Revenues	\$ 1,658,861,068	\$ 1,533,679,473
<u>Non-Subscriber Revenues</u>		
690 Advertising Income	\$ 123,932,824	\$ 128,436,881
700 Other Income	\$ 10,124,313	\$ 90,441,268
710 Total Non-Subscriber Revenues	\$ 134,057,137	\$ 218,878,149
720 Total Operating Income	\$ 1,792,918,203	\$ 1,752,557,622
OPERATING EXPENSES		
<u>Direct Operating Expenses</u>		
730 Programming Expenses	\$ 738,894,143	\$ 677,525,578
740 Net Bad Debt and Collection Expenses	\$ 10,734,339	\$ 10,930,794
750 Salaries and Benefits	\$ 164,583,862	\$ 162,872,097
760 Repairs & Maintenance	\$ 14,301,816	\$ 15,347,265
770 Light, Heat, Power	\$ 14,090,890	\$ 4,483,290
780 Pole & Duct Rental	\$ 7,494,043	\$ 15,014,295

CTV FORM 300
STATEMENT OF REVENUE & EXPENSES
PART A
INCOME STATEMENT

Reporting Entity: Combined Massachusetts Operations of Comcast Cable Communications Holdings, Inc.

Franchises Served: See Attachment A

Year Ending: December 31, 2015

	Current Year 2015	Prior Year 2014
790 Administration - Office and Billing	\$ 65,402,870	\$ 60,164,586
800 Marketing	\$ 32,867,318	\$ 29,920,948
810 Local Origination	\$ 1,192,902	\$ 1,414,219
820 Other	<u>\$ 196,117,943</u>	<u>\$ 218,124,656</u>
830 Total Operating Expenses	<u>\$ 1,244,680,126</u>	<u>\$ 1,195,797,728</u>
<u>Depreciation and Amortization</u>		
840 Depreciation	\$ 148,226,126	\$ 211,252,986
850 Amortization	<u>\$ 3,642,278</u>	<u>\$ 6,411,645</u>
880 Total Depreciation and Amortization	<u>\$ 151,868,404</u>	<u>\$ 217,664,631</u>
870 Total Expenses	<u>\$ 1,396,548,530</u>	<u>\$ 1,413,462,358</u>
<u>Other Income and Expenses</u>		
880 Other Income	\$ (16,007)	\$ (14,447)
890 Interest Expenses	\$ 457,696	\$ 661,161
900 Other	<u>\$ -</u>	<u>\$ -</u>
910 Total Other (Income) and Expenses	<u>\$ 441,689</u>	<u>\$ 646,713</u>
<u>Provision for Income Tax</u>		
920 Currently Payable		
930 Deferred		

CTV FORM 300
STATEMENT OF REVENUE & EXPENSES
PART A
INCOME STATEMENT

Reporting Entity: Combined Massachusetts Operations of Comcast Cable Communications Holdings, Inc.

Franchises Served: See Attachment A

Year Ending: December 31, 2015

	Current Year 2015	Prior Year 2014
940 Total Provision for Income Tax	\$ -	\$ -
 <u>Extraordinary Items</u>		
950 (Gain)/Loss on Sale of Fixed Assets	\$ 933,848	\$ 13,308,206
960 Other Extraordinary Items	\$ -	\$ -
970 Total Extraordinary Items	\$ 933,848	\$ 13,308,206
 980 Net Income (Loss)	 \$ 394,994,136	 \$ 325,140,345

CTV FORM 300
STATEMENT OF REVENUE & EXPENSES
PART B
STATEMENT OF GROSS ANNUAL RECEIPTS

Description of Gross Annual Receipts

The amount to be reported as gross annual receipts is the total of all revenues earned (reduced by anticipated bad debts) from cable television activity in the Commonwealth. These revenues should include all income from the basic service tier, cable programming service tiers, premium and pay-per-view channels, the rental of converters and remote controls, installations, advertising, local origination, leased access, rentals and management fees.

