

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF
ENERGY AND ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENERGY RESOURCES
100 CAMBRIDGE ST., SUITE 1020
BOSTON, MA 02114
Internet: www.Mass.Gov/DOER
Email: Energy@State.MA.US

Deval L. Patrick
Governor

Timothy P. Murray
Lieutenant Governor

Ian A. Bowles
Secretary, Executive Office of Energy
and Environmental Affairs

Philip Giudice
Commissioner

TELEPHONE
617-626-7300

FACSIMILE
617-727-0030
617-727-0093

July 14, 2010

Town Administrator Michael Gilleberto
Town of Tyngsborough
25 Bryant Lane
Tyngsborough, MA 01879

Dear Town Administrator Gilleberto:

I am pleased to inform you that the Green Communities Division has approved the Town of Tyngsborough's Green Communities grant request of \$161,649 to fund building envelope improvements in municipal buildings.

The Division reviewed the Town of Tyngsborough's grant application and has determined that the proposed activity/activities meet the eligibility requirements of the Green Communities Act and are viable, well developed projects. Over the next several weeks, your Green Communities Regional Coordinator Joanne Bissetta will be in contact with the designated representative listed on your grant application form to discuss next steps, including coordination of the grant contract process (execution of a grant agreement and developing a project schedule/plan). I have enclosed a list of the grant documents that are required to be completed by the Town of Tyngsborough and the Green Communities Division.

The Green Communities Division looks forward to working with the Town of Tyngsborough on your grant project(s). We congratulate you on your designation as a Green Community and

GRANT CONTRACT DOCUMENTS

Contract – To be provided by the Green Communities Division

- Completed Standard Contract Form with original vendor signature**
http://www.mass.gov/Aosc/docs/Forms/Contracts/standard_contract_frm.doc

Other Grant Contract Documents – To be provided by the municipality

- Terms and Conditions Page signed (if no VCC exists)**
http://www.mass.gov/Aosc/docs/Forms/Contracts/comm_TermsConditions.doc
- W-9 Form signed (now required for all contracts for collecting DUNS number)**
http://www.mass.gov/Aosc/docs/Forms/VendorCustomer/newMass_W9.doc
- EFT Form (preferred)** <https://massfinance.state.ma.us/VendorWeb/efitRegisterfrm.asp>
- Contractor Signature Authorization Form**
http://www.mass.gov/Aosc/docs/Forms/Contracts/CASL_Form.rtf

Attachments – To be provided by the Green Communities Division

- Attachment A Scope of Services**
- Attachment B Budget Page (must reflect est. expenditures by fiscal year, indirect costs)**
- Original Copy of Contract for Contract Renewals or Amendments**



2010 AUG 11 AM 9:39
BOARD OF SELECTMEN
TYNGBOROUGH, MA.

August 2, 2010

Board of Selectmen
Town of Tyngsborough
25 Bryants Lane
Tyngsborough, MA 01879

Dear Chairman and Members of the Board:

I am writing to provide you with information regarding upcoming changes to our channel line-up in your community.

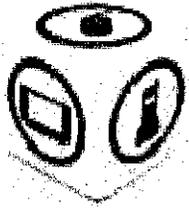
On September 2, 2010, we will be making changes to our channel lineup. Attached please find a copy of the customer communication which provides information regarding these channel lineup changes.

Should residents contact you with questions, please do not hesitate to direct them to our toll free customer service number: 1-800-COMCAST. Our Customer Account Executives are available 24 hours a day, 7 days a week to answer any questions they may have regarding Comcast products, services and prices. If you have any questions about this or any other issue, please feel free to contact me directly at 617-279-1576.

Sincerely,

Timothy Kelly
Senior Manager of Government & Community Relations

Enclosure



Important Channel Lineup Information

xfinity™

August, 2010

[Customer Name]
[123 Street Name]
[City, State 12345]

Dear [Customer Name],

We would like to make you aware of upcoming changes to your channel lineup.

Effective September 2, 2010, the following digital channels will be moving to our Digital Starter package¹. A subscription to our Digital Starter package will be required to receive these channels.

Channel Name	Ch #	Channel Name	Ch #
Jewelry TV	183	Bloomberg TV	246
PBS Kids Sprout	218	CSPAN 3	249
G4	219	G4 HD	786
History International	242	Biography HD	797
Biography	243		

These channels will no longer be available with the following packages as of the date above:

- Digital Bronze Package
- Digital Bronze Advantage Package
- Digital Silver Package
- Digital Silver Advantage Package
- Digital Gold Package
- Digital Gold Advantage Package
- Digital Platinum Package
- Digital Platinum Advantage Package
- Digital Ultimate Package
- Digital Ultimate Advantage Package

Comcast is committed to providing you with the best entertainment for the best price. We have Comcast package options that will help you avoid missing out on your favorite channels. Call us today for a personalized package consultation.

Thank you for choosing Comcast. If you have any questions regarding these programming changes, please call one of our Customer Account Executives at **1-800-XFINITY**, 24 hours a day, 7 days a week.

Sincerely,

Steve Hackley
Senior Vice President
Greater Boston Region

1.800.XFINITY

Channels not available in all areas. ¹Digital Starter package includes Basic Service, Expanded Basic content, Digital Starter content, a digital set-top box and remote or CableCARD on the primary outlet. ©2010 Comcast. All rights reserved. GrandfatheredSubs-L1-CBRLP1DE



Northern Middlesex Council of Governments

PUBLIC MEETING NOTICE

The Northern Middlesex Metropolitan Planning Organization (NMMPO) will meet on **Monday, August 2, 2010 at 3:00 PM**. The meeting will be held at the Northern Middlesex Council of Governments (NMCOG) office, 40 Church Street, Suite 200, Lowell, MA. The meeting agenda is provided below.

A Multi-Disciplinary
Regional Planning
Agency Serving:

Billerica
Chelmsford
Dracut
Dunstable
Lowell
Pepperell
Tewksbury
Tyngsborough
Westford

James G. Silva
Chair

Beverly A. Woods
Executive Director

40 Church Street
Suite 200
Lowell, MA
01852-2686
TEL: (978) 454-8021

FAX: (978) 454-8023

www.nmcog.org

AGENDA

- I. Welcome and Introductions
- II. Minutes of the June 21, 2010 Meeting
- III. Status report on TIP projects
- IV. Discuss programming options for the FY 2011-2014 TIP
- V. Review and release for public comment the Draft FY 2011-2014 TIP
- VI. Review and discuss and release for public comment the Draft FY 2011 UPWP
- VII. Discuss revising the Boston Urbanized Area MOU
- VIII. Discussion of TIGER II grant applications
 - a. Rt. 3/Exit 36 study in Tyngsborough and Nashua
 - b. Middlesex Turnpike Phase III in Billerica
- IX. Other Business
- X. Adjournment

REC'D
TYNGSBOROUGH, MA.
JUN 29 PM 1:26

City/Town Clerks: PLEASE POST PURSUANT TO OPEN MEETING LAW

2010 AUG 11 AM 9:44

BOARD OF SELECTMEN
TYNGBOROUGH, MA.

**Town of Tyngsborough
Building Department**

25 Bryants Lane

Tyngsborough, Massachusetts 01879

Office: (978) 649-2300 Ext. 112

August 5, 2010

To all Licenses Holders and Places of Assembly that require yearly safety inspections from the Fire Dept. and Building Dept.,

All inspections will be done **August 16, 2010 – August 27, 2010.** To receive your new licenses, proof of payment for yearly **Certificate of Inspection from the Building Department** will be required. The Selectmen's office will not issue a license without proof of payment and approved inspection.

Applicable fees must be paid to schedule any inspection

The following is a list of safety checks to assist you to be prepared for this inspection – including but not limited to:

1. Can exit doors be opened freely from the inside with one operation, day or night?
2. Do boiler room, fan and electric rooms have fire doors and are free of clutter and storage items and kept closed?
3. All fire extinguishers; ansul systems have been inspected and tagged with the proper date.
4. Required exit signs are visible and working.
5. Required emergency lights are working.

Cost of yearly Certificate of Inspection is \$40.00.

If inspection fails a re-inspection fee of \$25.00 will be required.

Respectfully,



Mark E. Dupell
Building Commissioner

cc: Board of Selectmen)
Town Administrator, Michael P. Gilleberto
Fire Department, Captain Sands



2010 AUG -3 11:12:15

BOARD OF SELECTMEN
TYNGSBOROUGH, MA.

July 30, 2010

Board of Selectmen
Town of Tyngsborough
25 Bryants Lane
Tyngsborough, MA 01879

Dear Chairman and Members of the Board:

We are writing to provide you with information regarding service updates in your community.

As of September 1, 2010, the HD Set-Top Box upgrade charge of \$7.95 will be renamed HD Technology Fee. This Fee provides access to Comcast HD technology on all outlets in the customer's home connected to HD capable equipment. The current monthly price of \$7.95 will remain the same. Additional outlet service or equipment fees may apply to each outlet connected to Comcast service. Customers are being notified of this change by bill message.

Effective September 15, 2010, the Office reactivation of video service will increase from \$1.99 to \$5.00.

Should residents contact you with questions regarding these changes, please do not hesitate to direct them to our toll free customer service number: 1-800-COMCAST. Our Customer Account Executives are available 24 hours a day, 7 days a week to answer any questions they may have regarding Comcast products, services and prices. If you have any questions about this or any other issue, please feel free to contact me directly at 617-279-1576.

Sincerely,

Timothy Kelly
Senior Manager of Government & Community Relations

PERAC

COMMONWEALTH OF MASSACHUSETTS | PUBLIC EMPLOYEE RETIREMENT ADMINISTRATION COMMISSION

DOMENIC J. F. RUSSO, *Chairman* | A. JOSEPH DeNUCCI, *Vice Chairman*
PAUL V. DOANE | JAMES M. MACHADO | DONALD R. MARQUIS | ROBERT B. McCARTHY | GREGORY R. MENNIS

JOSEPH E. CONNARTON, *Executive Director*

MEMORANDUM

TO: Municipal Chief Executive Officers
Joseph E. Connarton
FROM: Joseph E. Connarton, Executive Director
RE: Municipal Early Retirement Incentive Program
Section 66 of Chapter 188 of the Acts of 2010
DATE: July 30, 2010

2010 AUG -2 11:10:40
DEPARTMENT OF REVENUE
TYNGBOROUGH, MA.

Note: This Memorandum addresses only Section 66 of Chapter 188 of the Acts of 2010, the Municipal Early Retirement Incentive Program. Several other sections of the Act relate to public retirement systems and will be addressed in a separate memorandum.

On July 27, 2010 Governor Patrick signed the Municipal Relief Act (Chapter 188 of the Acts of 2010). He also filed a letter with the Secretary of State (pursuant to Article XLVIII of the Amendments to the Constitution of the Commonwealth of Massachusetts, the Referendum II, Emergency Measures) declaring that in his opinion immediate preservation of the public peace, health, safety or convenience requires that the Act take effect immediately. As a result, the effective date of the Act is July 27, 2010. Section 66 of the Act establishes an Early Retirement Incentive Program for municipal employees. This memorandum is intended to outline this program. It is not a substitute for a careful reading of the statute. A copy of Section 66 of Chapter 188 of the Acts of 2010 is attached.

Section 66 establishes an early retirement incentive ("ERI") for municipal employees. This incentive is accepted locally and is only available to employees of cities and towns.



MEMORANDUM – Page 2

TO: Municipal Chief Executive Officers
FROM: Joseph E. Connarton, Executive Director
RE: Municipal Early Retirement Incentive Program
Section 66 of Chapter 188 of the Acts of 2010
DATE: July 30, 2010

What steps must be taken to establish and accept an ERI?

A municipality can decide to offer an ERI. The language of the Act indicates that the process is initiated by the Chief Executive Officer of the municipality. When the municipality chooses to participate, the following steps must be taken:

1. The municipality's chief executive officer ("CEO") submits the municipality's plan to the PERAC Actuary for approval within 2 months of the effective date of the act (September 28, 2010 deadline). In a town, the CEO would be the town manager or town administrator. In a city, the CEO would be mayor or the city manager under a Plan E Charter. In a city known as a town, the CEO would be the town manager or town administrator. For a municipal lighting plant, the CEO is the manager of the municipal lighting plant.
2. Once the plan is approved by the PERAC Actuary, it is submitted to the municipality's legislative body for acceptance at the next meeting of the legislative body. In a town, the legislative body would be the town meeting. In a city known as a town, the legislative body would be the town council. In a city, the legislative body would be the city council.
3. Once the plan is accepted by the legislative body, it must be published and made available to all active employees within one month of that acceptance date.
4. Employees must apply to participate in the plan within 2 months of the publication of the plan.
5. The CEO must determine which applicants for the ERI will be allowed to participate and notify them within 1 month of the date of that application deadline.
6. Applicants who are allowed to participate must retire within 2 months of date of the notification that they may participate.

What must be included in the ERI Plan to be submitted to PERAC?

The CEO shall limit the total number of participating employees, with preference given to those with greater years of creditable service. The CEO shall have the authority to determine which eligible municipal employees may participate and to approve early

MEMORANDUM – Page 3

TO: Municipal Chief Executive Officers
FROM: Joseph E. Connarton, Executive Director
RE: Municipal Early Retirement Incentive Program
Section 66 of Chapter 188 of the Acts of 2010
DATE: July 30, 2010

retirement benefits for each employee in order to avoid adverse impacts on municipal operations and services. The ERI Plan must include this information.

The ERI Plan may grant a combination of years and service not to exceed 3 total years, in full year increments. The CEO may establish a lesser amount. The allowances will be calculated pursuant to G.L. c. 32, § 5.

The plan submitted to PERAC must be accompanied by information demonstrating the value of the plan and any information requested by PERAC in order to allow it to evaluate the plan and confirm the analysis. This additional information shall include historical data upon which the plan is based, the total number of participants, the types of eligible employees, the salaries of participating employees, the benefits to be received and the limits on refilling vacated positions. In addition, the plan must include a certification that the present value cost of its plan is estimated to be less than the present value savings. PERAC may request additional information to evaluate the plan and confirm a cost analysis.

Which employees may be eligible to participate?

Subject to the limitations imposed in the plan by the CEO, in order to be eligible to participate, a municipal employee must be an active member of the applicable retirement system. He or she must have at least 20 years of creditable service. The employee's salary must be paid from an operating budget and not from federal, trust or other capital funds. In order to participate, the employee must forego the right to accrued sick and vacation time.

Can the Municipality fill the positions vacated by those who participate in the ERI?

In filling positions vacated by employees who participate in this ERI, the CEO shall be limited to paying compensation, contract and professional services in an amount that does not exceed 30% of the total annual salary of all participants in the program calculated as of their respective retirement dates in fiscal year 2011, 45% in fiscal year 2012, and 60% in fiscal year 2013.

How will the increased pension liability for an ERI be funded?

A municipality's increased pension liability resulting from participation the ERI shall be amortized over 10 years, starting in the next fiscal year after all participating employees

MEMORANDUM – Page 4

TO: Municipal Chief Executive Officers
FROM: Joseph E. Connarton, Executive Director
RE: Municipal Early Retirement Incentive Program
Section 66 of Chapter 188 of the Acts of 2010
DATE: July 30, 2010

have retired, in equal installments, and shall be separately identified in the retirement system's pension funding schedule. The amount that would have been paid to the retirees for accrued sick and vacation time shall be paid into the retirement system to reduce the additional pension liability resulting from the ERI.

What annual reports must the CEO submit to PERAC?

The CEO of a municipality that establishes an ERI program under the Municipal Relief Act shall submit an annual report to PERAC, the Executive Office for Administration and Finance and the municipal legislative body. The report shall include the salaries and positions of participants, the amount of sick and vacation time being contributed by participants, the salaries and positions of those being hired as replacements and whether the positions of participants have been permanently eliminated.

If you have questions, please contact PERAC's General Counsel, Barbara Phillips at (617) 666-4446, Extension 902.

Attachment

p:\admin\kim\muni eri § 66 c 188 acts 2010.doc

ATTACHMENT TO MUNICIPAL EARLY RETIREMENT INCENTIVE
MEMORANDUM

(Section 66 of Chapter 188 of the Acts of 2010)

Section 66

(a) Notwithstanding chapter 32 of the General Laws or any other general or special law to the contrary, a municipality which accepts this section may establish and implement an early retirement incentive program for its employees in accordance with this section.

(b) The chief executive officer of the municipality shall limit the total number of participating employees, with preference given to those with greater years of creditable service, and shall have the authority to determine which eligible municipal employees may participate and to approve early retirement benefits for each employee in order to avoid adverse impacts on municipal operations and services.

(c) In order to be eligible to participate in a program established under this section, in addition to any other requirements imposed by the municipality, an employee must be an active member of a municipal, regional or county retirement system with at least 20 years of service whose salary is paid from the operating budget and not from federal, trust or other capital funds.

(d) An employee who is eligible for the early retirement incentive program may request in an application for retirement that the retirement board credit the employee with an additional retirement benefit of a combination of years of creditable service and years of age, in full year increments, the sum of which shall not be greater than 3 years, or a lesser amount established by the municipality, for the purposes of determining the employee's superannuation retirement allowance under paragraph (a) of subdivision (2) of section 5 of chapter 32 of the General Laws. Notwithstanding the credit, the total normal yearly amount of the retirement allowance, as determined in accordance with said section 5 of said chapter 32, of any employee who retires and receives the retirement incentive program benefit shall not exceed 80 per cent of the average annual rate of the employee's regular compensation as determined in accordance with said section 5 of said chapter 32. All participants shall forego the right to accrued sick and vacation time, and the amount that would have been paid to a retiree for accrued sick and vacation time shall be paid into the municipal, regional or county retirement system to reduce the additional pension liability resulting from this program.

(e) In filling positions which have been vacated by employees who participate in an early retirement incentive program under this section, the chief executive officer of the municipality shall be limited to paying compensation, contract and professional services in an amount that does not exceed the following percentage of the total annual salary of all participants in the program calculated as of their respective retirement dates: 30 per cent in fiscal year 2011, 45 per cent in fiscal year 2012 and 60 per cent in fiscal year 2013.

(f) A municipality that establishes an early retirement incentive program under this section shall provide the public employee retirement administration commission with information demonstrating the value of the plan and any information requested by the public employee retirement administration commission in order to allow it to evaluate the plan and confirm the

analysis, including historic data upon which the plan is based, the elements of the municipal plan including the total number of participants, the types of eligible employees, the salaries of participating employees, the benefits to be received and the limits on refilling vacated positions. In addition, the municipality shall certify to the public employee retirement administration commission that the present value cost of its plan is estimated to be less than the present value savings and provide the commission with all information it requests to evaluate the plan and confirm a cost analysis.

(g) In order to establish an early retirement incentive program under this section, a municipality shall:

(i) require the chief executive officer of a municipality that chooses to participate to submit its plan to the public employee retirement administration commission for approval within 2 months after the effective date of this act;

(ii) once the plan has been approved, submit to the legislative body of the municipality for acceptance not later than the next meeting of the legislative body at which the plan can practicably be submitted;

(iii) publish and make available to employees the approved plan within 1 month after its acceptance by the legislative body;

(iv) require employees to participate within 2 months of the plan's publication;

(v) determine which applicants shall be allowed to participate in the program and notify them within 1 month of the application deadline; and

(vi) require that participating employees retire within 2 months of notification of acceptance.

(h) The chief executive officer of a municipality that establishes a program under this section shall submit an annual report to the public employee retirement administration commission, the executive office for administration and finance and the municipal legislative body. The report shall include the salaries and positions of participants, the amount of sick and vacation time being contributed by participants, the salaries and positions of those being hired as replacements and whether the positions of participants have been permanently eliminated.

(i) A municipality's increased pension liability resulting from participation in a program established under this section shall be amortized over 10 years, starting in the next fiscal year after all participating employees retire, in equal installments, and shall be separately identified in the municipal, regional or county retirement system's pension funding schedule.

(j) For purposes of sections (a) to (i), inclusive, the powers and duties of the chief executive officer shall be vested in the manager of the municipal lighting plant for all matters affecting municipal lighting plant employees.

August 3rd, 2010

The Town of Tyngsboro
Office of the Selectmen
25 Bryant Lane
Tyngsborough, MA 01879

2010 AUG -5 PM 1:50

BOARD OF SELECTMEN
TYNGSBOROUGH, MA.

Dear Sir/Madam,

Re: Request to install a 4-way Stop at the junction of Lakeview Ave and Coburn Road

My name is Wati Soejerto and I live on Parham Road, Tyngsboro. I am writing to request the town of Tyngsboro to install a 4-way Stop at the junction of Lakeview Ave and Coburn Road. Currently, there is a Stop sign at this junction for drivers driving on Coburn Road.

However, when drivers are driving on Coburn Road and heading towards Tyngsboro Bridge, it is very difficult to see the oncoming traffic from both directions of Lakeview Ave at this junction. This is because of the way Lakeview Avenue curves at this junction and the growing bushes and trees on both sides of the road that makes it impossible for drivers to see the oncoming traffic.

I have contacted the Tyngsboro Police Department, who told me to contact the Tyngsboro Highway Department. I was then told by the Highway Department that I need to write a letter to the Board of Selectmen.

Please consider this request to install a 4 way Stop at this junction. Traffic safety is so important and as a resident I am hoping that we can prevent unnecessary accident on this road.

Sincerely



Wati Soejerto
71 Parham Road
Tyngsboro, MA 01879
617-437-1370

REGISTRATION FEE: \$50.00/municipal, \$75.00 private sector
 Light breakfast, lunch and Course Materials are included
 Make checks payable to: The University of Massachusetts
 Cancellations must be received 4 days prior to the workshop or you will be invoiced.

PLEASE REGISTER ONLINE! www.mass.gov/baystateroads
 or Fax to (413)545-6471
 SEND TO: Chris Ahmadjian, Baystate Roads Program UMTC,
 214 Marston Hall, 130 Natural Resources Rd, Amherst, MA 01003
 Call us if you have a special request or concern (413)545-5403
 Cash or checks are accepted upon arrival.

*PLEASE DETACH AND MAIL THIS REGISTRATION FORM WITH PAYMENT AFTER REGISTERING ONLINE

NAME: _____
 TITLE: _____
 AGENCY: _____
 ADDRESS: _____
 TOWN OR CITY & ZIP: _____
 TELEPHONE: _____

Dates Requested: _____
 Location (city/town): _____

Fundamentals of Analyzing and Solving Local Traffic Problems

FUNDAMENTALS OF ANALYZING AND SOLVING LOCAL TRAFFIC PROBLEMS
August 26, 2010
<i>The Hotel Northampton</i>
<i>36 King Street</i>
<i>Northampton, MA 01060</i>
<i>ph. (413) 584-3100</i>
August 27, 2010
<i>Beechwood Hotel</i>
<i>363 Plantation Street</i>
<i>Worcester, MA 01605</i>
<i>ph. (508) 754-5789</i>

Why Register Online?
-Instantly confirm registration!
-View how many seats are left!
-View all courses currently accepting registrations!
-View workshop flyers as well as Newsletters and Tech Notes!
-Save paper and time!

FUNDAMENTALS OF ANALYZING AND SOLVING LOCAL TRAFFIC PROBLEMS	
-Class Size Limited to 30-	
Agenda	
8:00 AM	Breakfast/Registration
8:30 AM	Course Introduction/Objectives Basic Concepts and Principles
10:00 AM	Break
10:15 AM	Tools for Problem Solving and Study Completion
12:00 PM	Lunch
1:00 PM	Applications
3:30 PM	Evaluations/Certificates/Adjourn
Workshops Coming Soon!!!	
<ul style="list-style-type: none"> • Right of Way • Snow and Ice • Chainsaw Skills and Safety • Two Cycle Engine Theory 	

Fundamentals of Analyzing and Solving Local Traffic Problems

REGISTRATION FEE: \$50.00/municipal, \$75.00 private sector
 Light breakfast, lunch and Course Materials are included
 Make checks payable to: The University of Massachusetts
 Cancellations must be received 4 days prior to the workshop or you will be invoiced.

Call us if you have a special request or concern (413)545-5403
 Cash or checks are accepted upon arrival.