The amount reported should reflect the total operating income amount reported in the company's general ledger account. These accounts are included in the operating income accounts set forth in the Cable Division's *Uniform Reporting System - Rules for Completing Financial Reporting Forms*. (Total Gross Annual Receipts should equal the total provided on Line 720 of Form 300 for all forms filed by the cable operator.)

Operator: Comcast Cable Communications, LLC

Address: 676 Island Pond Road
Manchester, NH 03109

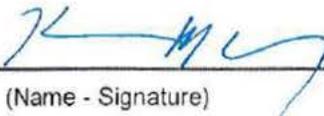
I hereby certify that the amount shown below is the gross annual receipts for this company for the calendar year as defined below.

Year: December 31, 2015 Gross annual receipts

Gross Receipts	\$	1,792,918,203
Less Bad Debt	\$	(7,936,692)
Total Gross Receipts	\$	1,784,981,511

Kevin M. Casey
(Name - Print)

April 22, 2016
(Date)


(Name - Signature)

(603) 695-1452
(Telephone)

Division President - Northeast Division
(Title)

ATTACHMENT A

COMBINED MASSACHUSETTS OPERATIONS OF COMCAST CABLE COMMUNICATIONS HOLDINGS, INC.

SCHEDULE OF FRANCHISES SERVED IN COMMONWEALTH OF MASSACHUSETTS AS OF DECEMBER 31, 2015

1 Abington	41 Chatham	81 Groveland	121 Mattapoisett	161 Plainville	201 Tewksbury
2 Acton	42 Chelmsford	82 Halifax	122 Maynard	162 Plymouth	202 Tisbury
3 Acushnet	43 Chelsea	83 Hamilton	123 Medfield	163 Plympton	203 Topsfield
4 Agawam	44 Chester	84 Hanover	124 Medford	164 Provincetown	204 Townsend
5 Amesbury	45 Chilmark	85 Hanson	125 Medway	165 Quincy	205 Truro
6 Amherst	46 Clinton	86 Hardwick	126 Melrose	166 Randolph	206 Tyngsborough
7 Andover	47 Cohasset	87 Harwich	127 Mendon	167 Raynham	207 Upton
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39 Carlisle	79 Granville	119 Marshfield	159 Pembroke	199 Taunton	239 Yarmouth
40 Carver	80 Greenfield	120 Mashpee	160 Phillipston	200 Templeton	

**CTV FORM 400
STATEMENT OF OWNERSHIP**

Please provide the following information for each Issuing Authority. Note that communities served by the same legal entity may be aggregated.

- (1) (a) The full legal name of the cable operator's legal entity (corporation or partnership) holding the cable television license.

Name: See Attachment A

- (b) If applicable, the d/b/a or generally used name of the legal entity within the Issuing Authority's community.

Name: _____

- (2) The full legal name of the ultimate parent entity/ies which own(s) the corporation or partnership holding the cable license.

Name: Comcast Corporation FEDERAL ID 27-0000798

- (3) The regional office(s) managing the cable licenses in Massachusetts:

Name: Comcast Cable Communications, LLC

Street Address: 676 Island Pond Road

Municipality, State & Zip Code: Manchester, NH 03109

Contact Person: Edward Zimmermann

Contact Person's Title: Division Sr. Vice President, Finance

Contact Person's Telephone Number: (603) 695 - 1452

- (4) The corporate office of the ultimate parent entity:

Name: Comcast Corporation

Street Address: 1701 John F Kennedy Boulevard

Municipality, State & Zip Code: Philadelphia, PA 19103

Contact Person: Edward Zimmermann

Contact Person's Title: Division Sr. Vice President, Finance

Contact Person's Telephone Number: (603) 695 - 1452

CERTIFICATION PAGE

Financial and Statistical Data Forms for the year ending December 31, 2015

Cable Operator: Comcast Cable Communications, LLC

Address: 676 Island Pond Road
Manchester, NH 03109

Telephone: (603) 695 - 1468 Fax: (603) 628 - 3365

Name of person completing these forms: Mark Renaud

Title: Senior Director of Regulatory Accounting

Number of cable franchises in Massachusetts at most recent year end: 240

Number of cable subscribers in Massachusetts at most recent year end: 1,488,556

Form of Organization (circle one) Corporation Partnership Other

Is the company owned or controlled by a Multiple System Operator (MSO)? Yes

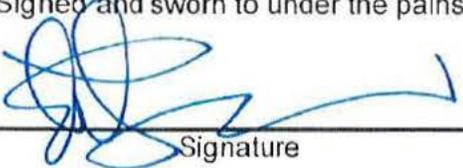
Name, address and telephone number of MSO: Comcast Corporation
1500 Market Street
Philadelphia, PA 19102

CERTIFICATION

G.L. c. 166A, sec. 8, requires the execution of this certification by the treasurer of the corporation.

I certify that all the information contained in these forms are true and complete to the best of my knowledge. All material changes requiring an explanation have been explained.

Signed and sworn to under the pains and penalties of perjury this 22th day of April 2016



Signature

Division Sr. Vice President, Finance
Title

**CTV FORM 400
ATTACHMENT A
12/31/2015**

Name: Comcast Cable Communications, LLC

(1) (a) The full legal name of the cable operator's legal entity (corporation or partnership) holding the cable television license.

Legal Entity

Comcast of Massachusetts I, Inc.
Comcast of Massachusetts II, Inc.
Comcast of Brockton, Inc.
Comcast of Milton, Inc.
Comcast of Needham, Inc.
Comcast of Georgia/Massachusetts, LLC
Comcast of Massachusetts/New Hampshire, LLC
Comcast of Massachusetts/Virginia, Inc.
Comcast of Southern New England, Inc.
Comcast of Boston, Inc.
Comcast of Massachusetts III, Inc.
Comcast of California/Massachusetts/Michigan/Utah, LLC
Comcast of Connecticut/Georgia/Massachusetts/New Hampshire/New York/North Carolina/Virginia/Vermont, LLC

ATTACHMENT A

COMBINED MASSACHUSETTS OPERATIONS OF COMCAST CABLE COMMUNICATIONS HOLDINGS, INC.

SCHEDULE OF FRANCHISES SERVED IN COMMONWEALTH OF MASSACHUSETTS AS OF DECEMBER 31, 2015

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GLWDB
GREATER LOWELL
Workforce Development Board

Career Center of **Lowe** 



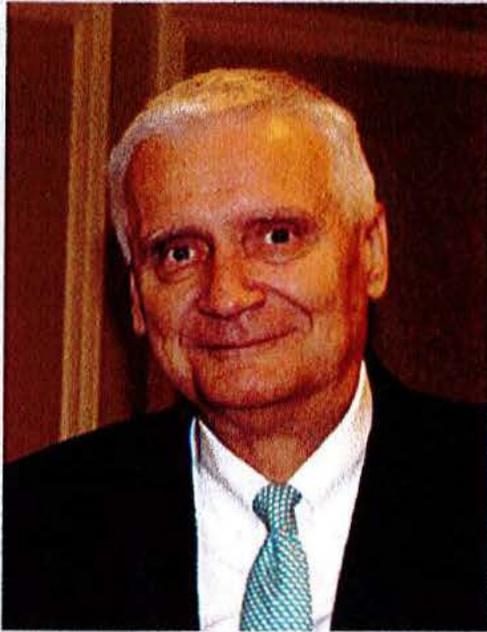
The Greater Lowell Workforce Development Board
Fiscal Year 2015 Annual Report

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CHAIRMAN'S MESSAGE

The Greater Lowell Workforce Development Board



Raymond Wrobel, Vice President for Business Development, Align Credit Union, GLWDB Chair

During 2015 the Greater Lowell Workforce Investment Board (GLWIB) changed its name to Greater Lowell Workforce Development Board (GLWDB) to be consistent with terminology used in the new Workforce Innovation and Opportunity Act (WIOA) signed into law in 2014.