*PLEASE DETACH AND MAIL THIS REGISTRATION FORM WITH PAYMENT AFTER REGISTERING ONLINE

PLEASE REGISTER ONLINE! www.mass.gov/baystateroads
 or Fax to (413)545-6471

NAME: _____
 TITLE: _____
 AGENCY: _____
 ADDRESS: _____
 TOWN OR CITY & ZIP: _____
 TELEPHONE: _____

SEND TO: Chris Ahmadian, Baystate Roads Program UMITC,
 214 Marston Hall, 130 Natural Resources Rd, Amherst, MA 01003

FUNDAMENTALS OF ANALYZING AND SOLVING LOCAL TRAFFIC PROBLEMS	
August 26, 2010	
The Hotel Northampton	
36 King Street	
Northampton, MA 01060	
ph. (413) 584-3100	
August 27, 2010	
Beechwood Hotel	
363 Plantation Street	
Worcester, MA 01605	
ph. (508) 754-5789	

Why Register Online?
-Instantly confirm registration!
-View how many seats are left!
-View all courses currently accepting registrations!
-View workshop flyers as well as Newsletters and Tech Notes!
-Save paper and time!

FUNDAMENTALS OF ANALYZING AND SOLVING LOCAL TRAFFIC PROBLEMS
 -Class Size Limited to 30-

Agenda	
8:00 AM	Breakfast/Registration
8:30 AM	Course Introduction/Objectives Basic Concepts and Principles
10:00 AM	Break
10:15 AM	Tools for Problem Solving and Study Completion
12:00 PM	Lunch
1:00 PM	Applications
3:30 PM	Evaluations/Certificates/Adjourn
Workshops Coming Soon!!!	
• Right of Way	
• Snow and Ice	
• Chainsaw Skills and Safety	
• Two Cycle Engine Theory	



DONNEGAN SYSTEMS, INC.

"The Document & Storage Management Professionals"

2010 AUG -3 PM 12:06

BOARD OF SELECTMEN
TYNESBOROUGH, MA.

Rosemary Cashman
Town of Tyngsborough
25 Bryants Lane
Tyngsborough, Ma 01879

Dear Rosemary

Recently, Donnegan Systems, Inc. completed a document scanning project for the City of Somerville. The project consisted of scanning and indexing the City's Planning and Zoning files as well as large format drawings and converting them to our "FileBound" document management software. In addition, we installed a new movable shelving system and color coded bar coded labels on new folders for the Planning Department. This work was completed under **Massachusetts State Contract OFF27**. Give me a call for a no cost site survey for your City or Town records!

Also, Donnegan Systems, Inc. is also proud to announce that we have just been named as the sole **Spacesaver Area Contractor** in New England! Donnegan Systems can help you solve your most challenging document and storage management problems. Our ability to provide your total document and storage management solution sets us apart from the competition. We recognize that your records may be in a variety of formats, therefore Donnegan Systems can provide the following products:

- ❖ **High Density File Storage**
- ❖ **Filing Folders and Supplies**
- ❖ **File Organization, Interfiling and File Moves**
- ❖ **File Tracking Software**
- ❖ **Conversion Services**

As your complete Document Management Professionals, Donnegan Systems also offers:

- ❖ **Document Scanners**
- ❖ **FileBound Document Management Software**
- ❖ **Microfilm Scanners**
- ❖ **Microfilming and Scanning Services**
- ❖ **Certified Document Destruction**

Donnegan Systems, Inc. is headquartered in Northborough, MA. With over 34 years of experience and solid business partnerships we are uniquely positioned to service your needs in the document and storage management arena. Give us a call at 800-222-6311 x304!

Sincerely,

Paul Pennelli

We help you do more with less!

102 Otis Street • Suite One • Northboro, Massachusetts 01532-2415
(800) 222-6311 www.DONNEGAN.COM



102 Otis St. Suite One
Northboro, Ma 01532
www.donnegan.com

Paul Pennelli
Phone: 800-222-6311 X304
Fax: 508-393-5601
Email: pennelli@donnegan.com

Please Fax Back to 508-393-5601 For More Information!

Name: _____
Address: _____
City: _____
State: _____
Zip: _____
Phone: _____
E-Mail: _____

If you would like more information on our products and services please fax this form back to us at 508-393-5601. Please specify the product or service that you are interested in.

Document Management Software _____

Document Scanners _____

Microfilm Scanners _____

Scanning Services _____

Check Scanners from Canon & Panini _____

Movable Shelving Systems _____

Rotary Filing Systems _____

File Room Moves _____

Weapon Storage _____

Vertical Lifts & Carousels _____

Proud to be the new Area Contractor for Spacesaver Storage Solutions



Available Under Massachusetts State Contracts OFF20 and OFF27!



FileBound Document Management Solution!

FileBound allows for unlimited users on the system.

Purchase as an in-house solution or as an ASP with your images residing on a secure data center.

Powerful yet simple to use, FileBound will streamline business processes and make your office staff more efficient.

Do more with less with FileBound!

FileBound

- RECORD CENTERS
- IMPORT DOCUMENTS
- WIRELESS USERS
- USERS
- DESKTOP SCANNING VIA SHOOTER
- MULTI-FUNCTION DEVICE AND FAX SERVERS
- ELECTRONIC FORMS
- SERVICE DESK

Our Solutions Include:

- Canon Document Scanners.
- Rotary Filing Systems.
- Spacesaver Movable Shelving systems.
- Vertical Lifts & Carousels.
- Document Scanning services.
- File Folders and Internet Label Systems.
- FileBound Document Management Software.

Available Under

Massachusetts State Contracts OFF20 and OFF27 and MHEC Contracts B07 and C071



High Density Filing!



Store vital records and student records to comply with HIPPA and other regulations!

Paper based and electronic based document management solutions.

DONNEGAN SYSTEMS, INC.

102 Otis St. Suite One
Northboro, Ma 01532
www.donnegan.com

Paul Pennelli
Phone: 800-222-6311 X304
Fax: 508-393-5601
Email: pennelli@donnegan.com



Municipal Management Associates, Inc.

2010 AUG -5 PM 2:02

BOARD OF SELECTMEN
TYNGSBOROUGH, MA.

August 4, 2010

Ms. Rosemary Cashman
Town Administrator
Town of Tyngsborough
25 Bryant Lane
Tyngsboro, MA 01879-1042

RE: Citation Newsletter

Dear Ms. Cashman:

Please find enclosed the first edition of an exciting new publication: Citation.

Published quarterly free of charge for Massachusetts public officials, the Citation newsletter provides information on parking enforcement, data processing and collection activities and updates decision makers on the software and services that Municipal Management Associates provides to cities, towns and state universities.

The Citation newsletter exists in conjunction with www.CitationNewsletter.com. This website will archive all issues of Citation, provide a forum for the exchange of ideas, questions and comments, post the Massachusetts general laws relative to parking enforcement, and provide actual RFPs and RFBs for the procurement of parking ticket data processing and collection services. The website will also be a valuable resource for parking clerks who will be reviewing their existing schedule of fines and penalty fees and parking meter rates, as we will soon list over 100 schedules from municipalities throughout the state.

To obtain the names of parking clerks, hearing officers and parking enforcement officers, we held a drawing for six \$50 American Express gift cards. The winners of the drawing are on page 6 under Congratulations. If you completed and returned our postcard requesting these names and addresses, thank you. If you don't recall if these names and addresses were provided, please visit www.CitationNewsletter.com and click on Mailing List.

Very truly yours,

Michael A. Moreau
President

CITATION

A Quarterly Newsletter for Massachusetts Officials Involved in Parking Enforcement

Are You Maximizing Revenue from Parking Tickets?

By Michael Moreau
President
Municipal Management
Associates, Inc.

There is no doubt that parking tickets are a thorny issue with motorists, downtown merchants, policemen, as well as elected officials. The only thing that motorists detest more than receiving a parking ticket is receiving a delinquent notice that the fine has increased due to late and penalty fees being added, yet motorists and downtown merchants want the municipality to ensure the availability of convenient parking spaces and enforcement of illegal parking that jeopardizes their safety.

The state of today's economy dictates that cities and towns examine all revenue sources to determine if they can be more efficient, minimize costs and maximize revenue. Local officials walk a tightrope that has a built-in negative bias toward parking ticket revenue. Some call it a hidden tax. The truth of the matter is that a parking ticket is not a tax but a fine for behavior that violates either state laws or local



ordinances. Obey the law and you will never have to pay a parking ticket.

An article that discusses how to maximize the issuance of parking tickets would mention the schedule of fines, penalty fees, parking meter rates, management of the parking enforcement officers, supplementing police officers with part-time parking enforcement officers, making the hours of enforcement coincide with the ordinance hours that are on the books, etc. However, this article will focus on maximiz-

ing collections from parking tickets that have already been issued.

It is estimated that only one in 10 parking violations results in a parking ticket. There was a time when very few Massachusetts motorists paid their parking tickets. The legislature recognized that the local district court system needed improvement, so M.G.L. Chapter 90 was created to decriminalize parking tickets and make local officials responsible for administering and collection of parking fines.

Chapter 90 also helped local officials collecting the tickets by enacting the Registry of Motor Vehicles non-renewal program. If tickets are not paid, then motorists will not be

Continued on page five



August 2010
Volume 1, Issue 1

Municipal Management Associates, Inc.

293 Boston Post Road West
Marlborough, MA 01752
Toll Free 1-800-231-9041
www.CitationNewsletter.com

Massachusetts Parking Law Flawed

John Henry, Guest Columnist, has been the Parking Clerk for the City of Revere since 1981.

The original intent of the Massachusetts Parking Law, [Noncriminal Disposition of Parking Violations, Chapter 90, Section 20 and 20A1/2, M.G.I. in 1981], was to transfer the management and adjudication of parking violations from the Massachusetts Court to cities and towns. The law provides that the Massachusetts Registry of Motor Vehicles (RMV) assist with enforcement of violations by not renewing the motor vehicle license and or registration of violators who have failed to pay their parking violations.

The Massachusetts Parking Clerks Association (MPCA) believes that this statute, now 29 years old, is in need of modernization to clarify RMV interpretations of the law and to correct other ambiguities that have allowed

many parking violators to circumvent the original intent of the law. Furthermore, the MPCA believes that there is a need to place more stringent provisions into the law to facilitate more effective enforcement and collection directed at scofflaw violators.

Millions of dollars in unpaid parking violations go uncollected each year by Massachusetts cities and towns due to a number of deficiencies in the current state law governing parking enforcement that need to be corrected.

The MPCA has recommended the following to the Legislature:

Proposed Section 1 and 4 would provide the RMV with the authority not to renew the motor vehicle license or registration of a parking violator with one unpaid parking violations reported to the RMV. The current law provides for RMV involvement only upon the second violation.

Proposed Section 2 and 5 would direct the RMV not to issue a new motor vehicle registration of any kind to a parking violator who has

been reported to the RMV by a city or town for failure to pay parking violations.

Proposed Section 3 and 6 would authorize the RMV to suspend the motor vehicle license of a violator with five or more parking violations, who has failed to appeal or pay said violations. These sections would also allow cities and towns to tow or immobilize out-of-state registered motor vehicles for failure to pay three or more parking violations. [Current Law allows five or more.]

The MPCA proposal has been lingering in the Massachusetts Legislature Joint Committee on Transportation for a number of years.

The MPCA will submit the proposed amendments to Governor Deval Patrick with the expectation that he may consider inclusion of the amendment in the Legislature's version of the Municipal Relief Legislation.

John can be reached at (781) 286-8160 or jhenry@revere.org, Mon-Thur 8:30 - 12:30; closed Fridays.

Mass Registry of Motor Vehicles

Mark C. LaFrance, Project Manager, Massachusetts Department of Transportation, Registry of Motor Vehicles Division talks about the changes in the state inspection stickers.

When did the new 2-D bar code become effective?

Massachusetts's enhanced 2-Dimensional (2-D) bar code first appeared on inspection stickers beginning with the launch of our new inspection program on October 1, 2008. When the program was introduced, most motorists barely noticed any change other than the new name and look. The 2-D bar codes were developed

and tested a year before the launch of the program. The codes contain essential information about the inspection, such as the vehicle VIN, registration information, and the "expected" sticker number.

What data is contained within the 2-D bar code?

- Data Identifier
- Barcode Version
- VIN
- License Plate State
- License Plate Type
- License Plate Number
- Registration Number (Section 5)
- Registration Number Suffix (Section 5)
- Registration Expiration Date
- Vehicle Year
- Vehicle Make
- Inspection Expiration Date
- Sticker Number

The vehicle color and plate color are not in the present code. Will they be added at a future date?

We do hope to eventually add those two additional fields. But it will require increasing the size of the sticker, which would cost a significant amount of money. We've already decreased the size of the month of expiration on the sticker, much to the disappointment of law enforcement. If we increase the size of the sticker, we'd have to use smaller printing on the motorist Vehicle Inspection Report, since a section of the VIR is actually the sticker. We understand the need and will try to address it over time.

How Wakefield Has Collected 107% of Its Parking Fines for the Past 13 Years

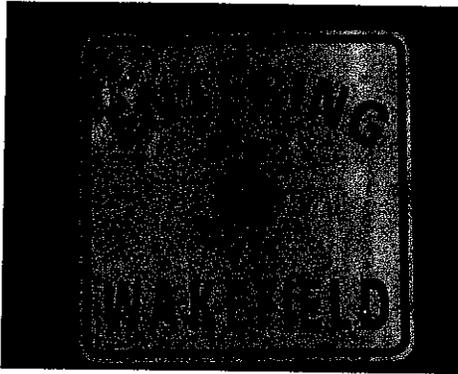
Mike Nasella has been the parking clerk for the Town of Wakefield since December 1980. The town is probably like most Massachusetts communities of its size (25,000 pop.) in that it doesn't issue large numbers of parking tickets, and certainly the revenue from parking enforcement won't make or break the budget. However, what the town does issue in parking fines, it does a very good job in collecting. Correction – it does an outstanding job in the collection of its parking tickets.

Since August 1, 1997, the town has issued 39,466 parking tickets – about 3,100 a year. During the past 12 years and 9 months, the total fines for parking tickets were \$617,227. The town has voided only \$30,831, creating a net receivable of \$586,396. Of the \$586,396 due the town in parking ticket fines, a total of \$628,540 has been collected. The town has collected an additional \$304,295 in late and Registry fees for a total of \$932,835 – no small amount by any means.

Collected more than issued?

How can that be? You can't collect more than what was issued! The answer lies in the method of calculating the collection percentage. For the period August 1, 1997-April 30, 2010, you will get a collection percentage of 107.18% if you divide the amount of fines collected (\$628,540) by the net receivable (\$586,396).

It is possible for a municipality to have a collection percentage greater than 100% if the fines collected from prior years exceed the uncollected fines from current years. In the case of Wakefield, it has been collecting more in fines from parking tickets



issued prior to August 1, 1997, than it has not collected in fines issued since that date – \$42,144 to be exact. To collect greater than 100% of its fines for a year or two is not uncom-

"The success of Wakefield's program is the result of teamwork between myself and the Municipal Management team. The staff at Municipal Management gets five stars from me – even 10 stars! They deserve all kinds of credit for that 107% of fines collected."

Mike Nasella

mon, but to collect more than 100% over a 13-year period – well, that is simply amazing!

How Wakefield does so well

- **Minimize voids.** Mike Nasella believes that everyone is entitled to present their case on why their ticket should be voided, but a policy that is fair and consistent is what Mike goes by. Approximately one in 20 parking tickets meets his criteria and are voided. Over the years motorists come to know what is acceptable and what is not.

- **Mail delinquent notices immediately and often.** The Town of Wakefield mails out its first delinquent notices within a week of the ticket becoming past due. Delinquent notices have their greatest impact when mailed in close proximity to when the ticket was issued – not months later.

The town mails out a series of six delinquent notices, with each notice following a predetermined schedule.

- **Follow-up on Registry rejects.** Every Massachusetts city or town receives rejects from the Registry of Motor Vehicles for names and addresses and non-renewal marks. These rejects have to be dealt with manually. Painstaking research has to be done to get an accurate name and mailing address and to perform a manual mark. Wakefield manually marks the motorist's driver's license even when the Registry rejects the registration mark because of an inactive registration.

- **Never give up on unpaid tickets.** Never giving up on unpaid tickets is labor intensive hard work. This means contacting leasing companies and giving them the information that they require in order to make payment, such as the vehicle ID, etc. Communicating with rental agencies and researching new addresses for motorists that have moved is absolutely necessary. In 2009 the Town of Wakefield collected \$71,850. Of that \$21,530 (30%) was from tickets more than 6 months old. It pays to follow up on unpaid tickets!

Mike Nasella can be reached at (781) 246-6330 Mon-Tue-Wed 3:00 - 5:00; Thur 3:00-7:00; closed Friday

Are eTicketWriters Right for You?

Dan Rossiter of EZTag Corp talks about handheld computers.

Today's handheld computer is lightweight, durable, powerful, ergonomically designed and loaded with features. More and more cities and towns are taking advantage of the benefits that handheld computers offer in the ticket issuance process.

How do you evaluate the various eTicketWriters?

The various companies that are in business to provide parking ticket data processing and collection services have chosen an eTicketWriter as their handheld computer of choice. Today's eTicketWriters come in two versions: with an integrated printer or as two separate devices (handheld computer and thermal printer). Don't make a decision based solely on the integrated vs. component model. The decision on which eTicketWriter is best for your needs should be obvious after you determine affordability and identify the features that are important to your enforcement program.

❖ **Affordability.** What is affordable for one city or town is not necessarily affordable for another. There are two numbers that are important to vendors when determining how much to charge for providing eTicketWriters: 1.) the volume of tickets; and 2.) the number of eTicketWriters.

Recently a Massachusetts municipality agreed to pay \$41,880 annually for three units to service 20,000 tickets (\$2.09 p/ticket), while only a year earlier another municipality agreed to pay the same vendor \$54,400 for six units to service a projected 10,000 tickets (\$5.44 p/ticket). I'm not aware of eTicketWriters being used in any municipality that issues fewer than 1,000 tickets

annually. Such a small volume typically cannot justify the cost of the equipment.

Features

What features should be included in an RFP/RFB to evaluate today's eTicketWriters? Examine the following to determine how important each is to your parking enforcement program.

❖ **Favorable References.** Municipalities want to minimize risk. Vendors often refer to the "leading edge" as the "bleeding edge." Require that at least three users in a similar geographical area have been using the proposed eTicketWriter for at least a year.

❖ **Industrial Grade Durability.** Cities and towns want eTicketWriters that are designed to operate in all kinds of weather. Units should be able to withstand multiple 5-foot drops onto concrete. Today's eTicketWriter should be able to perform for extended periods of time in a temperature range of -4°F to 158°F.

❖ **Power Management.** The unit should have the latest in lithium-ion batteries that permit the unit to work at least 10 hours in all kinds of temperature without recharging. If batteries have to be replaced, then it should be a simple process that is done in the field and not a function of depot maintenance.

❖ **Versatile Data Collection.** The unit should be able to capture data through three means: 1.) a full alphanumeric keyboard; 2.) a touch screen stylus; and 3.) a built-in camera to take photos that provide irrefutable evidence in the appeals process. The vendor should have software that allows it to scan the Massachusetts 2-D inspection sticker to capture the embedded vehicle information.



❖ **Wireless Full Area Networking (WFAN).** While today you may not want or need ticketing that communicates to the host computer in real time, if you envision this as a distinct possibility in a year or two, then don't select an eTicketWriter that can't give you this option.

❖ **Built-In GPS (Global Positioning System) Technology.** If you want a system to help you manage the on-street activity of your parking enforcement officer(s), then select an eTicketWriter that has built-in GPS capability.

❖ **Weight.** Everybody wants lightweight eTicketWriters – another subjective criterion like affordability. A single unit will weigh approximately 1.5 pounds, while two separate units will weigh approximately twice that amount.

❖ **Software.** While this article attempts to assist decision makers in evaluating various eTicketWriters, remember that software is king. One vendor can program the system to automatically initiate uploads and downloads while another may require human intervention to execute PC programs. One vendor will print arrears on all newly issued tickets while another may not have developed this capability.

Dan Rossiter can be reached at (866) 308-2430 or dan.rossiter@eztag1.com

Maximizing Revenue from Parking Tickets

Continued from page one

able to renew the vehicle registration or their driver's license. There is no doubt that the Registry's non-renewal program helps tremendously; however, in my 31 years of experience with Massachusetts cities and towns, if you rely solely on the Registry's non-renewal program, you will only achieve about a 75% collection rate.

Today, municipalities should not accept a mediocre 75% collection rate when many cities and towns collect 95% of their parking tickets. The difference of 20% could mean tens of thousands of dollars and possibly hundreds of thousands of dollars in lost revenue.

What is your city or town's collection rate? You can quickly determine your rate of collection by plugging numbers into the following equation.

$$\frac{\text{Fine \$ Collected}}{\text{(Fine \$ Issued - Fine \$ Voided)}} = \text{Collection \%}$$

Ignore penalty fees. If you are a typical municipality, you will derive about 40% of your parking enforcement revenue from late and Registry fees. Use only fine amounts. If your collection percentage is not 95%, then examine the following checklist and determine what improvements can be made in your municipality.

- 1.) **Do you use handheld computers?** They scan the inspection sticker for vehicle data and take up to four violation photos, but more important, they minimize errors and legitimize the ticket as something that has to be taken care of.
- 2.) **Do your handheld computers print arrears on newly issued tickets?** Make subsequent tickets the first dunning notice to collect arrears.
- 3.) **Do you make it convenient and**

easy to pay? Are tickets issued with a preaddressed return envelope? Do all delinquent notices contain a return envelope? Do you accept credit card, debit card and check payments on-line? Motorists will choose to pay extra for convenience.

4.) **Do you mail out a series of delinquent notices?** You cannot achieve a 95% collection rate if you only mail out only one or two notices. You need to mail out your first notice within three to five days of the ticket due date and continue mailing a series of five or more notices on a predetermined schedule.

5.) **Do your notices always indicate the total amount due for all tickets?** When you communicate to the motorist, always indicate the total amount that is due and payable on all tickets, not just the amount of the last ticket.

6.) **Do you follow up on bad addresses?** This is a mobile society. While motorists are responsible for notifying the Registry of Motor Vehicles whenever they move, few actually do. This is hard, labor intensive work that is absolutely necessary because the results pay off.

7.) **Do you follow up on out-of-state offenders?** You don't have the leverage for collection of vehicles registered out of state, but dunning notices work. You have to get the names and addresses of these motorists and mail them delinquent notices repeatedly.

8.) **How do you deal with habitual offenders?** Five or more tickets subject the vehicle to seizure. Do you have a tow-and-hold program that forces chronic violators to pay up? Do you mail out notices warning motorists if they receive another ticket, that they will be subject to

FYI

On February 10, Governor Patrick signed legislation that expands local authority to collect unpaid fines, specifically those issued for violations of local statutes regulating sanitation, housing, and snow and ice removal.

The new local-option procedure (codified as M.G.L. Ch. 40U) is much like the one in place for hearings on parking citations. It allows for appeals of citations outside the judicial system, allows penalties for late payments, and, through the automation of the ticketing system, allows the city or town to impose sanctions for failure to pay fines by restricting access to other municipal services.

As a final recourse, Chapter 40U allows municipalities to place a lien on a property "based upon the number of and/or dollar amount of the violations on the property."

having their vehicle impounded?

9.) **Are you leveraging today's technology?** In addition to handheld computers to issue parking tickets, police departments should examine the use of license plate recognition technology and incorporate a parking ticket scofflaw file in their databases.

10.) **Do you continue to pursue the collection of unpaid tickets?** The cost of collecting on tickets more than 10 years old is unlikely to be cost-effective, but few will go past 10 years if you have a comprehensive program in place and work it on a regular basis.

Implementing a comprehensive program that incorporates the items in this checklist could add tens or hundreds of thousands of dollars to your parking enforcement revenue stream and perhaps even create a more positive attitude among your citizens.



If Parking Meters Could Talk . . .