To further meet changes required under WIOA including increased emphasis on serving out-of-school youth and young adults we adjusted the percentage of OSY served to be compliant with the 75% funding allocation required under the new law, while maintaining a smaller program to continue to serve in-school youth. In FY16 we will focus on other components of WIOA including Workforce Board Certification, Career Center standards and One-Stop Career Center Procurement.

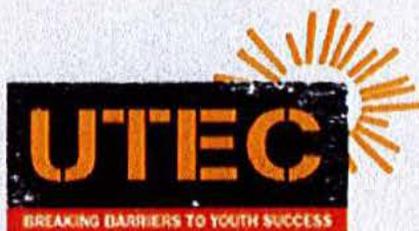
We developed and began implementation of a new two-year Strategic Plan outlining goals and objectives for the 2015-2016 time frame designed to meet employer needs for a skilled workforce; connect job seekers to competitive wage employment; support successful youth entry into career pathways and post-secondary education; and maintain a strong public workforce system in Greater Lowell.

The Northeast Advanced Manufacturing Consortium (NAMC), a partnership of the Greater Lowell, Metro North, North Shore and Merrimack Valley Workforce Boards, Career Centers, Community Colleges and Technical High Schools, successfully conducted several additional training cycles providing foundation and technical skills in machining or electronics for 45 unemployed individuals and resulting in job placement. This initiative will be maintained through a variety of federal and state funding sources as we continue to align our efforts with the needs of business and job-seekers.

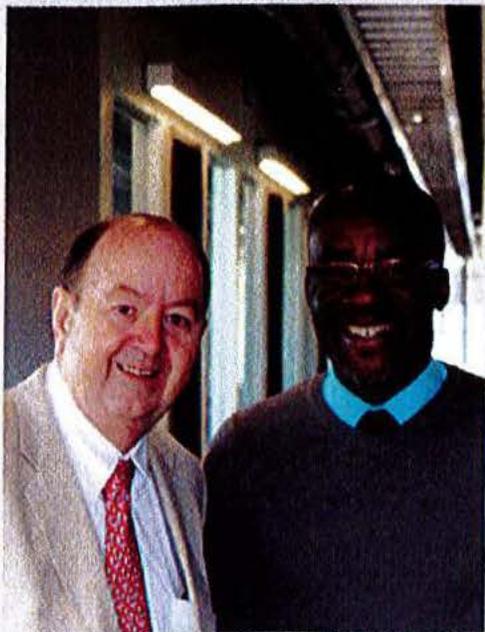
We would like to acknowledge our partners, colleagues, Board members, Career Center of Lowell and GLWDB staff for their assistance in helping us achieve our goals in FY15 and successfully plan for FY16. Special thanks to City Manager Kevin J. Murphy for his role as Lead Elected Official of our local board.



Northeast Advanced Manufacturing Consortium partners Mary Sarris, North Shore Workforce Investment Board; Gail Brown, GLWDB; Linda Bass, Metro North Regional Employment Board; Rafael Abislaiman, Merrimack Valley Workforce Investment Board (l-r)



OUR MISSION



Robert Broughton (left) & Mel Moundele, GLWDB Members

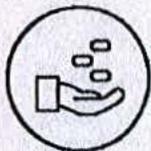
The Greater Lowell Workforce Development Board

1. The Greater Lowell Workforce Development Board is one of 16 Workforce Boards throughout Massachusetts, servicing the communities of Billerica, Chelmsford, Dracut, Lowell, Tewksbury, Tyngsboro, Dunstable and Westford. We are charged with overseeing and implementing workforce development initiatives throughout the Workforce Development Area.
2. The Greater Lowell Workforce Development Board is a collaborative involving employers, educational institutions, labor groups, municipal and state officials, and community-based organizations that provides leadership, policy direction, and accountability for the local workforce development system.
3. By securing and allocating public and private funds for high quality, innovative, and collaborative workforce development programs, the Greater Lowell Workforce Development Board promotes a skilled and educated workforce, meets the workforce needs of employers, and supports and sustains economic development, business competitiveness, and job creation in Greater Lowell.