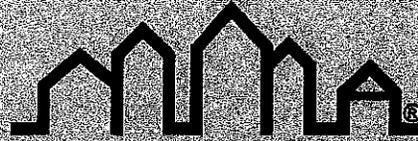
Stories from Chelsea PEOs

Sue G., a PEO, was tagging cars just ahead of a street-sweeping operation. Suddenly a distraught woman came running out of her house. She leaped into her car to move it, accidentally put it in reverse, and backed into a telephone pole. Her \$25 parking ticket turned into a \$500 auto repair bill!

Derek P., meter repairs, was approached by an older woman with a complaint. She had put her money in a meter and it didn't work. Derek checked out the quarter-only meter and it worked properly. Puzzled, the woman said, "I put in 25 cents and turned it three times. I did that twice!" Why did she turn it three times? Of course, for the two dimes and a nickel, which unfortunately for a quarter-only parking meter do not equal a real quarter.

Gracie G., PEO, arrived at a street with a car at every meter – and every meter had run out. As she prepared to start writing tickets, a man sitting on a porch got up and came over. "Are they all going to get tickets?" he asked. Gracie said "Yes." At which point, the man reached in his pocket and pulled out a fistful of quarters. He proceeded to put a quarter in every meter for the entire block. Smiling at Gracie, he said, "That's my good deed for the day."

Municipal Management Associates, Inc.



293 Boston Post Road West

Marlborough, MA 01752

Tel. (508) 480-0773

Fax (508) 481-5329

www.MunicipalManagement.com

www.PayMyParkingTickets.com

www.CitationNewsletter.com

Michael A. Moreau, Founder & President

mmoreau@municipalmanagement.com

Editor, Citation Newsletter: Linda Hilliard (508) 251-2593

Since it was founded in 1979, the goal of Municipal Management Associates has been to add value to Massachusetts local governments by providing state-of-the-art financial applications that focus on maximizing revenue at the lowest cost possible. In the past 31 years, the company has been of service to more than 200 Massachusetts cities and towns.

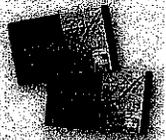
The Citation newsletter is published quarterly for Massachusetts public officials. Its goal is to provide an exchange of useful information on parking enforcement-related activities and to make decision makers aware of the services that Municipal Management Associates offers local cities, towns, colleges and universities.

Check out the Citation website – www.CitationNewsletter.com – to add to or change an address, view sample RFPs/RFBs, see schedules of fines and penalty fees for a number of cities and towns, obtain listings of job vacancies and so on.

Congratulations!

The following are winners of Municipal Management Associates' \$50 American Express gift card drawing:

1. Orlando Pacheco, Town Administrator, Town of Lancaster
2. Timothy McInerney, Town Administrator, Town of Grafton
3. Sarah Johnson, Finance Director, Town of Weston
4. C. Anne Murray, Parking Clerk, Town of Duxbury
5. Laura Woeller, Parking Clerk, Town of Northbridge
6. Bonnijo Kitchin, Town Clerk/Parking Clerk, Town of Amesbury



www.CitationNewsletter.com

It is our goal to make the Citation parking enforcement newsletter relevant to our readers. We welcome your comments, feedback, and candid criticism. This newsletter is published in conjunction with the website, www.CitationNewsletter.com. Please go to this website and click on Feedback to provide us with your comments and suggestions.

You may also use this website to add names to our mailing list.

B.O.S.



Town of Tyngsborough
Board of Appeals

Town Hall-25 Bryants Lane
Tyngsborough, Ma 01879-1003
(978) 649-2300, Ext. 112

RECEIVED
2010 AUG -3 PM 3:28
TOWN CLERK
TYNGSBOROUGH, MA

Agenda
Town Hall
Community Room (Location Change from Meeting Room 1)
August 5, 2010
6:30PM

1st Hearing-

The Board of Appeals of the Town of Tyngsborough will hold a public hearing in the Community Room, 25 Bryants Lane, Tyngsborough, MA on Thursday, August 5, 2010 at 6:30 PM to hear requests for variance and special permit.

John Brunelle – 4 Bowers Ave.: Assessors Map 32A 13 0; Lot 7 & 8; request a Variance for Construction to Raise existing structure to add height to the basement and add new first floor. R-2 Zone, Section 2.15.22.

Advertised in the Lowell Sun on June 24, 2010 and July 1, 2010

David M. Toner – 241 Sherburne Ave.: Assessors Map 34, Lot 42; request a Variance for Construction of a Front Porch to replace concrete front landing w/steps 5'x4'. R-1 Zone, Section 2.12.46, 2.12.50.

Advertised in the Lowell Sun on June 24, 2010 and July 1, 2010

Robert F. Maciel & Beverly Maciel – 265 Pawtucket Blvd.: Assessors Map 34; Lot 19; request a Variance seeking to eliminate requirement to remove 891 sq. feet of pavement due to hardship – modification of prior variance. R-1 Zone, Section 2.12.40, 2.12.42, 2.12.46, 2.12.47.

Advertised in the Lowell Sun on July 22, 2010 and July 29, 2010

Robert Lord – 15 Davis St.: Assessors Map 26A, Lot 167; request a Variance for Lot line re-draw to create buildable lot for single family dwelling. R-2 Zone, Section 2.12.50.

Advertised in the Lowell Sun on July 22, 2010 and July 29, 2010

Other Business

- Planning Board (request for comment):
 - (1) Applicant: New Cingular Wireless PCS
Project Address: 56 Coburn Road
Map 26 Parcel 33 Lot 0
Type of Application: Co-location on existing cell tower. Comments requested by 8/16/10
 - (2) Applicant: SBA Towers II, Inc.
Project Address: 180 Sherburne Ave
Map 28 Parcel 117 Lot -
Type of Application: Cell Tower Special Permit. Comments requested by 8/16/10
- Continued discussion of the 53G account status
- Reconsideration/Modification of the Comprehensive Permit Request for Whispering Pines Estates, Tyngsboro

Administrative

Approval of Minutes: June 10, 2010

2010 AUG -3 PM 3:52
TOWN CLERK
TYNGSBOROUGH, MA



Town of Tyngsborough

Board of Appeals

Town Hall-25 Bryants Lane
Tyngsborough, Ma 01879-1003
(978) 649-2300, Ext. 112

RECEIVED

2010 JUL -8 AM 11:02

TOWN CLERK
TYNGSBOROUGH, MA

Agenda
Town Hall – Community Room
July 8, 2010
6:30PM

Canceled due to lack of quorum

1st Hearing-

The Board of Appeals of the Town of Tyngsborough will hold a public hearing in the Community Room, 25 Bryants Lane, Tyngsborough, MA on Thursday, July 8, 2010 at 6:30 PM to hear requests for variance and special permit.

John Brunelle – 4 Bowers Ave.; Assessors Map 32A 13 0; Lot 7 & 8; request a Variance for Construction to Raise existing structure to add height to the basement and add new first floor. R-2 Zone, Section 2.15.22.

David M. Toner – 241 Sherburne Ave.; Assessors Map 34, Lot 42; request a Variance for Construction of a Front Porch to replace concrete front landing w/steps 5'x4'. R-1 Zone, Section 2.12.46, 2.12.50.

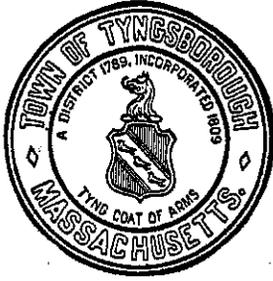
Other Business

Administrative

Approval of Minutes: June 10, 2010.

Advertised in the Lowell Sun on June 24, 2010 and July 1, 2010

Decision: _____



Case No:	_____
Date App Filed:	_____
Hearing Date:	_____
Decision:	_____
Do not write in this space	

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

Applicant: John Brunelle

Mailing Address: 4 Bowers Ave. Tyngsboro, MA 01879

1. Application is hereby made: (Check one or more and fill in appropriate blank spaces.)
- (a) For a Variance from the requirements of Section 2.15.22 Para. ____ of the Zoning By-Law.
 - (b) For a Special Permit under Section ____ Para. ____ of the Zoning By-Law
 - (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 _____

- (b) Premises affected is vacant land with frontage on _____
_____ Street(s).

Describe how to locate: 4 Bowers Ave. (Brown House)

3. (a) Premises affected in Zoning District R 2

The premises has an area of 5250 square feet

Frontage of 70 feet. Side yard setback of 12.2 feet and

25.2 feet. Front yard setback of 12 feet.
(b) Stone bounds (are not) existing on premises.

(c) Assessors Map 32A 13 0, Lot 7&8.

4. Ownership:

Name and Address of owner (if joint ownership, give all names):

John B. Brunelle

4 Bowers Ave.

Tyngsboro, MA 01879

5. (a) Size of (existing) structure: 500 sq. feet.

Front: 21 feet.

Height: 15 feet. Stories one.

Total floor area 500 square feet.

(b) Approximate date of erection, if known: 1930

(c) Present occupancy of use: (of each floor or section) Residential.

6. Description of proposed work and use: Raise existing structure to add height to the basement, and add new first floor.

7. Has applicant made a previous appeal involving these premises to this Board: No

If "yes" give the date of the appeal: _____

8. Deed recorded with the Middlesex North District Registry of Deeds

Book 192, Page 25

Land Court Department of said Registry of Deeds (Registered Land):

Certificate No. 3801, Book 192, Page 25

Attach copy of Deed or Certificate

9. The reasons for the change that I request are as follows: (Use additional page(s), if necessary.) To add living space to the residence.

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

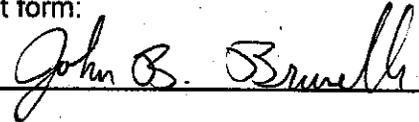
Use additional pages(s), if necessary.)

Abutters: See attached Abutters List

Other parties in interest:

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

Date: 6/1/2010 Signature of person who filled out form:



(Type or print name, address and phone)

John B. Brunelle

4 Bowers Ave.

Tyngsboro, MA 01879

978-677-9947

603-261-7268 (Cell)

Date: 6/1/2010

Signature of Applicant:

John B. Brunelle

(Type or print name, address and phone)

John B. Brunelle

4 Bowers Ave.

Tyngsboro, MA 01879

978-677-9947

603-261-7268 (Cell)

If the applicant is not the owner of the premises, please submit documentation that the owner authorizes this application.

COVER SHEET

ABUTTERS LIST AS PER CH 40A, SEC 11 "PARTIES OF INTEREST"

TOWN BOARD: ZONING BOARD OF APPEALS

LOCATION: 4 BOWERS AVE MAP 32A-13-0

OWNER: JOHN B BRUNELLE

REQUESTED BY: JOHN B BRUNELLE

PREPARED BY: Jennifer Wilson, Assessors Assistant *JW*

DATE: May 17, 2010

Town of Tyngsborough

Abutters List

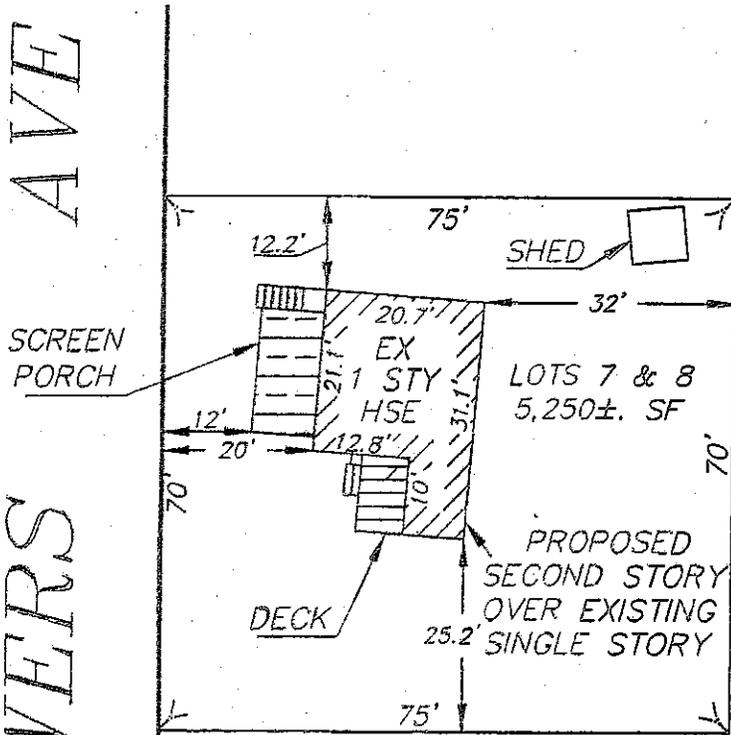
ParcelID	Location	Owner	Co-Owner	Mailing Address	City	State	Zip
32 5 0	76 WILLOWDALE RD	TREARCHIS JAMES	SUSAN	76 WILLOWDALE RD	TYNGSBOROUGH MA	MA	01879
32A 1 0	62 WILLOWDALE RD	LEO & JANET TREARCHIS IRREV T	JOHN P TREARCHIS TRUST	62 WILLOWDALE RD	TYNGSBOROUGH MA	MA	01879
32A 11 0	9 CHESTER AV	STE MARIE GERALD	PAULINE	9 CHESTER AV	TYNGSBOROUGH MA	MA	01879
32A 12 0	WILLOWDALE RD	TREARCHIS JOHN P		40 WILLOWDALE ROAD	TYNGSBOROUGH MA	MA	01879
32A 13 0	4 BOWERS AV	BRUNELLE JOHN B		4 BOWERS AV	TYNGSBOROUGH MA	MA	01879
32A 14 0	8 BOWERS AV	FREEMAN JOSEPH L	MARY M	42 HOLLY ST	S DENNIS MA	MA	02660
32A 15 0	10 BOWERS AV	WOLAS JAMES I		95 WEBBER ST	LOWELL MA	MA	01851
32A 2 0	10 CHESTER AV	TREARCHIS DAVID A	LISA M	10 CHESTER AV	TYNGSBOROUGH MA	MA	01879
32A 52 0	9 BOWERS AV	TREARCHIS DAVID A		10 CHESTER AVENUE	TYNGSBOROUGH MA	MA	01879
32A 53 0	7 BOWERS AV	FISCHER KARL B JR		7 BOWERS AV	TYNGSBOROUGH MA	MA	01879
32A 54 0	3 BOWERS AV	RUIZ NELSON JR &		3 BOWERS AV	TYNGSBOROUGH MA	MA	01879
32A 55 0	71 WILLOWDALE RD	DENBY MARGARET L	RUIZ MAGALI	71 WILLOWDALE RD	TYNGSBOROUGH MA	MA	01879
32A 56 0	4 SPRUCE AV	CURSEADEN III ALLEN T	C/O MACDOWELL MARGARI	4 SPRUCE AV	TYNGSBOROUGH MA	MA	01879
32A 62 0	67 WILLOWDALE RD	DUFRESNE DANIEL W	DUFRESNE SANDRA T	67 WILLOWDALE RD	TYNGSBOROUGH MA	MA	01879
32A 70 0	81 WILLOWDALE RD	COOKE MARK J	JULIE A	81 WILLOWDALE RD	TYNGSBOROUGH MA	MA	01879

End of Report

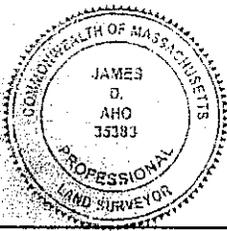
BUILDING CERTIFICATION PLAN

BOWERS AVE

BOWERS



SETBACKS ON THIS PLAN ARE FOR THE DETERMINATION OF ZONING REQUIREMENTS ONLY.



I CERTIFY THAT THE BUILDINGS AND/OR STRUCTURES ARE LOCATED AS SHOWN.

REFERENCE

DEED: BOOK: 192 PLAN: PLAN: 13198 A
 PAGE: 25 CERT: 3801
 STREET 4 BOWERS AVE
 CITY DRACUT, MA
 APPLICANT JOHN BRUNELLE
 DATE 4/13/2010 SCALE 1"=20' JOB# 5808

James D. Aho
P.L.S.

AHO SURVEYING

62 CRICKET LANE
DRACUT, MA. 01826

3801

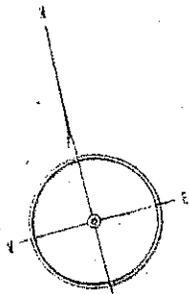
PLAN OF LAND IN TYNGSBORO

Scale 40 Feet to an inch

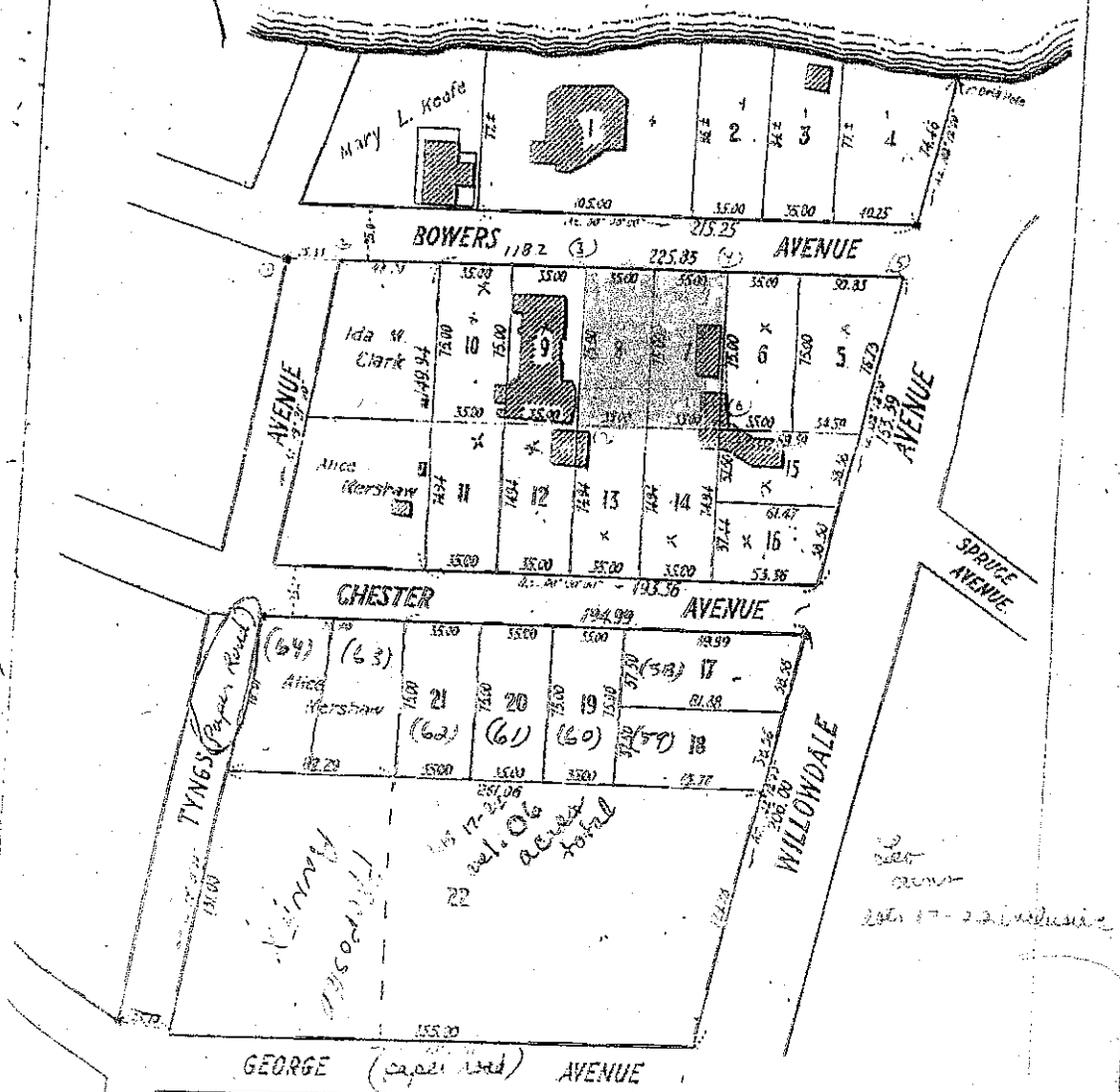
OOPL 1928

Brooks, Jordan & Graves, Civil Engineers

13198 A



TYNGS POND



Middlesex North Registry District
MAY 27 1928

RECEIVED FOR REGISTRATION
3 O'CLOCK a.m. p.m.
FILED WITH CERTIFICATE NO. 3801
IN REGISTRATION BOOK 22 PAGE 1

Copy of part of plan
filed in
LAND REGISTRATION OFFICE
NOV. 5, 1928
Scale of this plan 40 feet to an inch
C. J. Humphrey, Engineer for Court

2005 00230315
Cert: 37813 Bk: 192 Pg: 25
Recorded: 03/07/2005 10:19 AM

MASSACHUSETTS EXCISE TAX
Middlesex North ROD #14 001
Date: 03/07/2005 10:19 AM
Ctrl# 017979 04717 Doc# 00230315
Fee: \$902.88 cons: \$198,000.00

DEED

I, Michael J. Conley, as duly appointed Executor of the Estate of Thelma E. Conley, Middlesex Probate Court, Docket No. 01P3281EP, and pursuant to the power to sell conferred by the Will of Thelma E. Conley, filed with said Probate Court, of 5 Fort Beach Way, Marblehead, Massachusetts 01945

in consideration of One Hundred Ninety Eight Thousand Dollars (\$198,000.00),

grant to John B. Brunelle
of 589 Pelman Road, Dracut, Massachusetts 01826

with quitclaim covenants

the land in, Tyngsborough, Middlesex County, Massachusetts, situated on the southwest side of Bowers Avenue bounded and described as follows:

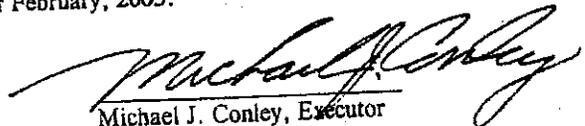
- NORTHEASTERLY by Bowers Avenue, Seventy (70) feet;
- SOUTHEASTERLY by Lot 6, seventy-five (75) feet;
- SOUTHWESTERLY by Lots 13 and 14, seventy (70) feet; and
- NORTHWESTERLY by Lot 9, seventy-five (75) feet.

All of said boundaries are determined by the Land Court to be located as shown on Plan 13198 A drawn by Brooks, Jordan & Graves, Civil Engineers, dated October 1928, as modified and approved by the Court, filed in the Land Registration Office. A copy of a portion of which is filed with Certificate of Title 3801, and said land is shown as Lots seven (7) and eight (8) on said plan.

So much of the above described land as by implication of law is included within the limits of said Bowers Avenue is subject to the rights of all persons lawfully entitled thereto in and over the same, and there is appurtenant to the land hereby registered the right to use such ways in common with all others lawfully entitled thereto.

The above described premises are subject to the provisions set forth in Document twenty-five thousand two hundred ninety-eight (25298).

EXECUTED and sealed this 25 day of February, 2005.


Michael J. Conley, Executor

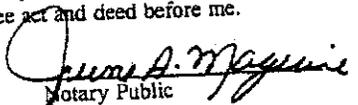
COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

February 25, 2005

Then personally appeared the above-named Michael J. Conley, in his capacity as Executor of the Estate of Thelma E. Conley, and proved to me through satisfactory evidence of identification, which were driver's license, to be the person whose name is signed above, acknowledged the foregoing instrument to be his free act and deed before me.

APPROVED FOR REGISTRATION
BY THE COURT of Probate & Family Court
Land Court 3/4/2005


Notary Public
My commission expires:
3/8/07

Property Address: 4 Bowers Avenue, Tyngsborough, MA 01879

Decision: _____

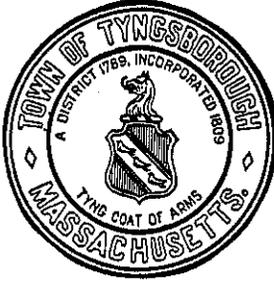
Case No: _____

Date App Filed: _____

Hearing Date: _____

Decision: _____

Do not write in this space



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

Applicant: David M. Toner

Mailing Address: 241 Sherburne Ave

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

- (a) For a Variance from the requirements of Section ____ Para. ____ of the Zoning By-Law.
- (b) For a Special Permit under Section ____ Para. ____ of the Zoning By-Law
- (c) As a party aggrieved, for review of a decision made by the Building Commissioner or other authorities.

Set forth other authorities:

Per. Building Insp. 2-12-46 - 2-12-50

2.

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

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

_____ Street(s).

Describe how to locate: _____

3. (a) Premises affected in Zoning District 241 Sherburne Ave (R1)

The premises has an area of 103,122 square feet

Frontage of 200' feet. Side yard setback of 27' feet and



Certificate No. _____, Book _____, Page _____

Attach copy of Deed or Certificate

9. The reasons for the change that I request are as follows: (Use additional page(s), if necessary.)

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

Use additional pages(s), if necessary.)

Abutters:

All Abutters listed Separately
- Parties of Interest Unknown -

Other parties in interest:

- UNKNOWN -

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

Date: 5/10/2010 Signature of person who filled out form:

DAVID M. TOWER
David M. Tower

(Type or print name, address and phone)

DAVID M. TOWER

241 Sherburne Ave

Lynsboro Ma 01879

978-703-1048

Date: 5/10/2010 Signature of Applicant.

David M. Tower

(Type or print name, address and phone)

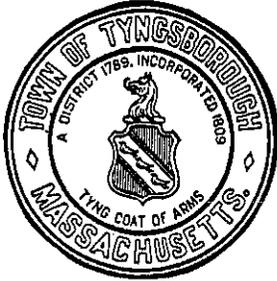
DAVID M. TOWER

241 Sherburne Ave

Tyngsboro, Ma 01879

978-703-1048

If the applicant is not the owner of the premises, please submit documentation that the owner authorizes this application.



***Town of Tyngsborough
Board of Appeals***

Town Hall-25 Bryants Lane
Tyngsborough, MA 01879-1003
(978) 649-2300, Ext. 112

Instructions

1. Applications must be typed or printed. Draw a line through blank spaces that do not apply.
2. File 12 copies completely filled out. Applications submitted with incomplete information may be grounds for disapproval.
3. A copy of the decision, if any, by the Building Commissioner or other authority, together with 12 plot plans of the affected premises must be filed.
4. A fee of \$200.00 must accompany this application. Make check payable to the Town of Tyngsborough.
5. The applicant is required to Certified Mail the Legal Notice to the abutters and submits the white receipts to the secretary once mailed; and then submit the green cards to the secretary prior to the meeting for review and filing.



**Town of Tyngsborough
Building Department**

25 Bryants Lane
Tyngsborough, Massachusetts 01879
Office: (978) 649-2300 Ext. 112

September 3, 2009

David M. Toner
Kathleen Toner
241 Sherburne Avenue
Tyngsborough, MA 01879
Assessors Map 34 Block 42

Re: Un-permitted construction

Dear Sir and Madam,

Please be advised, your recently un-permitted construction of a farmers porch at the above mentioned property is in violation of the Town of Tyngsborough Zoning By-laws including but not limited to Sections:

1. 1.11.20 Compliance Certification
2. 1.11.30 Building Permit
3. 2.12.46 Front Yards
4. 2.12.50 Table of Standard Dimensional Requirements.

The un-permitted construction is in violation of the front yard setback requirement of 30 feet.

You are also in violation of 780 CMR Massachusetts State Building Code 7th Edition including but not limited to sections:

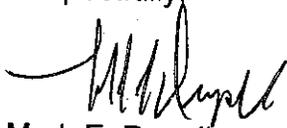
1. 5110 Application for Permit
2. 5111.2 Zoning
3. 5118 Violations

As per 5118.2 Notice of Violation, I hereby order you to remove the violation forthwith.

Copies of Applicable Zoning By-laws and Building Codes are attached for your reference.

This decision and/or order may affect your legal rights. In regard to zoning matters, you have the right to file an appeal with the Zoning Board of Appeals pursuant to Massachusetts General Laws, Chapter 40A, sections 8 and 15. In regard to building code violations, you have the right to file with the State Building Code Appeals Board pursuant to Massachusetts General Laws, Chapter 143, section 100 and the State Building Code.

Respectfully

A handwritten signature in black ink, appearing to read 'Mark E. Dupell', written in a cursive style.

Mark E. Dupell
Building Commissioner

Cc: Board of Selectmen
Rosemary Cashman, Town Administrator

Attachments

TOWN OF TYNGSBOROUGH - ZONING BY-LAW

If, after such notice and demand, such violation has not been abated within the time specified, the Building Inspector shall institute appropriate action or proceedings in the name of the Town of Tyngsborough to prevent, correct, restrain or abate any violation of this By-law.

1.11.20 Compliance Certification Buildings, structures, or signs may not be erected, substantially altered, moved, or changed in use and land may not be changed in principal use without certification by the Building Inspector that such action is in compliance with then applicable zoning, or without review by him regarding whether all necessary permits have been received from those governmental agencies from which approval is required by federal, state, or local law.

1.11.30 Building Permit No building shall be erected, altered, moved razed or added to in Tyngsborough without a written permit issued by the Building Inspector. Such permits shall be applied for in writing to the Building Inspector. The Building Inspector shall not issue any such permit unless the plans for the building and the intended use thereof in all respects fulfill the provisions of the Town of Tyngsborough Zoning By-law (and other applicable town by-laws) except as may have been specifically permitted otherwise by action of the Town of Tyngsborough Board of Appeals, provided a written copy of the terms governing any exception so permitted be attached to the application for a building permit and to the building permit issued therefore. One copy of each such permit, as issued, including any conditions or exceptions attached thereto, shall be kept on file in the office of the Building Inspector.

In addition to the information required above, a plot plan shall indicate provisions for all other physical requirements of this By-law, including, but not limited to, off-street parking, screening and fencing.

Upon granting a permit the Building Inspector shall cause a copy to be posted on the property to which it relates in a conspicuous place.

1.11.40 Professional Inspection Construction on projects under a single building permit involving either one or more structures (other than one and two family dwellings) each containing 10,000 gross square feet or more, or involve 3 or more dwelling units, irrespective of type, may be done with the inspection of a registered professional engineer or architect. Such engineer or architect shall periodically, as requested by the Building Inspector, attest that all work is being done in accordance with the plans as approved for a building permit, in accordance with any stipulations of applicable permits, special permits, or variances, and in accordance with all applicable Town and State codes and regulations. Discrepancies from the above noted by such engineer or architect shall be reported forthwith to the Building Inspector. Any and all costs associated with such professional engineer's inspection shall be reimbursed to the Town by the developer.

1.11.50 Penalty Any person violating any of the provisions of this By-law, any of the conditions under which a permit is issued, or any decision rendered by the Board of Appeals

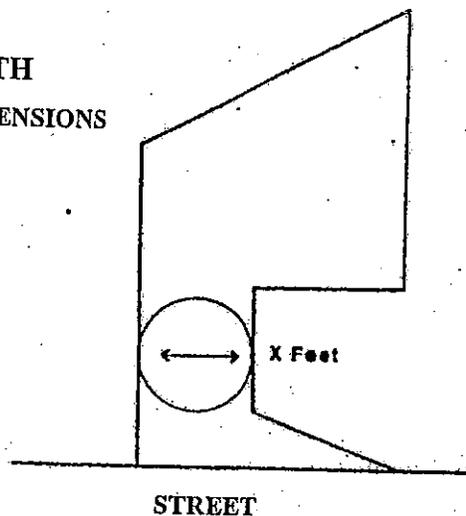
TOWN OF TYNGSBOROUGH - ZONING BY-LAW

2.12.44 If a lot has frontage on more than one street, the frontage on one street only may be used to satisfy the minimum lot frontage.

2.12.45 Lot Width - Lot width shall be determined by measuring the diameter of the largest circle which can be located along a continuous, but not necessarily straight line from the lot frontage to the principal structure on the lot without the circumference intersecting the side lot lines. (See Figure 4)

FIGURE - 4

MEASURING LOT WIDTH
REFER TO TABLE FOR DIMENSIONS



2.12.46 Front Yards - Front yards shall be the distance measured in a straight line between the lot frontage and the nearest point of any building or structure. A lot having frontage on two or more streets shall have two or more front yards, each of which shall comply with the requirements of the front yard provisions. In no case shall any building or structure be located closer to the sideline of a street than the minimum required front yard. (See Figure 5).

2.12.47 Side and Rear Yards. Side and rear yards shall be the distance measured in a straight line from the nearest point of any building or structure to each side or rear lot line. (See Figure 5)

2.12.48 Building Coverage. The building coverage shall be determined by dividing the total ground area of all buildings on a lot, including roof overhangs greater than 1.5 feet, carports and canopies, whether or not such carports or canopies are part of a building, by the total lot area.

TOWN OF TYNGSBOROUGH - ZONING BY-LAW

2.12.50 Table of Standard Dimensional Requirements

Dimension	Zoning District							
	R1	R2	R3	B1	B2	B3	B4	II
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

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 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 1/2 stories

5/ Not to exceed 3 stories

6/ Not to exceed 3 1/2 stories

provisions of 780 CMR 5109 shall not apply to the specialized codes.

5109.3.1 Areas Prone to Flooding. The building official shall not grant modifications to any provision related to areas prone to flooding as established by 780 CMR 51.00 through 99.00 without the granting of a variance to such provisions by the BBRs Building Code Appeals Board as defined in 780 CMR 5122.

5109.4 Alternative Materials and Equipment.

5109.4.1 General. The provisions of 780 CMR 51.00 through 99.00 are not intended to limit the appropriate use or installation of materials, appliances, equipment or methods of design or construction not specifically prescribed by 780 CMR 51.00 through 99.00, provided that any such alternative has been approved. Alternative materials, appliances, equipment or methods of design or construction shall be approved when the building official is provided acceptable proof and has determined that said alternative is satisfactory and complies with the intent of the provisions of 780 CMR 51.00 through 99.00, and that said alternative is, for the purpose intended, at least the equivalent of that prescribed in 780 CMR 51.00 through 99.00 in quality, strength, effectiveness, fire resistance, durability and safety. Compliance with specific performance-based provisions of 780 CMR, in lieu of a prescriptive requirement, shall also be permitted as an alternate.

5109.4.2 Evidence Submitted. The building official may require that evidence or proof be submitted to substantiate any claims that may be made regarding the proposed alternate.

5109.4.3 Tests. Determination of acceptance shall be based on design or test methods or other such standards approved by the BBRs. In the alternative, where the BBRs has not provided specific approvals, the building official may accept, as supporting data to assist in this determination, duly authenticated engineering reports, formal reports from nationally acknowledged testing/listing laboratories, reports from other accredited sources. The costs of all tests, reports and investigations required under these provisions shall be borne by the applicant.

5109.4.4 Approval by the Construction Materials Safety Board. The building official may refer such matters to the Construction Materials Safety Board in accordance with 780 CMR 5123 for approval.

780 CMR 5110 APPLICATION FOR PERMIT

5110.1 Permit Application. It shall be unlawful to construct, reconstruct, alter, repair, remove or demolish a detached one-and two-family dwelling; or to install or alter any equipment for which a provision is made or the installation of which is

regulated by 780 CMR 51.00 through 99.00 without first filing a written application with the building official and obtaining the required building permit and all other required permits therefore.

5110.2 Temporary Structures and Uses.

5110.2.1 General. The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause.

5110.2.2 Conformance. Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, light, ventilation and sanitary requirements of 780 CMR 51.00 through 99.00 as necessary to ensure the public health, safety and general welfare.

5110.2.3 Termination of Approval. The building official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

5110.3 Exemptions. A building permit is not required for the following activities. Such exemption, however, shall not exempt the activity from any review or permit that may be required pursuant to other laws, bylaws, rules and regulations of other jurisdictions (*e.g.*, zoning, conservation, *etc.*).

1. One-story detached accessory buildings used as tool or storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (12 m²).
2. Fences six feet (1829 mm) in height or less.
3. Retaining walls that, in the opinion of the building official, are not a threat to the public safety, health or welfare and which retain less than four feet (1220 mm) of unbalanced fill.
4. Ordinary repairs as defined in 780 CMR 52.00: *Repairs, ordinary* shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam, column or other load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, mechanical system, fire protection system, energy conservation system or other work affecting public health or general safety.
5. Greenhouses: A building permit or notice to the building official is not required for the construction of greenhouses covered exclusively with plastic film (in accordance with St. 1983, c. 671. This exemption does not apply if the greenhouse is to be used for large assemblies of

780 CMR: STATE BOARD OF BUILDING REGULATIONS AND STANDARDS

ADMINISTRATION FOR SINGLE- AND TWO-FAMILY DWELLINGS

Failure to comply with 780 CMR 5110.7 Items through .7 shall result in denial of the building permit.

5110.7.1 Preparation of Construction Documents. In accordance with M.G.L. c. 112, § 60L and M.G.L. c. 112, §§ 81D through 81T, the design of any structural member, building system or parts thereof not prescriptively provided for in 780 CMR 51.00 through 99.00 may require the services of a registered design professional. A building official may require plans, specifications, calculations and/or details of sufficient clarity to ensure compliance with the relevant requirements of 780 CMR 51.00 through 99.00 and/or relevant laws, ordinances, rules and regulations.

5110.7.2 Information for Construction in Areas Prone to Flooding. Construction documents for detached one- and two-family dwellings to be constructed in flood hazard areas are required to be prepared by a registered architect or registered professional engineer (collectively referred to herein as registered design professionals) and shall include:

1. Delineation of flood hazard areas, floodway boundaries, and flood zones, and the design flood elevation, as appropriate; and
2. The elevation of the proposed lowest floor, including basement; in areas of shallow flooding (AO zones), the height of the proposed lowest floor, including basement, above the highest adjacent grade.

5110.7.3 Design. Plans, computations and specifications involving new construction, alterations, repairs, expansions or additions or change in use or occupancy of any detached one- or two-family dwelling which are required by the building official under 780 CMR 5110 to be prepared by or under the supervision of a Massachusetts-registered architect or Massachusetts-registered professional engineer, as applicable, shall bear his or her original signature and seal. Said signature and seal shall signify that the plans, computations and specifications meet the applicable provisions of 780 CMR 51.00 through 99.00 and all accepted engineering practices. A legally recognized professional performing work as defined by M.G.L. c. 112, § 81R may be exempted from 780 CMR 5110.

5110.7.4 Site Plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing the size and location of new construction and existing structures on the site and distances from lot lines. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot.

5110.8 Amendments to Application. Subject to the limitations of 780 CMR 5110.9, amendments to a

plan, application or other records accompanying the same shall be filed prior to the commencement of the work for which the amendment to the permit is sought or issued. Such amendments shall be deemed part of the original application and shall be submitted in accordance with 780 CMR 5110.1.

5110.9 Time Limitation of Application. An application for a permit for any proposed work shall be deemed to have been abandoned six months after the date of filing, unless such application has been diligently prosecuted or a permit shall have been issued; except that the building official shall grant one or more extensions of time for additional periods not exceeding 90 days each if there is reasonable cause and upon written request by the owner.

780 CMR 5111 PERMITS

5111.1 Action on Application. The building official shall examine or cause to be examined all applications for permits and amendments thereto within 30 days after filing thereof. If the application or the construction documents do not conform to the requirements of 780 CMR 51.00 through 99.00 and all pertinent laws under the building official's jurisdiction, the building official shall reject such application in writing, stating the reasons therefore. If the building official is satisfied that the proposed work conforms to the requirements of 780 CMR 51.00 through 99.00 and all laws and ordinances applicable thereto, the building official shall issue a permit therefore.

5111.2 Zoning. In accordance with the provisions of M.G.L. c. 40A or St. 1956, c. 665 as amended, no permit for the construction, alteration, change of use or moving of any detached one- or two-family dwelling shall be issued if such detached one- or two-family dwelling or use would be in violation of any zoning ordinance or bylaw.

5111.3 Railroad Right-of-way. No permit to build a structure of any kind on land formerly used as a railroad right-of-way or any property appurtenant thereto formerly used by any railroad company in the state shall be issued without first obtaining, after public hearing, the consent in writing to the issuance of such permit from the Secretary of the Executive Office of Transportation and Construction, all in accordance with M.G.L. c. 40, § 54A.

5111.4 Water Supply. No permit shall be issued for the construction of a detached one- or two-family dwelling which would necessitate the use of water therein, unless a supply of water is available therefore, either from a water system operated by a city, town or district, or from a well located on the land where the detached one- or two-family dwelling is to be constructed, or from a water corporation or company, as required by M.G.L. c. 40, § 54.

5111.5 Debris. As a condition of issuing a permit

ADMINISTRATION FOR SINGLE- AND TWO-FAMILY DWELLINGS

two-family dwelling shall not be subjected to visits by numerous inspectors or multiple or conflicting orders. Whenever an inspector from any agency or department observes an apparent or actual violation of some provision of some law, ordinance or code not within the inspector's authority to enforce, the inspector shall report the findings to the building official having jurisdiction.

780 CMR 5116 LICENSED CONSTRUCTION SUPERVISOR SERVICES DURING CONSTRUCTION

5116.1 General. In accordance with 780 CMR 5108.3.5 and Special Regulation 780 CMR 110.R5, the construction, reconstruction, alteration, repair, removal or demolition of all detached one- and two-family dwellings or the field erection of any manufactured building shall be under the control of a licensed construction supervisor. Except for work under the control of a licensed tradesperson subject to other codes and/or regulations, the licensed construction supervisor shall be responsible for ensuring that all construction-related activities are performed in compliance with 780 CMR 51.00 through 99.00 and the approved construction documents, and all manufacturers' recommendations, as applicable.

At a minimum, the license holder, or responsible registered design professional if so employed to perform construction services, as identified on the building permit application or his or her licensed designee, shall be present on the building site to approve construction, reconstruction, alterations, removal or demolition involving the following work:

1. Foundation:
 - (a) Location of and excavation of foundation;
 - (b) Preparation of bearing material;
 - (c) Placement of forms and reinforcing materials (if applicable);
 - (d) Incorporation of vapor retarders (energy conservation)
 - (e) Placing of concrete (or setting of other foundation materials);
 - (f) Setting weather protection methods (if required);
 - (g) Installation of waterproofing and/or damp proofing materials; and
 - (h) Placement of backfill.

Note: If encountered in excavating for foundation placement, the licensed construction supervisor (or registered design professional) shall report the presence of groundwater to the building official and shall submit a report detailing methods of remediation.

2. Structural frame:
 - (a) Installation of joists, trusses and other structural members and sheathing materials to verify size, species and grade, spacing and

attachment/fastening methods (the licensed construction supervisor shall ensure that any cutting or notching of structural members is performed in accordance with requirements of 780 CMR 51.00 through 99.00);

(b) Setting of masonry or other structural systems (if used).

3. Energy conservation: Installation of insulation materials, vapor and air infiltration barriers.

4. Fire protection: Installation of smoke and heat detectors and/or systems.

5. Special construction (including, but not limited to):

- (a) Chimneys;
- (b) Retaining walls over four feet (1219 mm) in height above grade.

The building official may require the license holder or his or her licensed designee (or registered design professional) to be present on the building site at other points during the construction, reconstruction, alterations, removal or demolition work as he or she deems appropriate.

Exception: Any homeowner performing work for which a building permit is required shall be exempt from the licensing provisions of 780 CMR 5108.3.5, provided that if a homeowner engages a person(s) for hire to do such work, that such homeowner shall act as supervisor and shall be subject to all applicable provisions of 780 CMR 5116. This exception shall not apply to the field erection of manufactured buildings constructed pursuant to 780 CMR 51.00 through 99.00 and Special Regulation 780 CMR 110.R3 (*see* definition of "Homeowner" in 780 CMR 5108.3.5.1).

Note: Registered design professionals who secure building permits for and/or perform construction services for detached one- and two-family dwellings are not required to be licensed pursuant to 780 CMR 5108.3.5, provided that said registered design professional secures such permit and performs such services under the responsibilities of his or her professional registration.

When required by the building official, at the completion of the work, prior to the issuance of a certificate of occupancy, the licensed construction supervisor, registered professional or homeowner, as applicable, shall submit a copy of the completed checklist contained in Appendix 780 CMR 120.P to the building official in verification that, to the best of his or her knowledge, the work has been executed in accordance with the provisions of 780 CMR 51.00 through 99.00.

780 CMR 5117 WORKMANSHIP

5117.1 General. All work shall be conducted, installed and completed in a workmanlike and

THE MASSACHUSETTS STATE BUILDING CODE

acceptable manner, and in accordance with manufacturer recommendations, so as to secure the results intended by 780 CMR 51.00 through 99.00.

780 CMR 5118 VIOLATIONS

5118.1 Unlawful Acts. It shall be unlawful for any person, firm or corporation to use, occupy or change the use or occupancy of any detached one- and two-family dwelling or to erect, construct, alter, extend, repair, remove or demolish any detached one- and two-family dwelling or any equipment regulated by 780 CMR 51.00 through 99.00, or cause same to be done, in conflict with or in violation of any of the provisions of 780 CMR 51.00 through 99.00.

5118.2 Notice of Violation. The building official shall serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, removal, demolition or occupancy of a detached one- and two-family dwelling in violation of the provisions of 780 CMR 51.00 through 99.00, or in violation of a detail statement or a plan approved there under, or in violation of a permit or certificate issued under the provisions of 780 CMR 51.00 through 99.00. Such order shall be in writing and shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

5118.3 Prosecution of Violation. If the notice of violation is not complied with in the time period specified in said notice of violation, the building official may institute the appropriate proceedings at law or in equity to restrain, correct or abate such violation or to require the removal or termination of the unlawful occupancy of the detached one- and two-family dwelling in violation of the provisions of detached one- and two-family dwellings or of the order or direction made pursuant thereto.

5118.4 Violation Penalties. Whoever violates any provision of 780 CMR 51.00 through 99.00, except any specialized code referenced herein, shall be punishable by a fine of not more than \$1,000 or by imprisonment for not more than one year, or both, for each such violation. Each day during which a violation exists shall constitute a separate offense. The building official shall not begin criminal prosecution for such violations until the lapse of 30 days after the issuance of the written notice of violation.

5118.5 Abatement of Violation. The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to prevent unlawful construction or to restrain, correct or abate a violation, or to prevent illegal occupancy of a detached one- and two-family dwelling or to stop an illegal act, conduct, business or occupancy of a detached one- and two-family dwelling on or about any premises.

5118.6 Notice or Orders, Service and Content. Every notice or order authorized by 780 CMR 51.00 through 99.00 shall be in writing and shall be served on the person responsible:

1. Personally, by any person authorized by the building official; or
2. By any person authorized to serve civil process by leaving a copy of the order or notice at the responsible party's last and usual place of abode; or
3. By sending the party responsible a copy of the order by registered or certified mail return receipt requested, if he or she is within the Commonwealth; or
4. If the responsible party's last and usual place of abode is unknown, by posting a copy of this order or notice in a conspicuous place on or about the premises in violation and by publishing it for at least three out of five consecutive days in one or more newspapers of general circulation wherein the building or premises affected is situated.

780 CMR 5119 STOP WORK ORDER

5119.1 Notice to Owner. Upon notice from the building official that work on any detached one- and two-family dwelling is being prosecuted contrary to the provisions of 780 CMR 51.00 through 99.00, in an unsafe and dangerous manner or contrary to the approved construction documents submitted in support of the building permit application, such work shall be immediately stopped. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work, and shall state the conditions under which work will be permitted to resume.

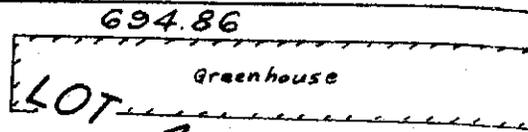
5119.2 Unlawful Continuance. Any person who shall continue any work in or about the detached one- and two-family dwelling after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not more than \$1,000 or by imprisonment for not more than one year, or both, for each such violation. Each day during which a violation exists shall constitute a separate offense.