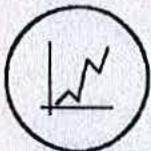
The Greater Lowell Workforce Development Board & The Career Center of Lowell



Provided Services such as resume development, interview tips and job referrals to **6,692 job seekers**



Obtained Employment for **4,116 job seekers with an average wage of \$24.54/hour**



455 regional employers supported with labor market information, job postings, career fairs and candidate pre-screening

OUR SUCCESSES



Wanda (above) enrolled in the Competitive Integrated Employment Services Program and received training to become a Certified Home Health Aide. She is currently employed by Merrimack Valley Hospice Home Care.

OUR WORK



Danielle McFadden, President, Greater Lowell Chamber of Commerce & GLWDB 2nd Vice-Chair

The Greater Lowell Workforce Development Board

STRATEGIC PLANNING

Continue to be actively engaged in planning and implementing processes to address the challenges associated with the development of a skilled local workforce and to meet statewide standards intended to accelerate continual improvement of the Massachusetts workforce development system.



WORKFORCE ISSUES

Review job-seeker and employer challenges, Career Center of Lowell operational reports, the Workforce Training Fund (WTF) and collaborates on labor market solutions, education, training and employment activities.



YOUTH

Recommend program initiatives and provide oversight for WIOA and other Federal and State supported grants for economically disadvantaged youth.



PRIORITY SECTORS

Promote education, training and employment in Advanced Manufacturing, Health Care and Information Technology.



The Greater Lowell Workforce Development Board & The Career Center of Lowell



459
VETERANS served



411
YOUTH served

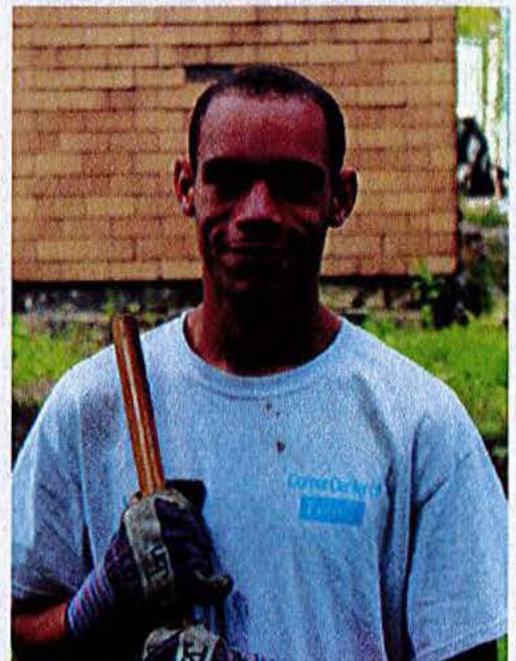


544
PEOPLE with DISABILITIES served



4,946
UNEMPLOYMENT INSURANCE CLAIMANTS served

OUR IMPACT



Jonathan (above) participated in the Career Center of Lowell Summer Jobs Program. He spent the summer as part of a team maintaining and improving city parks. He earned over \$1,500 and was looked upon as the leader of his team.

OUR PROGRAMS



Vladimir Saldana of Enterprise Bank and a former Connecting Activities Program Participant

The Greater Lowell Workforce Development Board & The Career Center of Lowell



Disability Employment Initiative (DEI)

The DEI Program served 103 individuals with disabilities. A total of 236 job interviews were arranged; 88 individuals were employed and 10 enrolled in training programs in Information Technology, Health Care, Manufacturing and other sectors.



Competitive Integrated Employment Services (CIES)

The CIES Program, in partnership with the Massachusetts Department of Transitional Assistance, served 95 individuals. 42 individuals enrolled in Health Care training and 75 obtained employment in Health Care and other sectors.



Youth & Young Adult Services

Youth & Young Adult Services include education and employment support; workplace readiness skill development; and subsidized job placements in area organizations.