780 CMR 5120 CERTIFICATE OF OCCUPANCY

5120.1 General. New buildings and structures. A detached one- and two-family dwelling hereafter shall not be used or occupied in whole or in part until the certificate of use and occupancy shall have been issued by the building commissioner or inspector of buildings or, when applicable, the state inspector. The certificate shall not be issued until all the work has been completed in accordance with the

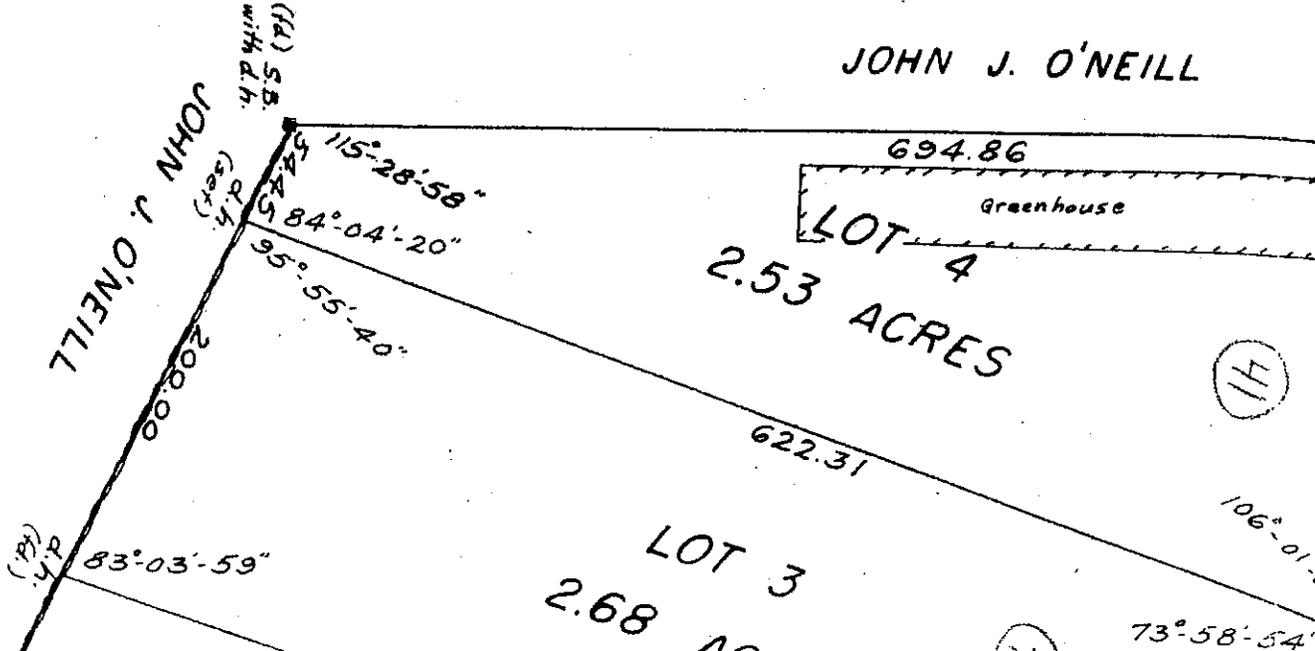
1346-1177-24

JOHN J. O'NEILL



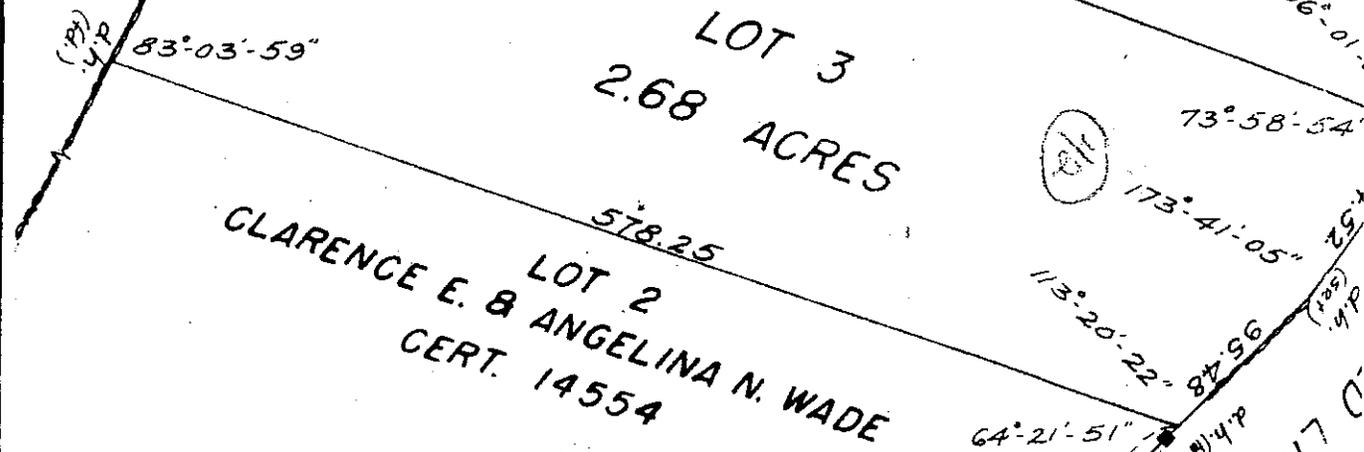
LOT 4
2.53 ACRES

(41)



LOT 3
2.68 ACRES

(42)



LOT 2
CLARENCE E. & ANGELINA N. WADE
CERT. 14554

RD LINE

AVE

(43)

Town Bound
with d.h. (fd.)

John J. O'Neill
John J. O'Neill
Dec. 28, 1966

Planning Board Approval
 Not for...

SUBDIVISION PLAN OF LAND IN TYNGSBOROUGH, MASS.

SCALE OF 100 FEET TO AN INCH

BROOKS, JORDAN AND GRAVES, CIVIL ENG'RS.

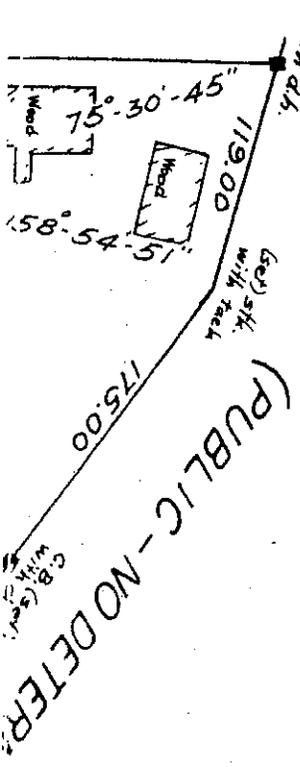
DEC. 8, 1966.

BEING THE SUBDIVISION OF A LOT SHOWN UPON PLAN 11791⁴ FILED WITH CERTIFICATE OF TITLE 3454 NORTH REGISTRY DISTRICT OF MIDDLESEX COUNTY.

"I CERTIFY THAT THIS PLAN WAS MADE IN ACCORDANCE WITH LAND COURT INSTRUCTIONS OF 1959 ON DEC. 8, 1966."

ROBERT G. COLBATH
387 MIDDLESEX ST.
LOWELL, MASS.

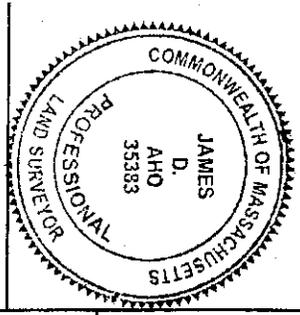
VARNUM



ENTER

BOARD OF APPEALS PLAN

SETBACKS ON THIS PLAN ARE FOR THE DETERMINATION OF ZONING REQUIREMENTS ONLY.



James D. Aho
P.L.S.

I CERTIFY THAT THE BUILDINGS AND/OR STRUCTURES ARE LOCATED AS SHOWN.

REFERENCE

DEED: BOOK: 195 PLAN: L.C. 11791-B
PAGE: 103 CERT: 11726

STREET 241 SHERBURNE AVENUE

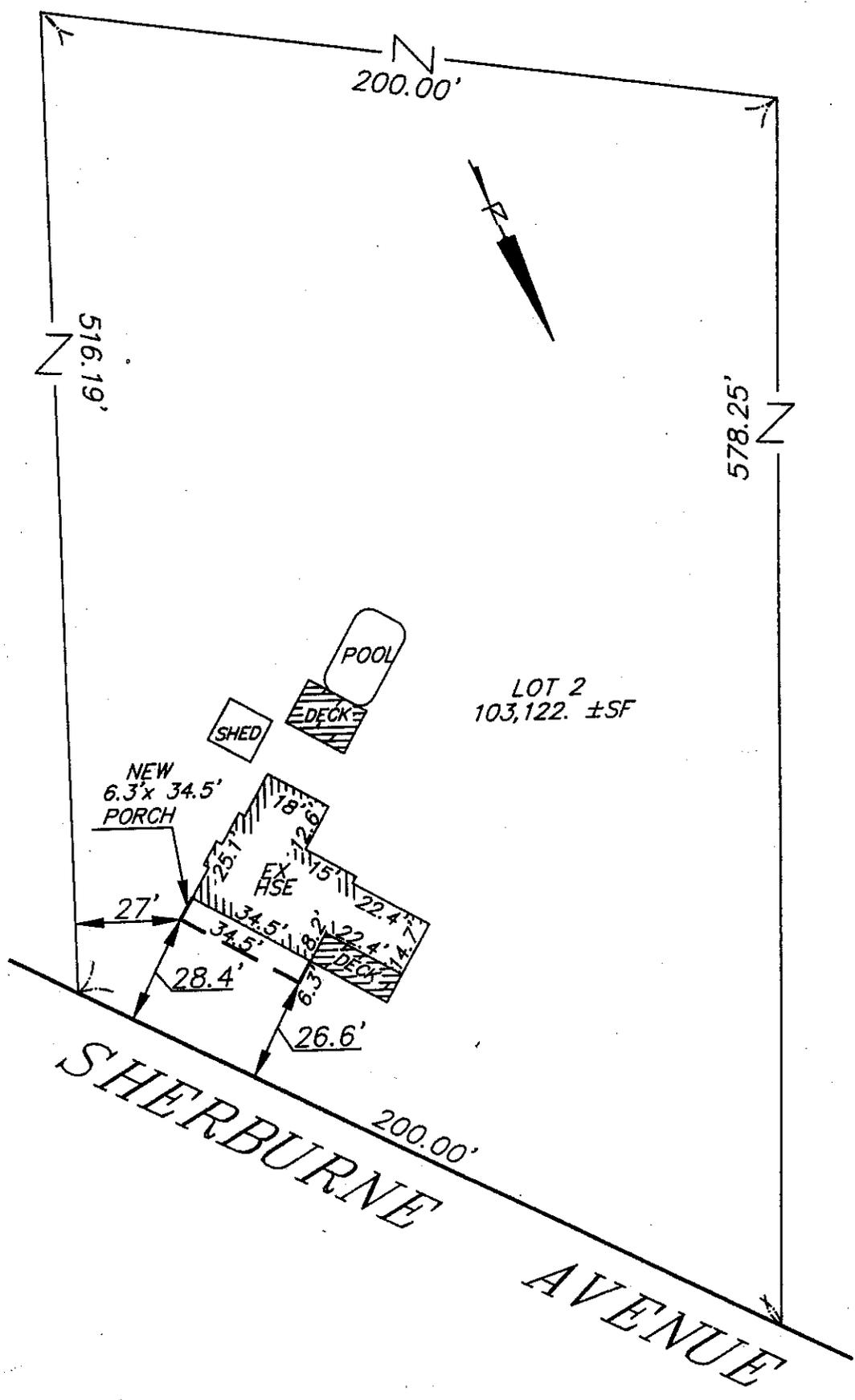
CITY TNINGSBORO, MA.

APPLICANT DAVID & KATHLEEN TONER

DATE 4/25/2010 SCALE 1"=40' JOB # 5817

AHO SURVEYING

62 CRICKET LANE
DRACUT, MA. 01826



BOARD OF APPEALS PLAN

MASSACHUSETTS QUITCLAIM DEED

I, David M. Toner of Tyngsborough, Massachusetts, for consideration paid, and in full consideration of ONE DOLLAR AND 00/100 Dollars (U.S. \$1.00) grant to David M. Toner and Kathleen Toner, as husband & wife, Tenants by the Entirety, of 241 Sherburne Avenue, Tyngsborough, Massachusetts 01879 with *quitclaim covenants* the following property in Middlesex County, Massachusetts.

That certain parcel of land situate in Tyngsborough in the County of Middlesex and Commonwealth of Massachusetts, bounded and described as follows:

Northeasterly by Varnum Avenue, two hundred (200) feet;

Southeasterly by Lot 1, five hundred sixteen and 19/100's (516.19) feet;

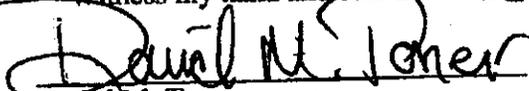
Southwesterly by land now or formerly of John O'Neil, two hundred (200) feet; and

Northwesterly by land now or formerly of Valmont J.W. Theriault et ux, five hundred seventy eight and 25.100 (578.35) feet;

All of said boundaries are determined by the Land Court to be located as shown on subdivision plan 11791-B, drawn by Brooks, Jordan and Graves, Civil Engineers, dated November 22, 1960, as approved by the Court, filed in the Land Registration Office, a copy of a portion of which is filed with the Certificate of Title 11726, and said land is shown as Lot two (2) on said plan.

For title reference see COT No. 33822

Witness my hand and seal this 2nd day of August, 2005.


David M. Toner



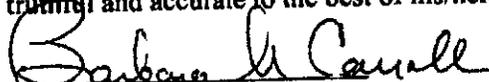
2005 00233183
Cert: 39052 Bk: 193 Pg: 103
Recorded: 08/04/2005 10:34 AM

Commonwealth of Massachusetts

Middlesex, ss.

On this 2nd day of August, 2005 before me, the undersigned notary public, personally appeared David M. Toner, proved to me through satisfactory evidence of identification, which were driver's license or

_____ to be the person whose name(s) is signed on the preceding or attached document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his/her/their knowledge and belief.


Notary Public

My commission expires: 4-21-06

PROPERTY ADDRESS: 241 Sherburne Avenue Tyngsborough, Massachusetts 01879

COVER SHEET

ABUTTERS LIST AS PER CH 40A, SEC 11 "PARTIES OF INTEREST"

TOWN BOARD: BOARD OF APPEALS

LOCATION: 241 SHERBURNE AVENUE MAP 34 PARCEL 42-0

OWNER: DAVID M & KATHLEEN TONER

REQUESTED BY: DAVID TONER

PREPARED BY: ANN CONANT, ASSESSORS ASSISTANT

DATE: SEPTEMBER 14, 2009

A handwritten signature in cursive script, appearing to read "ame", enclosed within a large, loopy oval shape.

Town of Tyngsborough

Abutters List

ParcelID	Location	Owner	Co-Owner	Mailing Address	City	State Zip
34 3 0	240 PAWTUCKET BV	CAROLE R OSHEA FAM TR	C OSHEA + C BECHTOLD TF	240 PAWTUCKET BV	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 37 0	242 SHERBURNE AV	HUDZIK STANLEY M + PAMELA L		242 SHERBURNE AVE	TYNGSBOROUGH MA	01879
34 38 0	SHERBURNE AV	TATSEOS GEORGE A		226 SHERBURNE AVE	TYNGSBOROUGH MA	01879
34 39 0	246 SHERBURNE AV	WORTHY LYNN C	DONNA J	246 SHERBURNE AV	TYNGSBOROUGH MA	01879
34 40 1	22 CONSTANCE DR	WEED ERIC C	WEED KELLI J	22 CONSTANCE DR	LOWELL MA	01854
34 40 2	30 CONSTANCE DR	LE NAM		30 CONSTANCE DR	LOWELL MA	01854
34 40 3	40 CONSTANCE DR	PAVLAKOS PETER &	PAVLAKOS SANDRA	40 CONSTANCE DR	LOWELL MA	01854
34 40A 0	14 CONSTANCE DR	WITTS RANDALL F		14 CONSTANCE DR	LOWELL MA	01854
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 HS	250 PAWTUCKET BV	TYNGSBOROUGH MA	01879
34 6 0	250 PAWTUCKET BV	GREATER LOWELL REGIONAL	VO-TECH HS	250 PAWTUCKET BV	TYNGSBOROUGH MA	01879

There will be additional abutters in Lowell.

End of Report

Susan A. LeMay, M.A.A.
Chief Assessor

Joel H. Cohen, M.A.A.
Assessor

Karen A. Golden, M.A.A.
Assessor

September 23, 2009

To Whom It May Concern:

This is to attest that the individuals described on the attached listing are the Certified list of parties in interest in Lowell, MA of the premises located at 1614 Varnum Avenue, Lowell, MA.

Very truly yours,


Susan A. LeMay, M.A.A.
Chief Assessor
Board of Assessors

Abutters List – Board of Appeals
Attachment(s) – 2 pages
cc: Assessor File

sal/cag

Re: 14 CONSTANCE DR

WITTS RANDALL F
14 CONSTANCE DR
LOWELL MA 01854-1001

Re: 22 CONSTANCE DR

WEED ERIC C
WEED KELLI J
22 CONSTANCE DR
LOWELL MA 01854

Re: 29 CONSTANCE DR

COOK KATHRYN
29 CONSTANCE DR
LOWELL MA 01854-1003

Re: 30 CONSTANCE DR

LE NAM
30 CONSTANCE DR
LOWELL MA 01854

Re: 1467 PAWTUCKET BLVD

CITY OF LOWELL
GREATER LOWELL REGIONAL VOCATIONAL
1467 PAWTUCKET BOULEVARD
LOWELL MA 01854

Re: 1546 VARNUM AVE

PEREIRA JOSEPH M
WIITALA ANNMARIE
1546 VARNUM AVE
LOWELL MA 01854

Re: 1568 VARNUM AVE

GR LOWELL REG VOC SCHOOL
DISTRICT
PAWTUCKET BLVD
TYNGSBORO MA 01879

Re: 1570 VARNUM AVE

MANNING JAMES A
MANNING PATRICIA
1570 VARNUM AVE
LOWELL MA 01854-1012

Re: 1577 VARNUM AVE

TANG YU GEORGE
TANG KOUNH
1577 VARNUM AVE
LOWELL MA 01854

Re: 1578 VARNUM AVE

BOUSIOS EFTHIMIOS G
BOUSIOS ANTONIOS
1578 VARNUM AVE
LOWELL MA 01854

Re: 1581 VARNUM AVE

LIFELINKS INC
145 LEXINGTON AVE
LOWELL MA 01854

Re: 1582 VARNUM AVE

MCANENEY RITA M
1582 VARNUM AVE
LOWELL MA 01854-1012

Re: 1595 VARNUM AVE

CAMPBELL JAMES C
CAMPBELL ANITA L
1595 VARNUM AVE
LOWELL MA 01854-1007

Re: 1600 VARNUM AVE

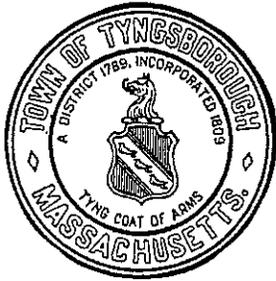
ST ARMAND RONALD
1600 VARNUM AVE
LOWELL MA 01854

Re: 1614 VARNUM AVE

DESOUZA JAMMY L
DESOUZA SANDRA P
1614 VARNUM AVE
LOWELL MA 01854

Re: 1619 VARNUM AVE

BOWLAN ROBERT J
BOWLAN ELIZABETH A
1619 VARNUM AVE
LOWELL MA 01854-1009



[Case No Robert F. Maciel & Beverly Maciel
[265 Pawtucket Blvd.
[Date Ap Case: 10-08-01
[5 August 2010
[Hearing _____
[Decision: _____
[Do not write in this space

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

Applicant: Robert F. Maciel and Beverly Maciel

Mailing Address: 265 Pawtucket Boulevard, Tyngsboro, MA 01879

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

- (a) For a Variance from the requirements of Section ____ Para. ____ of the Zoning By-Law. *modification of prior variance*
- (b) For a Special Permit under Section ____ Para. ____ of the Zoning By-Law
- (c) As a party aggrieved, for review of a decision made by the Building Commissioner or other authorities.

Set forth other authorities:

See variance dated April 22, 2004 attached hereto and building inspector letter dated April 30, 2009.

2.

- (a) Premises affected is vacant land and buildings numbered _____
265 Pawtucket Boulevard, Tyngsboro, MA 01879
- (b) Premises affected is vacant land with frontage on Pawtucket Boulevard
_____ Street(s).

Describe how to locate: _____

3. (a) Premises affected in Zoning District R-1

The premises has an area of 15,819 square feet

Frontage of _____* feet. Side yard setback of _____* feet and



Town of Tyngsborough

Board of Appeals

Town Hall-25 Bryants Lane
Tyngsborough, MA 01879-1003
(978) 649-2300, Ext. 112

INSTRUCTIONS FOR APPLICATION

1. Submit a **Certified Plot Plan** showing total square foot area, frontage, side yard and rear yard dimensions. All dwellings and existing structures must be shown on this plan. **Further, the proposed addition or dwelling, or structure must be clearly labeled on this Certified Plot Plan.**
A mortgage plan is **not** acceptable substitute for a Certified Plot Plan.
2. A **Certified List of Abutters** must accompany the application when filed. **This list is available from the Assessors Office. \$15.00 fee for the list.**
3. The applicant must submit a copy of "Plan of Land" showing how the lot or lots were originally created. This plan will show how the boundaries of the lots were set and their total area square footage.
4. The applicant or petitioner is **required** to present a copy of deed recorded at the Registry or Land court confirming that the name of the owner on the petition is exactly the same as it appear on the deed.
5. The Board of Appeals members highly recommend the applicant or petitioner to purchase the Tyngsborough Zoning By-Laws book. Books available at the Inspectional Dept. They are also available on web site:
www.Tyngsboroughma.gov.
6. The applicant shall submit twelve (12) copies of the complete application along with a check for \$ 200.00 payable to Town of Tyngsborough to the Zoning Board of Appeals Secretary. In addition (1) copy of the complete application must be filed simultaneously with the Town Clerk.
7. Hearings are held on the 2nd Thursday of the month for applications received by the 15th of the previous month. If the 15th day of the month falls on the weekend or holiday, the applicant has until 12:00 Noon on the next business day to file the application.

Failure of the applicant to complete the steps above will result in the application being rejected by the Zoning Board of Appeals and returned to the applicant. The rejected application form will detail the reason for the Denial with a copy filed with the Town Clerk.

Tyngsborough Board of Appeals

* _____, Front yard setback of * _____ feet. * See attached plans and records.
(b) Stone bounds (are) (are not) existing on premises.

(c) Assessors Map 34, Lot 19.

4. Ownership:

Name and Address of owner (if joint ownership, give all names):

Same

5. (a) Size of (proposed) (existing) structure: N/A feet.

Front: N/A feet.

Height: N/A feet. Stories N/A.

Total floor area N/A square feet.

(b) Approximate date of erection, if known: N/A

(c) Present occupancy of use: (of each floor or section) _____

Primary residence

6. Description of proposed work and use: Seeking to eliminate requirement to remove 891 sq. feet of pavement as shown due to hardship.

7. Has applicant made a previous appeal involving these premises to this Board: ___

If "yes" give the date of the appeal: 4/22/04

8. Deed recorded with the Middlesex North District Registry of Deeds

Book _____, Page _____ See attached.

Land Court Department of said Registry of Deeds (Registered Land):

Certificate No. _____, Book _____, Page _____

Attach copy of Deed or Certificate

9. The reasons for the change that I request are as follows: (Use additional page(s), if necessary.)

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

Use additional pages(s), if necessary.)

Abutters:

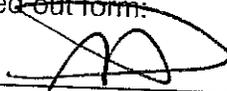
See abutters list filed herewith.

Other parties in interest:

William and Sharon Harvey, 267 Pawtuket Boulevard, Tyngsboro, MA 01879

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

Date: 7/12/10 Signature of person who filled out form:



Peter J. Nicosia, Esquire

(Type or print name, address and phone)

PO Box 721

Tyngsboro, MA 01879

978-649-4300

Date: 7/12/10 Signature of Applicant: Robert F Maciel
Beverly Maciel

Robert & Beverly Maciel

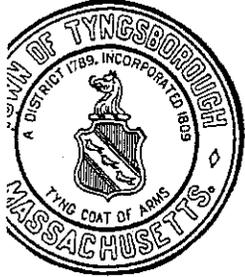
(Type or print name, address and phone)

265 Pawtucket Boulevard

Tyngsboro, MA 01879

If the applicant is not the owner of the premises, please submit documentation that the owner authorizes this application.