WIA & Career Services: 411 served

Summer Jobs Programs: 285 Served *

YouthWorks Year-Round Programs: 61 served *

The Greater Lowell Workforce Development Board & The Career Center of Lowell

Business Services

Job Fairs

The Career Center of Lowell hosted or partnered in three job fairs. A total of 1,195 job seekers and 131 employers participated.

Industries Served

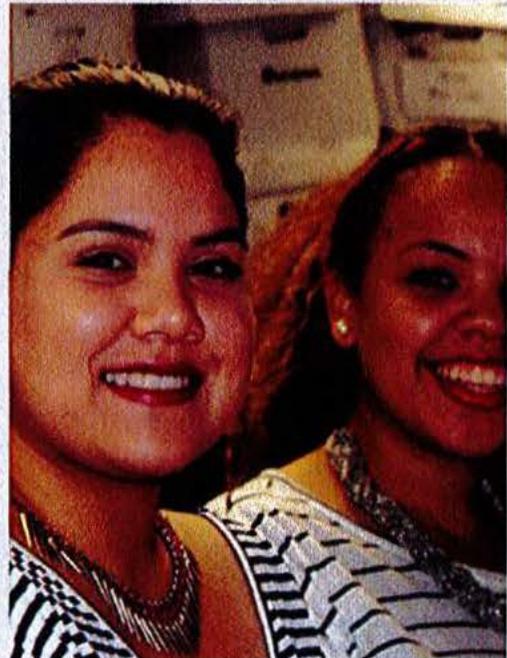
The Top 5 Industries Served were:

1. Health Care & Social Assistance
2. Manufacturing
3. Administrative Support
4. Professional, Scientific & Technical Services
5. Construction

Services Provided

Employers were provided with information about business resources including tax incentives and training funds. Employers were also given access Mass Job Quest to post job openings at no-cost. In addition, employers received labor market information to help guide their business and workforce needs.

OUR PROGRAMS



Valentina (left-above) and Indiana participated in the Career Center of Lowell Summer Jobs Program. They provided administrative and customer service support to Career Center of Lowell Staff and gained valuable job experience.