** Memorandum to be submitted by attorney Nicosia in advance or at hearing.*



**Town of Tyngsborough
Board of Appeals**

Town Hall-25 Bryants Lane
Tyngsborough, MA 01879-1003
(978) 649-2300, Ext. 112

Instructions

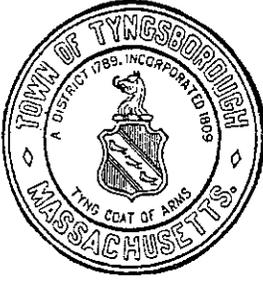
Applications must be typed or printed. Draw a line through blank spaces that do not apply.

File 12 copies completely filled out. Applications submitted with incomplete information may be grounds for disapproval.

A copy of the decision, if any, by the Building Commissioner or other authority, together with 12 plot plans of the affected premises must be filed.

A fee of \$200.00 must accompany this application. Make check payable to the Town of Tyngsborough.

The applicant is required to Certified Mail the Legal Notice to the abutters and submits the white receipts to the secretary once mailed; and then submit the green cards to the secretary prior to the meeting for review and filing.



**Town of Tyngsborough
Building Department**

25 Bryants Lane
Tyngsborough, Massachusetts 01879
Office: (978) 649-2300 Ext. 112

April 30, 2009

Robert F. Maciel
265 Pawtucket Blvd.
Tyngsborough, MA 01879
Assessors Map 34, Block 19

Re: Letters dated 11-12-08, 11-13-08 (Attached)

Dear Sir,

As of this date- you have not conformed to the conditions as stated in my letter dated 11-13-08 and your verbal agreement to me to do so.

Please contact this office in writing within 7 days of this date with your response.

A failure to act on your part will result in further action by this office.

Respectfully,

Mark E. Dupell
Building Commissioner

Cc/ Board of Selectmen

Rosemary Cashman, Town Administrator
Atty. David Plunket, Gateway Construction II, 151 Warren St., Suite 230, Lowell, MA 01852



**Town of Tyngsborough
Building Department**

25 Bryants Lane
Tyngsborough, Massachusetts 01879
Office: (978) 649-2300 Ext. 112
Fax # 978-649-2301

November 13, 2008

Robert F. Maciel
265 Pawtucket Blvd.
Tyngsborough, MA 01879
Assessors Map 34, Block 19

Re: Board of Appeals Violation

Dear Sir,

In response to your letter dated November 12, 2008 (Copy attached.)

I offer the following:

1. I agree to allow you to delay the landscaping work until April 15, 2009 as requested, provided you file for a finding from the Zoning Board of Appeals forthwith for a modification to the granted variance regarding Mass Highway's Right of Way.
2. You or your legal counsel should contact the Zoning Board of Appeals to apply for a hearing.

Respectfully,

Mark E. Dupell
Building Commissioner

Cc/ Board of Selectmen

Town Administrator- Rosemary Cashman
Atty. David Plunket, Gateway Center II, 151 Warren St., Suite 230, Lowell, MA 01852-2647

November 12, 2008

Town of Tyngsborough
Building Department
25 Bryants Lane
Tyngsborough, Ma 01879

Re: 265 Pawtucket Blvd
Tyngsboro, Ma
Board of Appeals Variance

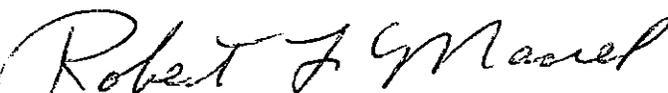
Mr. Mark Dupell,

I received your letter dated November 3, 2008 regarding my Board of Appeals Variance Violation. The approved plan shows (2) locations of pavement to be removed from the site and converted into lawn area. Approximately 891 s.f. of pavement to be removed is shown within the Massachusetts Highway Department right of way. After speaking with you it is my understanding that I do not have to remove this area of impervious area due to the extensive and expensive survey and engineering costs.

The second area of pavement to be removed is located between the garage and Massachusetts Highway Department right of way. I am requesting the Board of Appeals to allow me to perform this work in the spring of 2009 or at the beginning of the growing seasons approximately April 15, 2008. Unfortunately due to the time of year and the end of the growing season I will be unable to grow any lawn area once the pavement is removed.

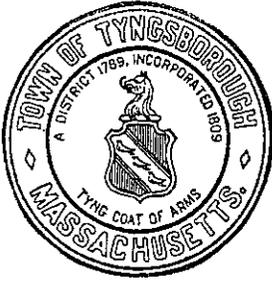
In addition I would also like to discuss with you the possibility to modify the variance to exclude this work. If you have any questions or concerns regarding the above information please do not hesitate to call.

Sincerely,



Robert F. Maciel

Cc: Board of Selectmen
Town Administartor – Rosemary Cashman



**Town of Tyngsborough
Building Department**

25 Bryants Lane
Tyngsborough, Massachusetts 01879
Office: (978) 649-2300 Ext. 112
Fax # 978-649-2301

October 8, 2008

Robert F. Maciel
Beverly Maciel
265 Pawtucket Blvd.
Tyngsborough, MA 01879
Assessors Map 34 Block 19

Re: B.O.A. Variance Violation

Dear Sir and Madam,

Please be advised, this office was requested to investigate the above mentioned.

Upon my inspection of the premises on Tuesday Oct. 7, 2008 I found that the paved parking area in front of the property has not been removed and re-designed with less pavement area and more sod/seeded lawn as shown on approved site plan.

Attached please see copies of pre-existing site plan and approved site plans having required changes.

Please address this matter forthwith.

Thank you in advance for your cooperation.

A failure to act on your part will result in further action by this office.

Respectfully,


Mark E. Dupell
Building Commissioner

Cc/ Board of Selectmen

Town Administrator- Rosemary Cashman

Atty. David Plunkett, Gateway Center II, 151 Warren St., Suite 230, Lowell, MA



Town of Tyngsborough Board of Appeals

Town Hall
25 Bryants Lane,
Tyngsborough, Massachusetts 01879-1003
(978) 649-2300 x 112
Fax: (978) 649-2301

VARIANCE

Town of Tyngsborough
Board of Appeals

Applicant: *Beverly & Robert Maciel*
Hearing Dated: *April 22, 2004*
Decision Dated: *May 6, 2004*

DECISION

Background Statement:

The Board of Appeals conducted a properly advertised public hearing on *April 22, 2004*.

The hearing was advertised and read as follows:

Robert and Beverly Maciel, 265 Pawtucket Blvd., Assessors Map 34-19-0, to obtain a variance from the minimum lot area, minimum frontage, side and rear yard setbacks to construct a new house and garage. R-1 Zone. Section(s) 2.12.40, 2.12.42, 2.12.46, 2.12.47

The Applicant was represented by *James Block of James D. Block Architects* at the public hearing.

The Board Members sitting on this hearing were:

Eileen Farrell, Chair

Gary Ralls,

Chris Mechalides,

Claire Cloutier,

Julie Chasse.

At the public hearing the Board heard testimony and received documents from the applicant. There were *two* at the public hearing that spoke in favor of the request for variance and *one* who spoke in opposition to the request for variance.

Findings of Fact:

1. The property in question located at *265 Pawtucket Blvd*, contains approximately *15,819* square feet of land area, is Zoned *R-1, Low Density Residential* District.
The property is surrounded by the same kinds of properties, single family residential.
2. The applicant is seeking relief from *minimum lot size, minimum frontage, and side and rear setbacks*.
3. The applicant presented to the Board a plan showing the proposed *construction of a single family house and garage*.
Said plan(s) are attached and made a part of the decision.
4. The applicant did not present to the Board that there existed a substantial hardship to the property due to soil conditions, lot shape, or topography.

The hearing was closed and the Board deliberated on the application and the decision was reached after the following took place:

Decision:

The Board discussed the hearing taking into consideration the facts as presented by the applicant and the concerns of all parties concerned.

The following was determined from the discussion and is made a part of the decision record:

- A. The applicant had a right to appear before the Board under the existing By-laws;
- B. The Board determined that the intent and purpose of the Zoning By-law have been met and therefore will not substantially derogate from the intent and purpose of the By-laws;
- C. The motion was made to **GRANT** the Variance by *Gary Ralls* and seconded by *Julie Chasse*, with the following conditions:

Conditions:

1. The applicant shall follow the plan(s) as presented to the Board of Appeals at the public hearing on *April 22, 2004*, titled *Site Plan Showing Proposed New House and New Garage*, dated *March 3, 2004* and is made a part of the decision.
2. The granting of this variance is conditioned upon:
 - a. The garage is not to be used as a business,
 - b. Electricity will be allowed to the garage but not water or sewer.

3. Voting for the motion to approve was:

Gary Ralls

Claire Cloutier

Chris Mechalides Christina Mechalides

Julie Chasse Julie Chasse

Voting for the motion to deny was:

Eileen Farrell Eileen Farrell

The Motion carried 4:1 and the variance was **GRANTED**

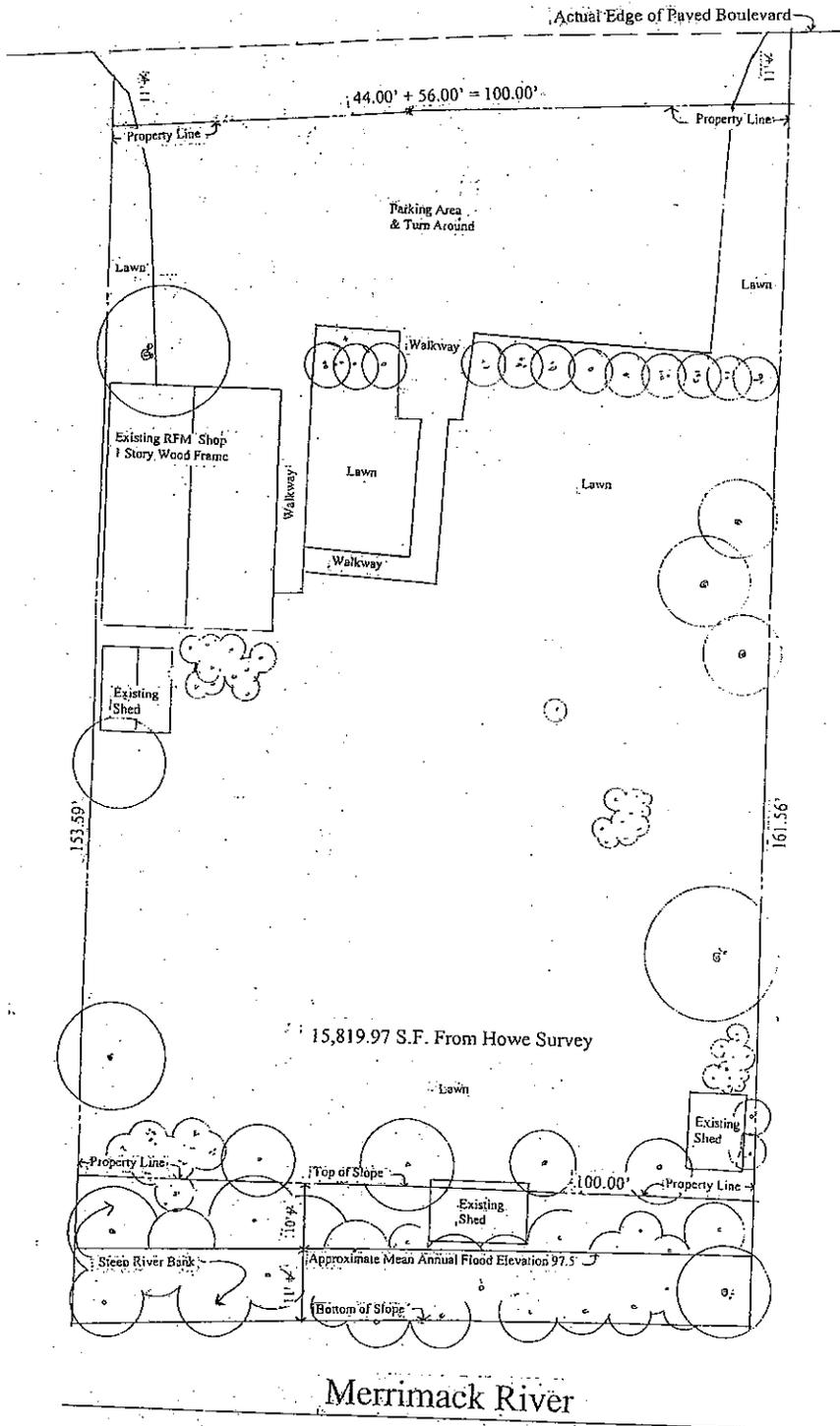
Special Instructions to the Applicant:

Any person aggrieved by the decision of the Board of Appeals or any special permit granting authority, whether or not previously a party to the proceedings, or any municipal officer or board may, as provided for in Mass, General Laws, Chapter 40A, Section 17, appeal to the Superior Court or Land Court by bringing action within twenty (20) days after the decision has been filed in the office of the Town Clerk.

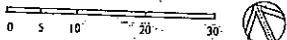
END OF DOCUMENT

Richard P. Howe Jr.

Pawtucket Boulevard – Route 113



Site Plan Showing Existing Conditions

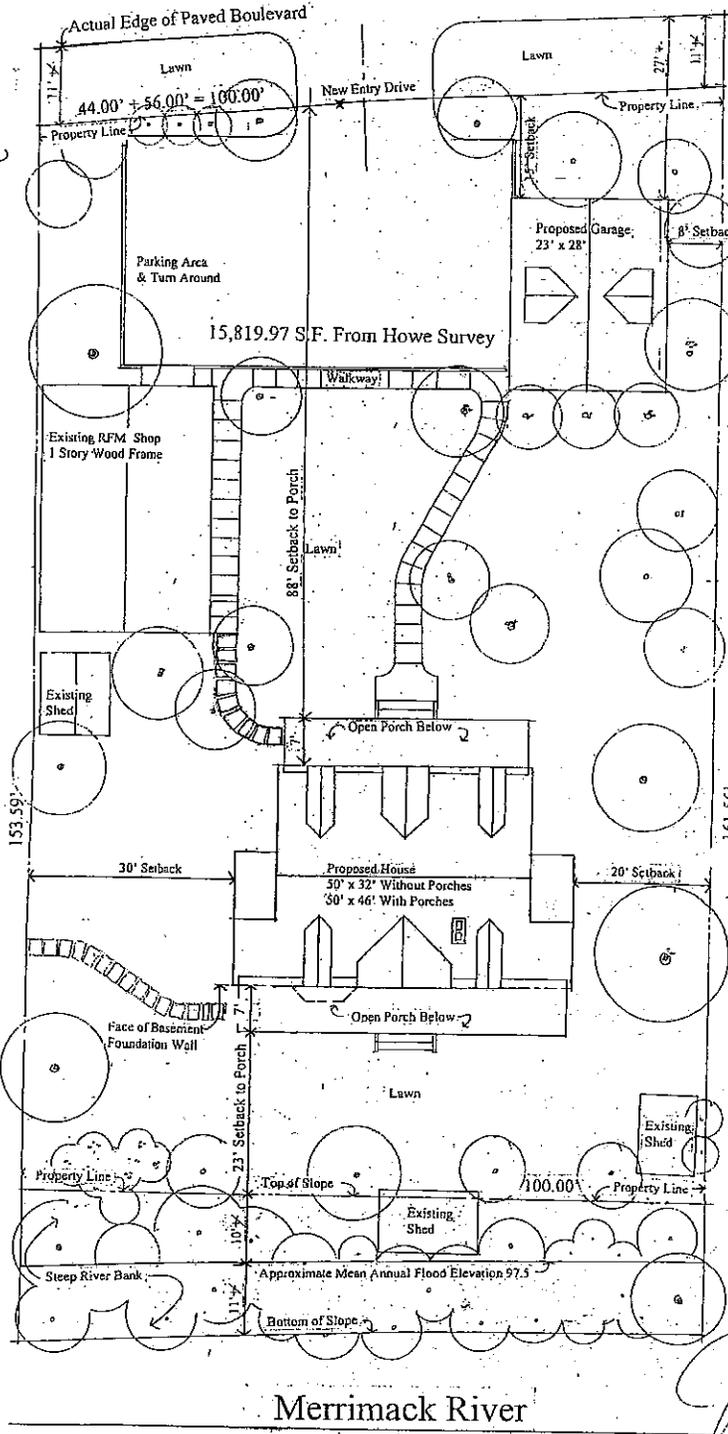


General Note:
This site plan layout is based on dimensions and information provided by the certified plot plan (dated 5-9-03) from Howe Surveying Associates Inc. of Chemsford, MA

Owners:
Robert and Beverly Maciel
265 Pawtucket Blvd.
Tyngsboro, MA 01879

3 March 2004

Pawtucket Boulevard – Route 113



Merrimack River



Site Plan Showing Proposed New House and New Garage

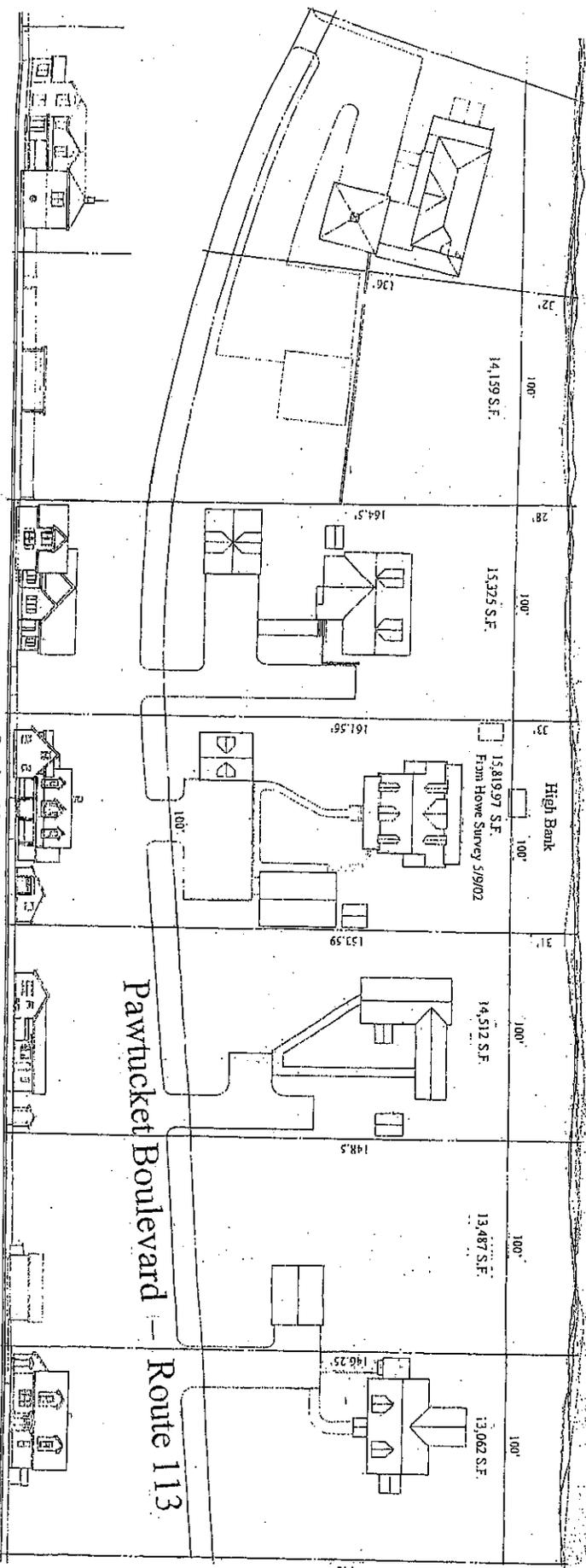
General Note:
This site plan layout is based on dimensions and information provided by the certified plot plan (dated 5-9-03) from Howe Surveying Associates Inc. of Chelmsford, MA

Owners:
Robert and Beverly Maciel
265 Pawtucket Blvd.
Tyngsboro, MA 01879

James D. Block Architects
24 Shepard Street
Cambridge, MA 02138
Tel 617 876-8817

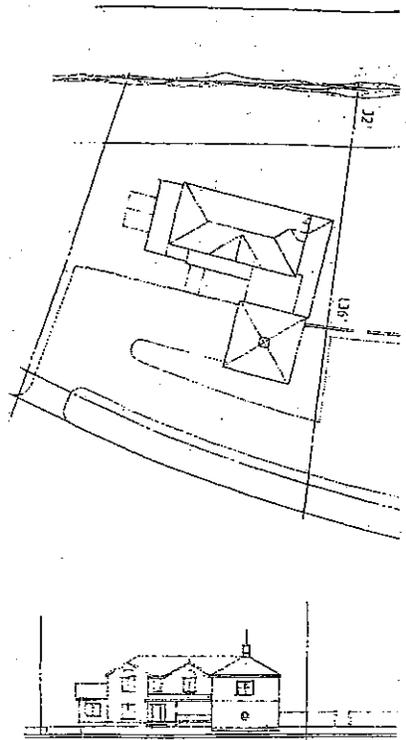
3 March 2004

Merrimack River



Beverly and Robert Maciel
265 Pawtucket Boulevard

Elevation of Houses Along Pawtucket Boulevard



Site Plan Showing the Neighborhood
Along Pawtucket Boulevard

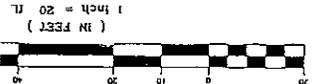


0 10 20 40 60

General Note:
This site plan layout is based on dimensions
and information provided by the Plan of Lots
in Tyngsboro Surveyed by D.C. Williams -
October 22, 1904. 33 Page 4

Owners:
Robert and Beverly Maciel
265 Pawtucket Boulevard
Tyngsboro, MA 01879

3 March 2004



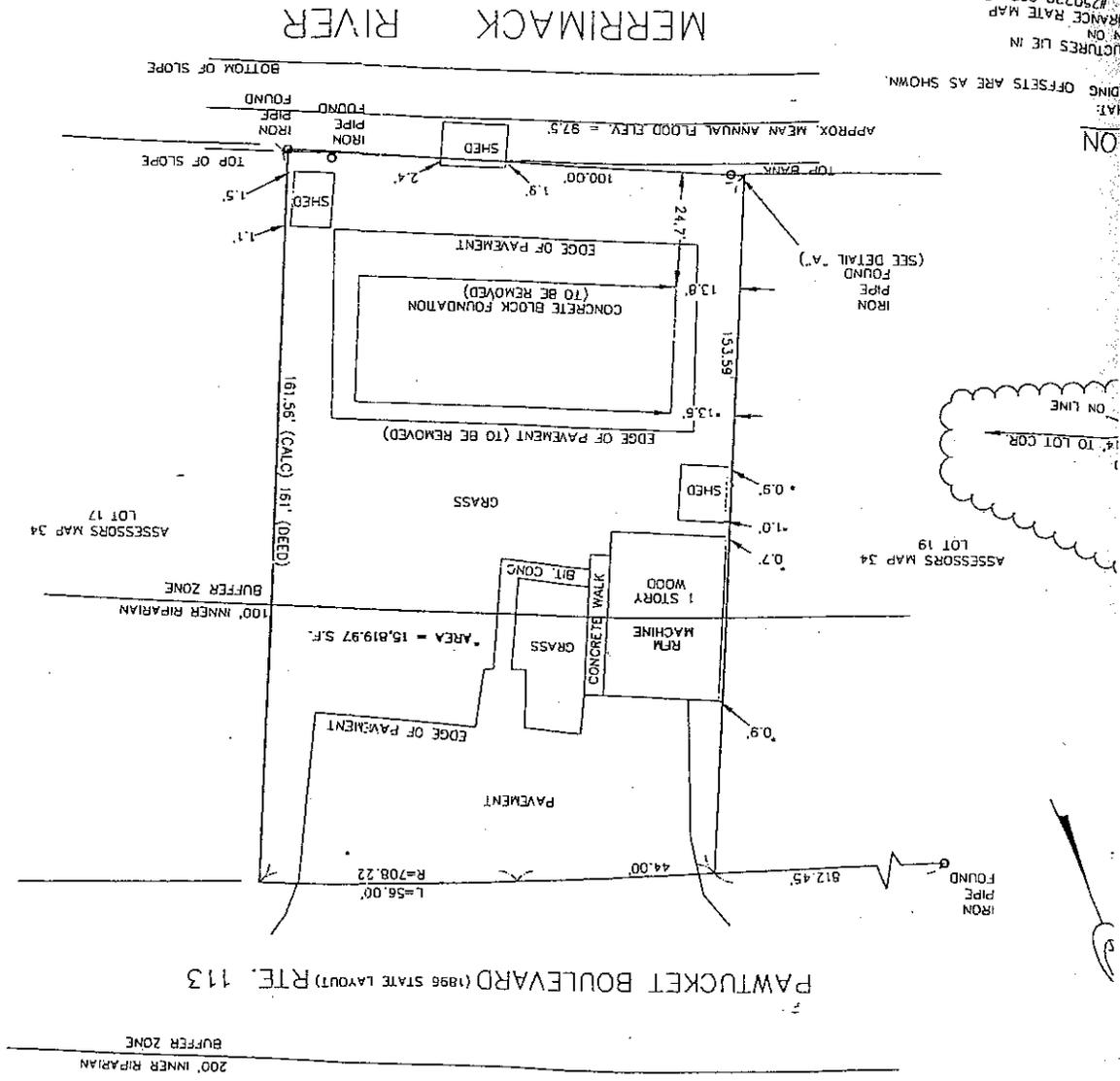
- NOTE:
- 1.) BOTTOM OF SLOPE, TOP OF SLOPE AND TAKEN FROM PLAN ENTITLED "PLAN OF LOT TYNGSBORO MA., PREPARED FOR ARMANI BY NOONAN AND MCDOWELL INC. DATED 11/11/00"
 - 2.) ALL DISTURBED AREAS TO BE LOAMED AND PAVEMENT AND FOUNDATION TO BE REPAIRED TO BE BACKFILLED WITH CLEAN SAND AND RIPARIAN INFORMATION GRAPHICALLY LOC IN NOTE 1.
 - 3.) NO CERTIFICATION FOR PARKING REQUIRE

ZONING TABLE

MIN. LOT AREA	85,000
MIN. LOT FRONTAGE	200
MIN. FRONT YARD	30
MIN. SIDE YARD	30
MIN. REAR YARD	30

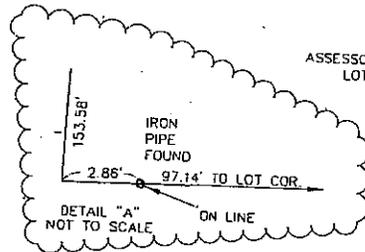
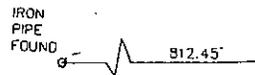
* DOES NOT CONFORM TO CURR

- REFERENCES
- 1) M.D.R.D. PLAN BOOK 111
 - 2) M.D.R.D. PLAN BOOK 33

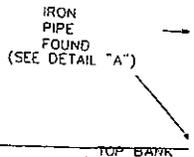


PAV

1989 STATE HIGHWAY 1400A



ASSESSORS MAP 34 LOT 19
0.7'
1.0'
0.9'

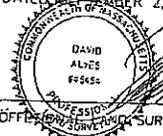


APPROX. MEAN AI

CERTIFICATION

I HEREBY CERTIFY THAT:
1. THE EXISTING BUILDING OFFSETS ARE AS SHOWN.

2. THE EXISTING STRUCTURES LIE IN ZONE C AS SHOWN ON FEMA, FLOOD INSURANCE RATE MAP COMMUNITY-PANEL #250220 0004 B DATED DECEMBER 2, 1982

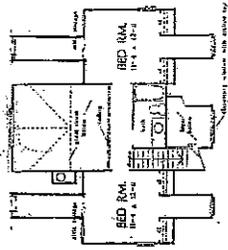


David Alves

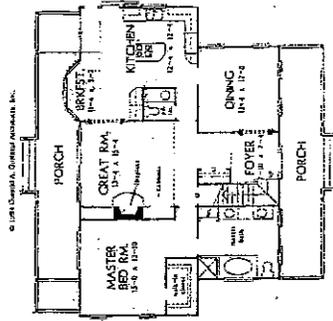
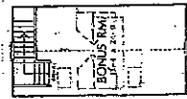
Mar 5 2009

PROFESSIONAL SURVEYOR

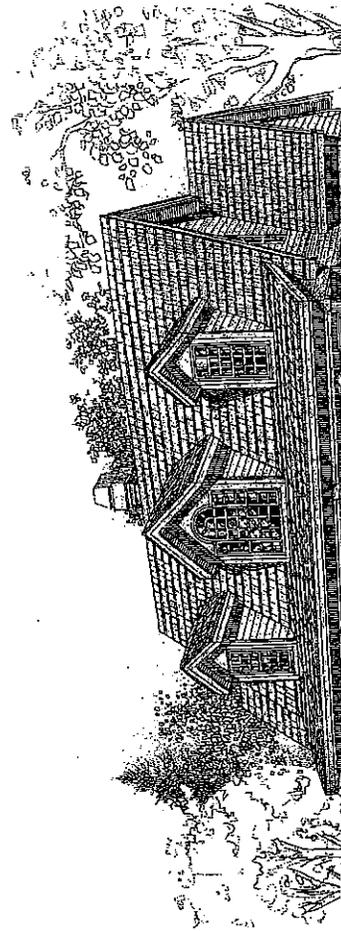
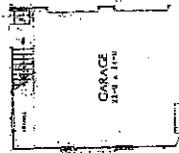
DATE

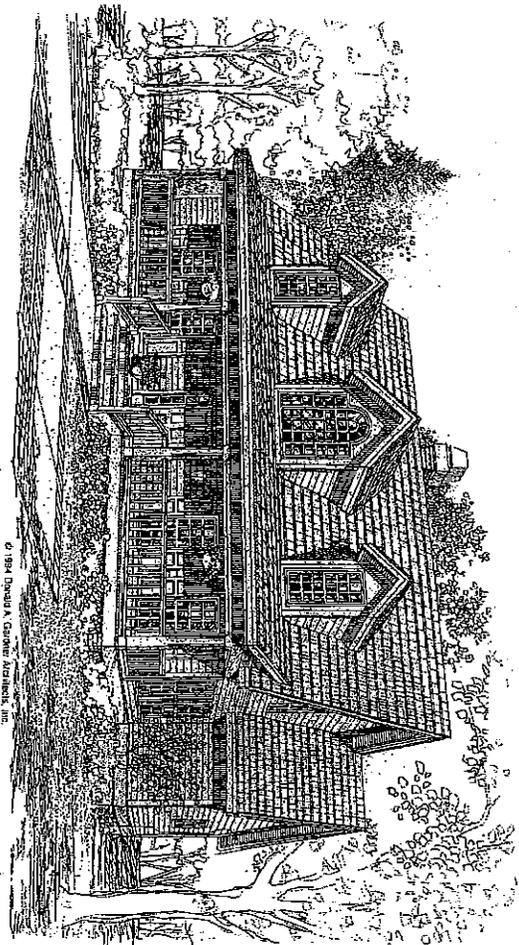


Second Floor Plans



First Floor Plans





© 1994 Dennis A. Gouge, Architect, Inc.

Proposed Residence



Owners:
Robert and Beverly Maciel
265 Pawtucket Blvd.
Tyngsboro, MA 01879
3 March 2004

THE COMMONWEALTH OF MASSACHUSETTS

Town of Tyngsborough
CITY OR TOWN



2004 00045720
BK: 17483 Pg: 225 Page: 1 of 5
Recorded: 08/17/2004 12:22 PM

BOARD OF APPEALS

4/28/04 19

NOTICE OF VARIANCE

Conditional or Limited Variance or Special Permit

(General Laws Chapter 40A, Section 18 as amended)

Notice is hereby given that a Conditional or Limited Variance or Special Permit has been granted

To Beverly & Robert Maciel
Owner or Petitioner

Address 265 Pawtucket Blvd.

City or Town Tyngsborough, MA 01879

Identify Land Affected

City
by the Town of Tyngsborough Board of Appeals affecting the
rights of the owner with respect to the use of premises on

265 Pawtucket Blvd. Tyngsborough, Massachusetts
Street City or Town

the record title standing in the name of
Beverly & Robert Maciel

whose address is 265 Pawtucket Blvd. Tyngs, MA 01879
Street City or Town State

by a deed duly recorded in the Middlesex County Registry of Deeds in Book

Page Registry District of the Land Court

Certificate No. Book 9001 Page 157

The decision of said Board is on file with the papers in Decision or Case No.
City
in the office of the Town Clerk

Certified this day of 19

Board of Appeals: [Signature] Chairman
[Signature] Clerk
Board of Appeals

19 at o'clock and

Received and entered with the Register of Deeds in the County of
Book Page

ATTEST

Register of Deeds

Notice to be recorded by Land Owner.

5

ND

I hereby certify that 20 days have
from the date this certificate was
in the office of the Town Clerk and
no appeal has been filed in this office.

A True Copy Attest:

James Skiffen 5-28-04
Town Clerk Date



NORSE ENVIRONMENTAL SERVICES, INC.

130 Middlesex Road, Suite 15

Tyngsboro, Mass. 01879

TEL. (978) 649-9932 • FAX (978) 649-7582

November 27, 2007

Massachusetts Highway Department
District Four Permit Engineer
MassHighway District 4
519 Appleton Street
Arlington, Ma 02476

Re: 265 Pawtucket Boulevard – Route 113
Tyngsboro, Ma 01879

Dear Mr. Michael Formichella,

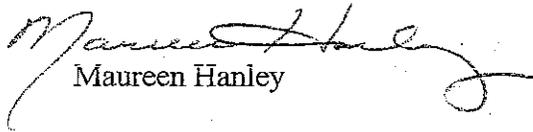
This letter is in response to MassHighway comment letter dated August 31, 2007. MassHighway reviewed the above permit application for the proposed removal of 891 s.f. of impervious surface within the right of way of Pawtucket Boulevard or Route 113 per the Tyngsboro Conservation Commission Order of Conditions DEP File No. 309-722.

The MassHighway comment letter requested additional information regarding Route 113 layout, plans, as well as analysis of the drainage system prior to issuing a permit. I called and expressed my concern regarding the potential financial burden this will be on my client and per our telephone conversation I am submitting photographs of the above site showing the location of proposed pavement removal.

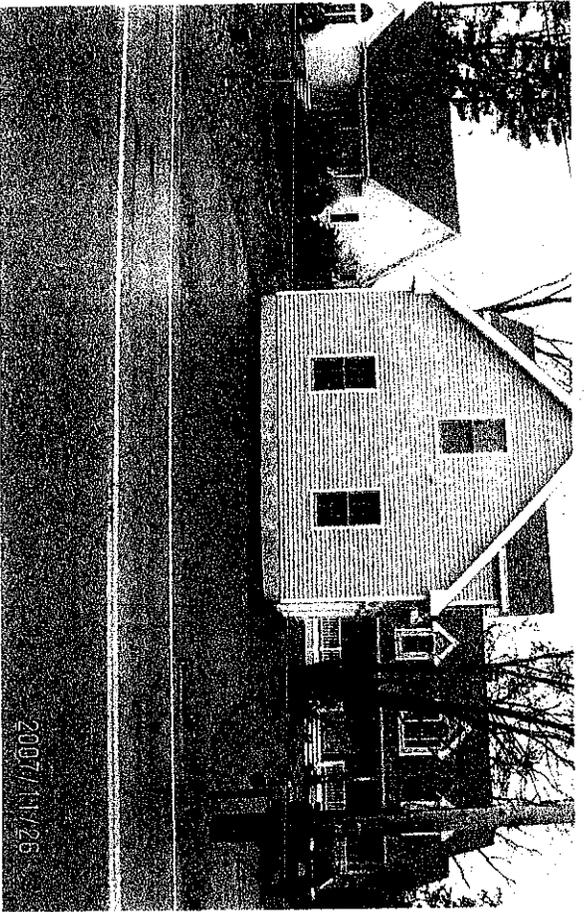
The photographs have been marked in red to indicate the approximate location of the proposed pavement removal. MassHighway right of way extends to the easterly side of the utility pole or 11 ft from the edge of the paved boulevard. The homeowner will then have approximately a 20 ft entry drive into the property.

If the enclosed photographs are insufficient to issue a permit perhaps the Department will allow a site visit. Our interest is to provide the Department with the necessary information to make a determination without a significant financial hardship on the homeowner. If you have any questions or concerns regarding the above-submitted material please do not hesitate to call.

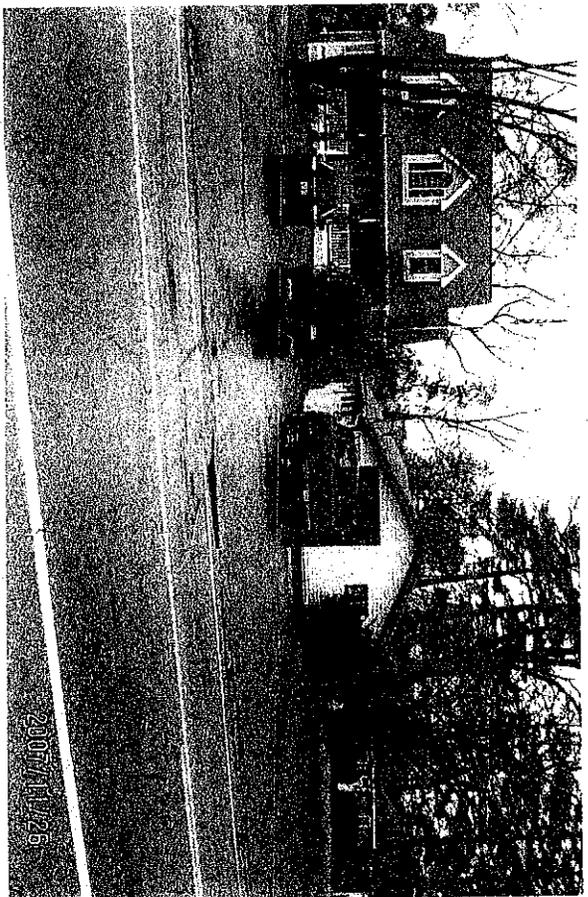
Sincerely,


Maureen Hanley

Cc: Robert Maciel
Tyngsboro Conservation Commission



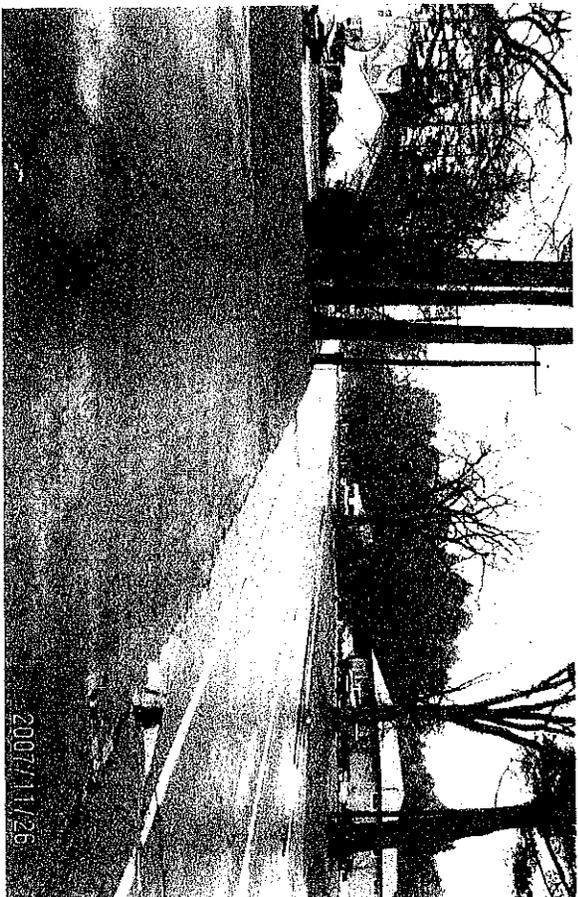
265 Pawtucket Blvd - Tyngsboro
Existing Single Family House & Garage



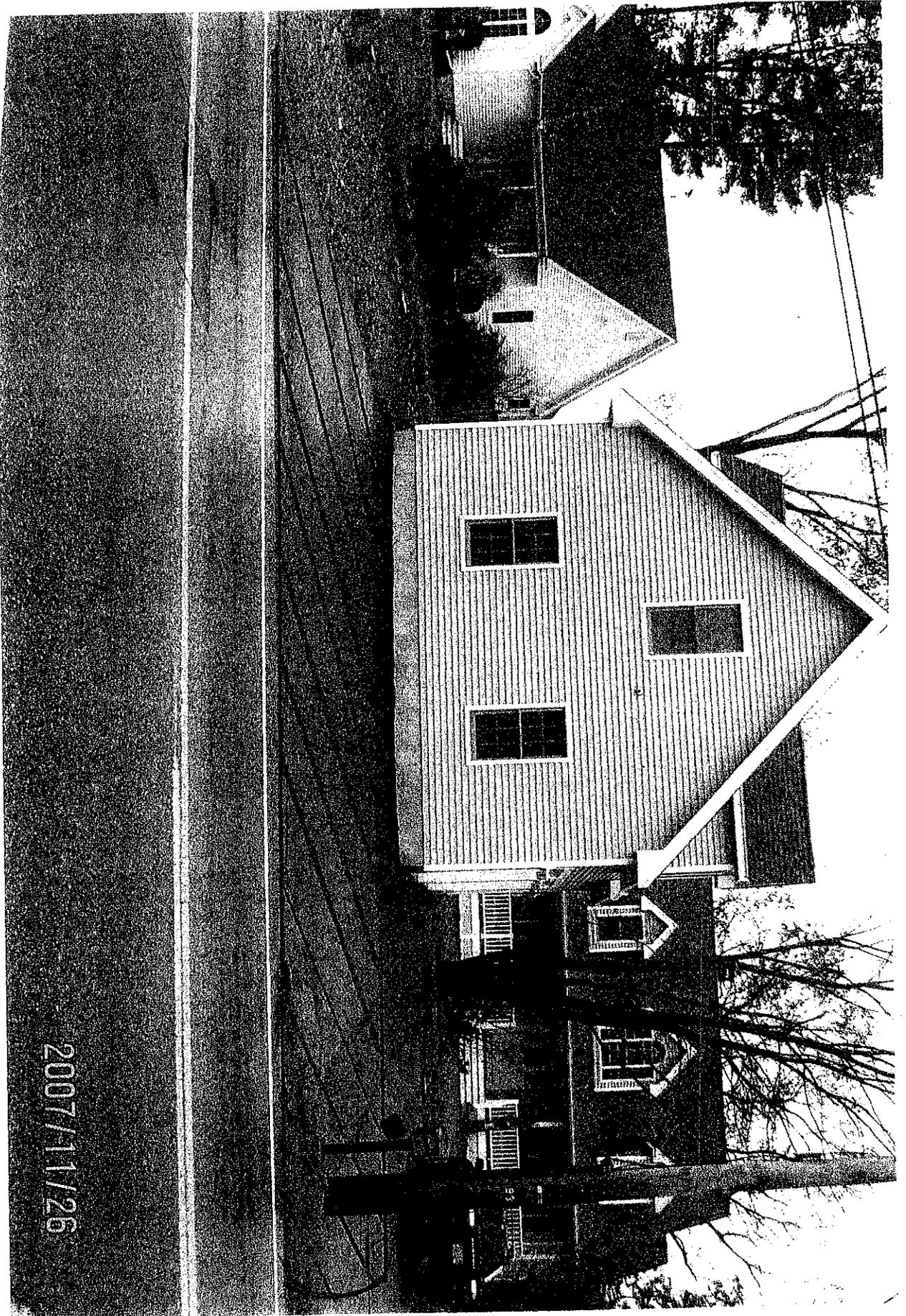
265 Pawtucket Blvd - Tyngsboro
Existing Single Family House & R/F/M Machine Shop



265 Pawtucket Blvd - Tyngsboro
Facing South - Existing pavement to be removed

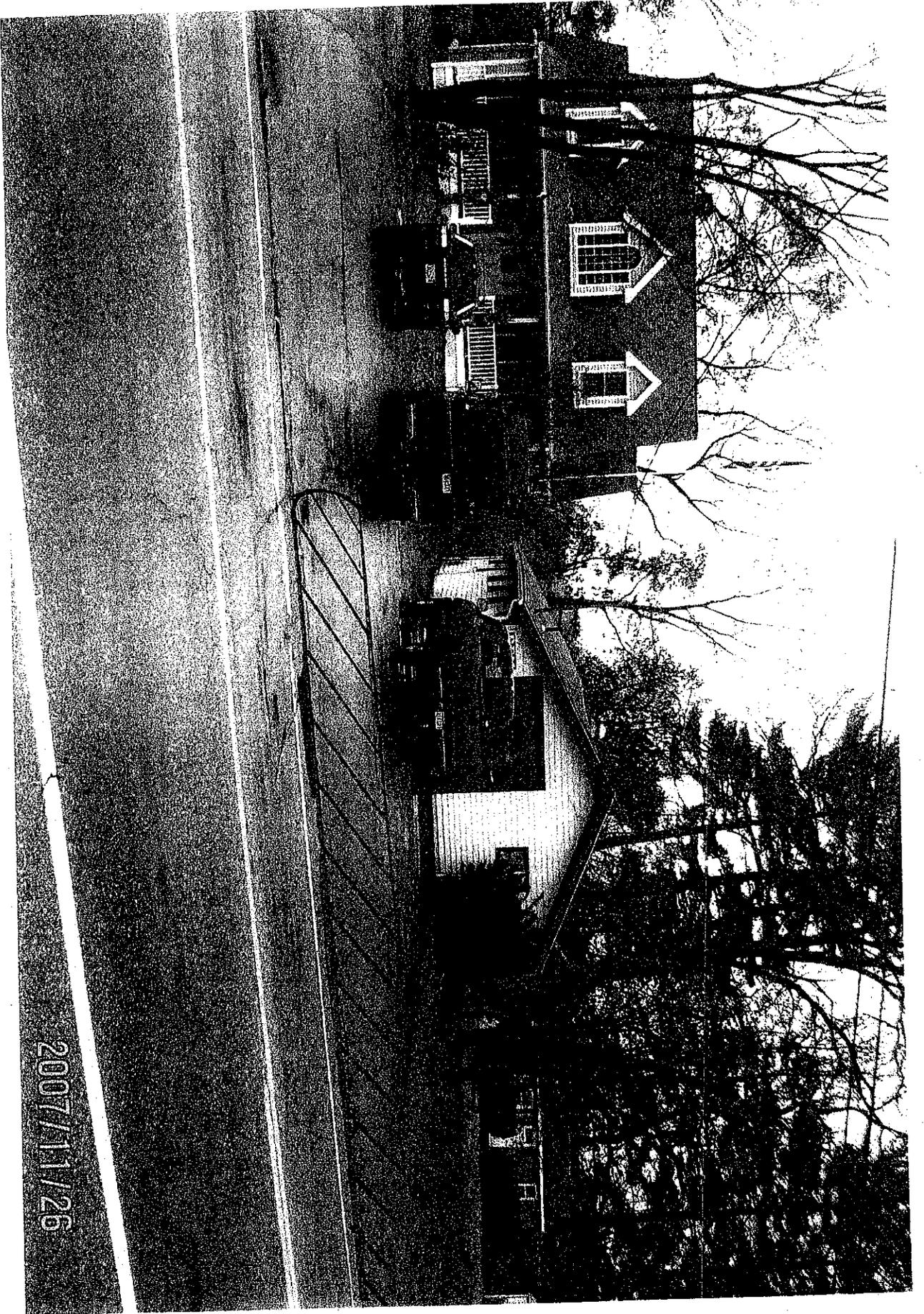


265 Pawtucket Blvd - Tyngsboro
Facing North - Existing pavement to be removed



2007/11/26

265 Pawtucket Blvd - Tyngsboro
Existing pavement to be removed



265 Pawtucket Blvd - Tyngsboro
Existing pavement to be removed

2007/11/1/26



NORSE ENVIRONMENTAL SERVICES, INC.

130 Middlesex Road, Suite 15

Tyngsboro, Mass. 01879

TEL. (978) 649-9932 • FAX (978) 649-7582

February 11, 2008

Tyngsboro Conservation Commission
Town Offices
Bryant Lane
Tyngsborough, Ma. 01879

Re: DEP File #309-739
265 Partucket Blvd

Commissioners;

Attached is additional correspondence from the Mass. Highway Department regarding removal of pavement within the right of way as required in the above Order of Conditions.