OUR FUNDING



Bob McIntosh (left) & Ellen Lloyd, Career Center of Lowell Workshop Facilitators

The Greater Lowell Workforce Development Board & The Career Center of Lowell



Workforce Investment Act Title I
\$1,799,709



Wagner-Peyser/Federal Career Center
\$1,555,046



Youth Summer Programs
\$506,136



Other
\$1,264,677

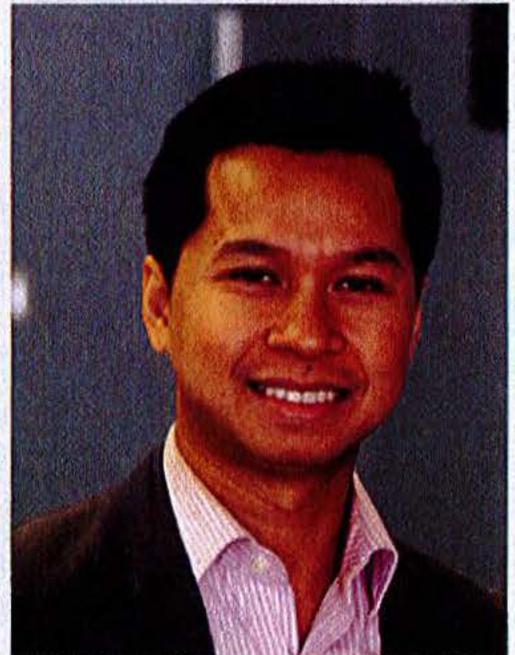
TOTAL FISCAL YEAR 2015 FUNDING

\$5,125,658

The Greater Lowell Workforce Development Board

Raymond Wrobel, Chair, Align Credit Union
 Maureen Fitzpatrick, Vice Chair, Lowell General Hospital
 Danielle McFadden, 2nd Vice Chair, G. L. Chamber of Commerce
 Susan Soucy, UPS
 Carolyn Cox, Cox Fuel Company
 Stephanie Lee, Verizon
 Melchior Moundele, Burger King
 Charlene Jancsy, Enterprise Bank
 Cynthia Smith, Element Care
 Staci Landress, Watermark Corporation
 Greg Lennartz, Excell Solutions
 Lilliana Kualapai, Merrimack Valley Small Business Center
 Susan Gath Koerber, George Gath Insurance Agency, Inc.
 Peter D. Bata, Raytheon
 Melida Aizpurua, Laser Services, Inc.
 Joe McNally, Cracker Barrel
 Robert L. Broughton, McCoy Associates/McDonald's
 Tracy Trippleton, Walgreens Co.
 Vichtcha Kong, Washington Savings Bank
 Barbara O'Neil, Career Center of Lowell
 Karen Frederick, Community Teamwork, Inc.
 Sovanna Pou, Cambodian Mutual Assistance Association
 Beth Goguen, MA Department of Career Services
 Maureen S. Kriff, Massachusetts Rehabilitation Commission
 Susan Jepson, National Senior Network
 Tom Raiche, Merrimack Valley Central Labor Council
 Ed Starr, Esq., IBEW #2321
 Beverly A. Woods, Northern Middlesex Council of Governments
 Allison Lamey, City of Lowell
 Stephanie Cronin, Middlesex 3 Coalition
 Elizabeth McKiernan, Abisi Adult Education Center
 Judy Burke, Middlesex Community College
 Johanna Bohan Riley, University of Massachusetts Lowell
 Linda Arsenaault, Greater Lowell Technical High School
 Susan D'Amore, University of Massachusetts Lowell

OUR BOARD



Sovanna Pou, Executive Director, Cambodian Mutual Assistance Association & GLWDB Member



"There are many who contributed to my journey to find the perfect position, but I would need to include too many names so let's just say my experience with the staff at the Career Center of Lowell has always been enjoyable and educational. The direction and communications were accurate. Thank you everyone for all you do! Best Regards.

- Kelly, Career Center of Lowell Job Seeker

CONNECTING ACTIVITIES

In FY15 the Connecting Activities program staff met with 547 students from Lowell High School, Greater Lowell Technical High School, Dracut High School and Tewksbury Memorial High School. In addition, a combined 70 employers and 710 students attended job fairs in April and May, 2015 at Lowell and Tewksbury High Schools. Many students were referred to part-time jobs after school and 134 hires were confirmed as of June 30.

WORKFORCE INNOVATION & OPPORTUNITY ACT (WIOA)

On June 11, 2015 the GLWIB Youth Council voted to recommend funding a total of \$310,732.00 in WIOA youth and young adult programs, 75% of which must be allocated to programs serving Out-of-School youth. Two Out-of-School programs, one at the United Teen Equality Center and the other a collaboration between Middlesex Community College and the Career Center of Lowell, and two In-School programs, one at Lowell Community Health Center and one at Lowell High School were awarded funding.

WORKFORCE INVESTMENT ACT (WIA) PERFORMANCE

FY15 Title I WIA Performance ranks the 16 Career Centers in Massachusetts by a number of measures including:

1. Dislocated Worker Entered Employment: 96% (1st)
2. Adult Worker Entered Employment: 100% (1st)
3. Youth Entered Employment or Education: 85% (7th)
4. Youth Attainment of a degree or Certificate: 74% (9th)

2015 HIGHLIGHTS

" I always enjoy attending job fairs through your organization. Your staff is always willing to assist with my recruiting efforts. "

"You provided us with great candidates with a variety of skills."

"The Career Center has been extremely helpful to our establishment."

- Career Center of Lowell Business Customers



NORTHEAST ADVANCED MANUFACTURING CONSORTIUM (NAMC)

NAMC, a partnership between industry, education and workforce boards in Northeastern Massachusetts, successfully trained 44 workers in nearly 300 hours of machining or electronics skills. Workers also received Foundation Skills Training; Career Prep and On the Job Training; Career Readiness; Job Shadowing and an internship. Of those 44, 41 were employed. NAMC also has an outreach initiative focused on needs identification, gap analysis and actions to bridge gaps.

WORKFORCE TRAINING FUND

In FY15, 13 Greater Lowell companies received a total of \$1.7 million in Workforce Training Funds, a program of the Massachusetts Executive Office of Labor & Workforce Development and administered by Commonwealth Corporation. Training in Lean Manufacturing, Software and Accounting/Finance was provided to 1076 employees. The GLWDB raises awareness of the program and provides technical assistance.

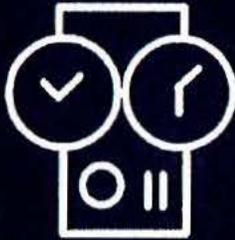
2015-2016 STRATEGIC PLAN

On December 11, 2014, the Greater Lowell WIB held its Quarterly Meeting and adopted the 2015-2016 Strategic Plan. The goals of the plan were adopted:

- Goal 1: Meet regional employer needs for a skilled workforce
- Goal 2: Connect job seekers to competitive wage employment
- Goal 3: Support successful youth entry into career pathways and post-secondary credential programs
- Goal 4: Continue to maintain strong WIB operations

OUR PLANS

APPRENTICESHIPS



AS A PARTNER IN THE NORTHEAST ADVANCED MANUFACTURING CONSORTIUM, PROMOTE APPRENTICESHIPS IN ADVANCED MANUFACTURING AS PART OF A MULTI-MILLION DOLLAR FEDERAL GRANT AWARDED TO THE STATE

PRIORITY SECTORS



PROMOTE EDUCATION & EMPLOYMENT IN THE PRIORITY SECTORS IN OUR REGION AS DEFINED IN OUR STRATEGIC PLAN: ADVANCED MANUFACTURING, HEALTH CARE & INFORMATION TECHNOLOGY

WIOA IMPLEMENTATION



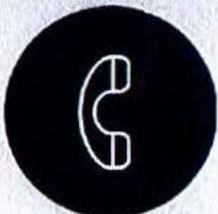
CONTINUE PLANNING FOR CHANGES ASSOCIATED WITH THE WORKFORCE INNOVATION & OPPORTUNITY ACT; INCLUDING WORKFORCE BOARD STANDARDS & CERTIFICATION AND PROCUREMENT OF ONE-STOP OPERATORS

YOUTH & YOUNG ADULTS



DEVELOP CAREER PATHWAYS AND WORKPLACE READINESS SKILLS FOR YOUTH AND YOUNG ADULTS; IN PARTICULAR OUT-OF-SCHOOL AND AT-RISK YOUTH

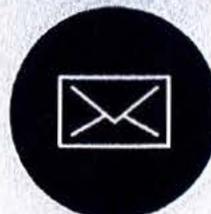
GET IN TOUCH WITH US



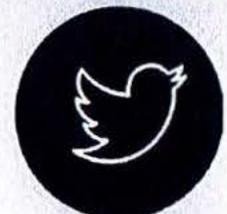
(978) 937-9816



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(On the cover: Tasha participated in the GLWDB/Career Center of Lowell Summer Jobs Program. She was placed at Mill City Grows, an urban farming program, and helped to operate their mobile food market. The staff was extremely pleased with her work and asked if she could stay through the fall.)

* YouthWorks programs funded through the Commonwealth of Massachusetts, Executive Office of Labor and Workforce Development and administered by the Commonwealth Corporation.

The Greater Lowell Workforce Development Board Fiscal Year 2015 Annual Report

Designed by Michael J. Paglla, Grant Specialist, GLWDB

**Photos by Michael J. Paglla, except page 9, courtesy photo &
page 10, stock photo**

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7. Review Weekly Warrants

Warrants will be available on Monday

8. Town Administrator's Report

9. Selectmen's Report

10. Executive Session

11. Adjournment