This removal of pavement was intended to increase infiltration on the site as mitigation for work within the Riverfront Area. Currently, infiltration is provide through dry wells that collect roof runoff from the dwelling and garage. This is significantly more infiltration than was originally provided and does provide an improvement to the property.

After several months of correspondence with Mass Highway, it is apparent that they will not allow removal of pavement to proceed without extensive and expensive survey and engineering. In addition, the work itself will be expensive, leaving a narrow swath of lawn that will survive poorly if at all due to road salt. It is our opinion that this has become impractical, and the economic costs greatly exceed the environmental benefits.

We would like to request the Commission modify the Order as an insignificant change to eliminate the driveway infiltration.

Thank you for your consideration.

Sincerely,

Steven Eriksen



Deval L. Patrick
Governor

Timothy P. Murray
Lt. Governor

Bernard Cohen
Secretary

Luisa Palewonsky
Commissioner



February 5, 2008

Ms. Maureen Hanley
Norse Environmental Services, Inc.
130 Middlesex Road, Suite 15
Tyngsborough, MA 01879

Re: Tyngsborough, Route 113
265 Pawtucket Boulevard

Dear Ms. Hanley:

This is written in response to the permit application and plan submitted for the subject development.

The District Permits Section has reviewed this submission and has the following comments:

- The driveway should be designed in accordance with MassHighway's Standard Residential Driveway Detail (attached).
- Add layout lines and MassHighway's Record Baseline Stationing to the plan.

The District Projects Section has reviewed this submission and has the following comments:

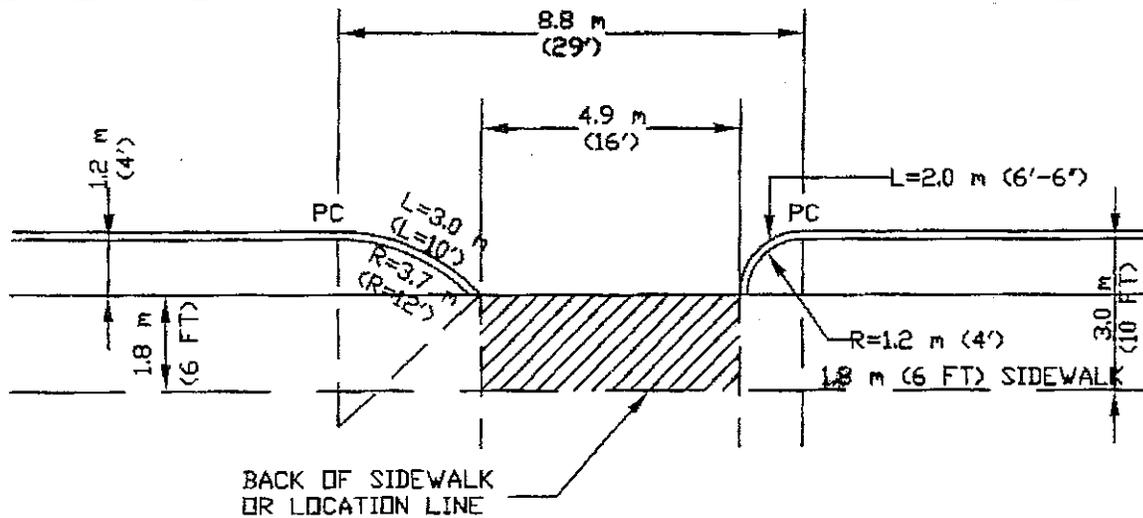
- Provide a plan that details the work within the state highway. This plan will include ties to the proposed granite curb from the roadway baseline, proposed materials, radii, driveway widths, etc.
- Is there a closed drainage system on Route 113?

Once these items are addressed the District will continue with the processing of this application. Please direct any questions relative to this correspondence to Michael Formichella, District Permit Engineer, at 781.641.8451.

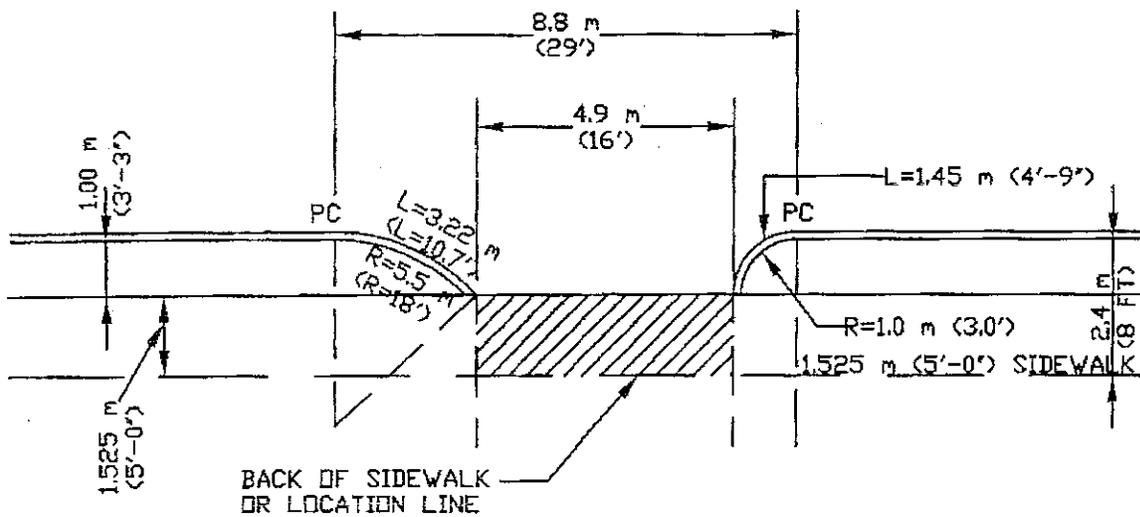
Sincerely,

Patricia A. Leavenworth, P.E.
District Highway Director

STM/stm



3.0 m (10 FT) SIDEWALK LAYOUT



2.4 m (8 FT) SIDEWALK LAYOUT

NOTES:

1. WHEN THE SIDEWALK IS PAVED TO THE CURB LINE, USE SHORT CURB RETURNS AT THE HIGHWAY CURB LINE PC'S, SHOWN IN THESE DESIGNS.



MUST MAINTAIN 1.00 m (3'-3") LEVEL PATH OF TRAVEL AT 1.5% CROSS SLOPE



NORSE ENVIRONMENTAL SERVICES, INC.
 130 Middlesex Road, Suite 15
 Tyngsboro, Mass. 01879
 TEL. (978) 649-9932 • FAX (978) 649-7582

LETTER OF TRANSMITTAL

DATE <u>2-11-08</u>	JOB NO
ATTENTION	
RE <u>265 Pawtucket Blvd</u>	
<u>Tyngsboro</u>	

TO RFM Machine Co
Bob Maciel
265 Pawtucket Blvd
Tyngsboro, MA 01879

WE ARE SENDING YOU Attached Under separate cover via _____ the following items:

- Shop drawings Prints Plans Samples Specifications
 Copy of letter Change order _____

COPIES	DATE	NO.	DESCRIPTION
<u>1</u>			<u>Letter from Norse dated 2-11-08 Re: Mass Highway Correspondence and Mass Highway letter dated 2-5-08 re: Permit Application + plan submitted for Subject development</u>

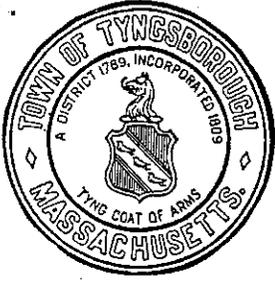
THESE ARE TRANSMITTED as checked below:

- For approval Approved as submitted Resubmit _____ copies for approval
 For your use Approved as noted Submit _____ copies for distribution
 As requested Returned for corrections Return _____ corrected prints
 For review and comment _____
 FOR BIDS DUE _____ 19____ PRINTS RETURNED AFTER LOAN TO US

REMARKS _____

COPY TO _____

SIGNED: _____



***Town of Tyngsborough
Conservation Commission***

25 Bryants Lane,
Tyngsborough, Massachusetts 01879-1003
Office: (978) 649-2300 x 119
Fax: (978) 649-2301

April 10, 2008

DEP File #309-0722

Applicant: Robert Maciel
265 Pawtucket Blvd.
Tyngsborough, MA 01879

Re: Certificate of Compliance for 265 Pawtucket Blvd., Tyngsborough, MA 01879

Dear Applicant,

The Tyngsborough Conservation Commission has reviewed your filing submitted under the Wetlands Protection Act (MGL C. 131 S.40) and the Town of Tyngsborough Wetlands Protection Bylaw. Additional information gathered at the public hearing and any site visits was also considered. The Commission voted to issue the attached Certificate.

Please read the attached conditions carefully. Page 4 of WPA Form 8B contains instructions for filing this Certificate of Compliance at the Registry of Deeds. This form must be filed and a copy of the filing certificate must be returned to the Tyngsborough Conservation Commission. Should you have any questions, do not hesitate to contact the office.

Respectfully for the Conservation Commission,

Karen Steeves
Conservation Clerk



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 8B – Certificate of Compliance
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

309-0722

Provided by DEP

A. Project Information



Bk: 22116 Pg: 110 Page: 1 of 4
 Recorded: 04/22/2008 11:16 AM

Important:
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



- This Certificate of Compliance is issued to:
Robert Maciel
 Name
265 Pawtucket Blvd.
 Mailing Address
Tyngsborough MA 01879
 City/Town State Zip Code
- This Certificate of Compliance is issued for work regulated by a final Order of Conditions issued to:
Robert Maciel
 Name
Extension dated 9/11/07 309-0722
 Dated DEP File Number
- The project site is located at:
265 Pawtucket Blvd Tyngsborough
 Street Address City/Town
Map 34 Parcel 18 Lot 0
 Assessors Map/Plat Number Parcel/Lot Number

 the final Order of Condition was recorded at the Registry of Deeds for:

Property Owner (if different)
Middlesex North 21642 166
 County Book Page

Certificate
- A site inspection was made in the presence of the applicant, or the applicant's agent, on:
March 8, 2008
 Date

B. Certification

Check all that apply:

- Complete Certification:** It is hereby certified that the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.
- Partial Certification:** It is hereby certified that only the following portions of work regulated by the above-referenced Order of Conditions have been satisfactorily completed. The project areas or work subject to this partial certification that have been completed and are released from this Order are:



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 8B – Certificate of Compliance
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:
309-0722
 Provided by DEP

B. Certification (cont.)

- Invalid Order of Conditions:** It is hereby certified that the work regulated by the above-referenced Order of Conditions never commenced. The Order of Conditions has lapsed and is therefore no longer valid. No future work subject to regulation under the Wetlands Protection Act may commence without filing a new Notice of Intent and receiving a new Order of Conditions.
- Ongoing Conditions:** The following conditions of the Order shall continue: (Include any conditions contained in the Final Order, such as maintenance or monitoring, that should continue for a longer period).

Condition Numbers:

Allow the 891 s.f. area of MassHighway impervious surface to remain in tact. It is agreed under the Riverfront Act to mitigation and donate \$200 to National Heritage endangered species.

C. Authorization

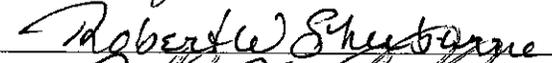
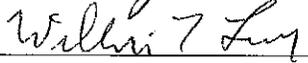
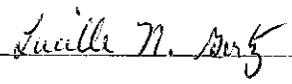
Issued by:

Tyngsborough
 Conservation Commission

April 8, 2008
 Date of Issuance

This Certificate must be signed by a majority of the Conservation Commission and a copy sent to the applicant and appropriate DEP Regional Office (See <http://www.mass.gov/dep/about/region/findyour.htm>).

Signatures:



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 8B – Certificate of Compliance
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:
 309-0722
 Provided by DEP

C. Authorization (cont.)

Notary Acknowledgement

Commonwealth of Massachusetts County of Middlesex North

On this 8th Day Of April Month 2008 Year

before me, the undersigned Notary Public, personally appeared

Ed Smith
 Name of Document Signer

proved to me through satisfactory evidence of identification, which was/were

personally known
 Description of evidence of identification

to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

As member of Tyngsborough City/Town Conservation Commission

Joanne Shifras
 Signature of Notary Public
Joanne Shifras
 Printed Name of Notary Public

Nov 6 2009
 My Commission Expires (Date)

Place notary seal and/or any stamp above

 Signature of Notary Public



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 8B – Certificate of Compliance
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:

309-0722

Provided by DEP

D. Recording Confirmation

The applicant is responsible for ensuring that this Certificate of Compliance is recorded in the Registry of Deeds or the Land Court for the district in which the land is located.

Detach on dotted line and submit to the Conservation Commission.

To:

Tyngsborough
Conservation Commission

Please be advised that the Certificate of Compliance for the project at:

265 Pawtucket Blvd
Project Location

309-0722
DEP File Number

Has been recorded at the Registry of Deeds of:

Middlesex North
County

for:

Property Owner

and has been noted in the chain of title of the affected property on:

Date

Book

Page

If recorded land, the instrument number which identifies this transaction is:

If registered land, the document number which identifies this transaction is:

Document Number

Signature of Applicant

November 12, 2008

Town of Tyngsborough
Building Department
25 Bryants Lane
Tyngsborough, Ma 01879

Re: 265 Pawtucket Blvd
Tyngsboro, Ma
Board of Appeals Variance

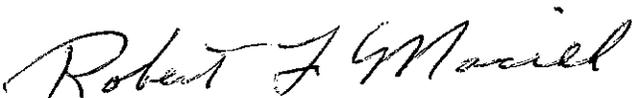
Mr. Mark Dupell,

I received your letter dated November 3, 2008 regarding my Board of Appeals Variance Violation. The approved plan shows (2) locations of pavement to be removed from the site and converted into lawn area. Approximately 891 s.f. of pavement to be removed is shown within the Massachusetts Highway Department right of way. After speaking with you it is my understanding that I do not have to remove this area of impervious area due to the extensive and expensive survey and engineering costs.

The second area of pavement to be removed is located between the garage and Massachusetts Highway Department right of way. I am requesting the Board of Appeals to allow me to perform this work in the spring of 2009 or at the beginning of the growing seasons approximately April 15, 2008. Unfortunately due to the time of year and the end of the growing season I will be unable to grow any lawn area once the pavement is removed.

In addition I would also like to discuss with you the possibility to modify the variance to exclude this work. If you have any questions or concerns regarding the above information please do not hesitate to call.

Sincerely,



Robert F. Maciel

Cc: Board of Selectmen
Town Administrator – Rosemary Cashman

COVER SHEET

ABUTTERS LIST AS PER CH 40A, SEC 11 "PARTIES OF INTEREST"

TOWN BOARD: CONSERVATION

LOCATION: 263 PAWTUCKET BLVD MAP 34-19-0

OWNER: ROBERT F MACIEL JR

REQUESTED BY: ATTY PETER NICOSIA

PREPARED BY: Jennifer Wilson, Assessors Assistant *JW*

DATE: July 9, 2010

Town of Tyngsborough

Abutters List

ParcelID	Location	Owner	Co-Owner	Mailing Address	City	State	Zip
34 10 0	262 PAWTUCKET BV	LEARY MARTIN L	EILEEN E	262 PAWTUCKET BV	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 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 90	260 PAWTUCKET BV	TURCOTTE LYNDA		260 PAWTUCKET BV	TYNGSBOROUGH MA		01879

End of Report



Town of Tyngsborough

Board of Appeals

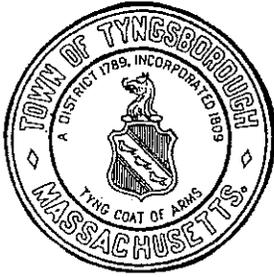
Town Hall-25 Bryants Lane
Tyngsborough, MA 01879-1003
(978) 649-2300, Ext. 112

INSTRUCTIONS FOR APPLICATION

1. Submit a **Certified Plot Plan** showing total square foot area, frontage, side yard and rear yard dimensions. All dwellings and existing structures must be shown on this plan. **Further, the proposed addition or dwelling, or structure must be clearly labeled on this Certified Plot Plan.**
A mortgage plan is **not** acceptable substitute for a Certified Plot Plan.
2. A **Certified List of Abutters** must accompany the application when filed. **This list is available from the Assessors Office. \$15.00 fee for the list.**
3. The applicant must submit a copy of "Plan of Land" showing how the lot or lots were originally created. This plan will show how the boundaries of the lots were set and their total area square footage.
4. The applicant or petitioner is **required** to present a copy of deed recorded at the Registry or Land court confirming that the name of the owner on the petition is exactly the same as it appear on the deed.
5. The Board of Appeals members highly recommend the applicant or petitioner to purchase the Tyngsborough Zoning By-Laws book. Books available at the Inspectional Dept. They are also available on web site:
www.Tyngsboroughma.gov.
6. The applicant shall submit twelve (12) copies of the complete application along with a check for \$ 200.00 payable to Town of Tyngsborough to the Zoning Board of Appeals Secretary. In addition (1) copy of the complete application must be filed simultaneously with the Town Clerk.
7. Hearings are held on the 2nd Thursday of the month for applications received by the 15th of the previous month. If the 15th day of the month falls on the weekend or holiday, the applicant has until 12:00 Noon on the next business day to file the application.

Failure of the applicant to complete the steps above will result in the application being rejected by the Zoning Board of Appeals and returned to the applicant. The rejected application form will detail the reason for the Denial with a copy filed with the Town Clerk.

Tyngsborough Board of Appeals



Case No: _____

Robert Lord
15 Davis St.
Case: 10-08-02
5 August 2010

Decision: _____

Do not write in this space

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

R
Applicant: Robert Lord

Mailing Address: 15 Davis Street, Tyngsboro MA 01879

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

- (a) For a Variance from the requirements of Section ____ Para. ____ of the Zoning By-Law. 2, 12, 50
- (b) For a Special Permit under Section ____ Para. ____ of the Zoning By-Law
- (c) As a party aggrieved, for review of a decision made by the Building Commissioner or other authorities.

Set forth other authorities:

2. Square footage variance of 7250 sq feet bought for lot 2 in order to obtain buildable lot subject to future planning board approval of proposed lot line redraw subdivision plan.

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

(b) Premises affected is vacant land with frontage on Davis and Beech Street(s).

Describe how to locate: 15 Davis Street

3. (a) Premises affected in Zoning District R2

The premises has an area of 12,750 square feet

Frontage of 75 feet. Side yard setback of 21 feet and on beech street and 50 feet on Davis street

27. Front yard setback of 81.2 feet. on Davis St., and 112.14 on Beech
(b) Stone bounds (are) (are not) existing on premises.

(c) Assessors Map 26A, Lot 167.

4. Ownership:

Name and Address of owner (if joint ownership, give all names):

Robert R. Lord

15 Davis Street

Tyngsboro, Ma 01879

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

Front: _____ feet. 25 X 32 single family home

Height: _____ feet. Stories _____.

Total floor area _____ square feet.

(b) Approximate date of erection, if known: _____

(c) Present occupancy of use: (of each floor or section) _____

Vacant Land

6. Description of proposed work and use: Lot line re-draw to create
buildable lot for single family dwelling

7. Has applicant made a previous appeal involving these premises to this Board: ___

If "yes" give the date of the appeal: September, 1993

8. Deed recorded with the Middlesex North District Registry of Deeds

Book 7688, Page 205

Land Court Department of said Registry of Deeds (Registered Land):

Certificate No. _____, Book _____, Page _____

Attach copy of Deed or Certificate

9. The reasons for the change that I request are as follows: (Use additional page(s), if necessary.) *Incorrect lot line redraw in 1993 and hardship.*

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

Use additional pages(s), if necessary.)

Abutters:

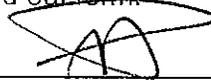
see attached abutter's list

Other parties in interest:

None

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

Date: 7/12/10 Signature of person who filled out form:



Peter Nicosia, Esquire

(Type or print name, address and phone)

PO Box 721

Tyngsboro, Ma 01879

978-649-4300

Date: 7/12/10 Signature of Applicant: *Robert R. Lord*

Robert Lord

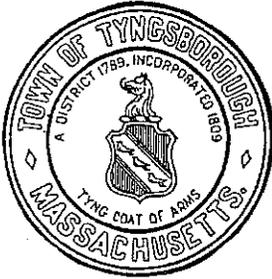
(Type or print name, address and phone)

15 Davis Street

Tyngsboro, Ma 01879

If the applicant is not the owner of the premises, please submit documentation that the owner authorizes this application.

Memorandum to be submitted by attorney Nicosia in advance or at the meeting.



Town of Tyngsborough

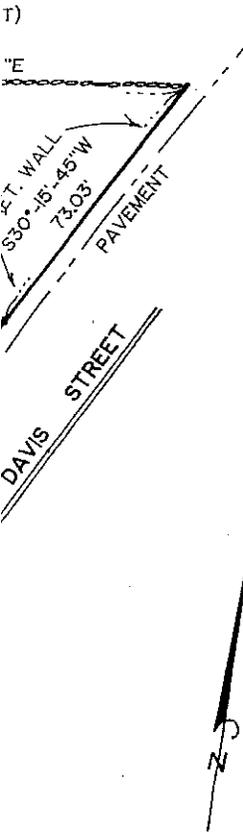
Board of Appeals

Town Hall-25 Bryants Lane
Tyngsborough, MA 01879-1003
(978) 649-2300, Ext. 112

Instructions

1. Applications must be typed or printed. Draw a line through blank spaces that do not apply.
2. File 12 copies completely filled out. Applications submitted with incomplete information may be grounds for disapproval.
3. A copy of the decision, if any, by the Building Commissioner or other authority, together with 12 plot plans of the affected premises must be filed.
4. A fee of \$200.00 must accompany this application. Make check payable to the Town of Tyngsborough.
5. The applicant is required to Certified Mail the Legal Notice to the abutters and submits the white receipts to the secretary once mailed; and then submit the green cards to the secretary prior to the meeting for review and filing.

"LOT LINES RELOCATION" PLAN OF LAND IN TYNGSBORO, MA.



1. PURPOSE OF PLAN:

CHANGE OF EXISTING LOT LINES, TO CREATE
THREE SEPARATE LOTS.

2. DEED REFERENCE:

PRISCILLA LORD
15 DAVIS STREET
TYNGSBORO, MA.
BOOK 1526 PAGE 143 & 144

ALFRED J. & ANNE M. LEBLANC
16 BEECH ST.
TYNGSBORO, MA.
BOOK 6356 PAGE 63

3. PLAN REFERENCE:

UNOFFICIAL PLAN OF SHERBURNVILLE
TYNGSBORO, MA.
MADE BY CHARLES SHERBURNE, 1895
DATED DEC. 1948, BY MARTIN G. FERRY, C.E.
(NO RECORD)

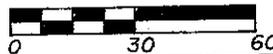
OWNER OF RECORD
PRISCILLA LORD

INFORMED WITH THE RULES AND
ORDINANCES OF THE REGISTERS OF DEEDS
REGARDING THE LAND.

DATE: JUNE 17, 1993

PREPARED FOR: PRISCILLA LORD
15 DAVIS ST.
TYNGSBORO, MA. 01879

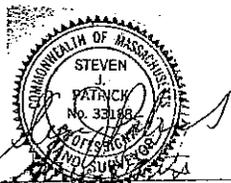
SCALE: 1" = 30'



STEVEN J. PATRICK
LICENSED LAND SURVEYOR

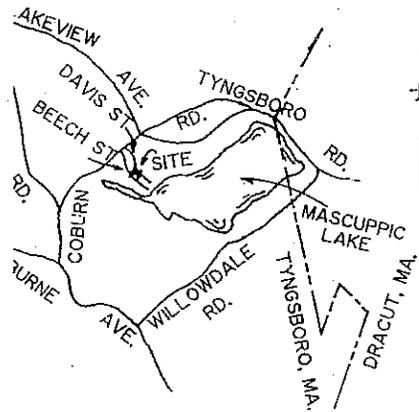
178 HILDRETH ST.
LOWELL, MA. 01850
(508) 454-3874

4 SHERBURNE RD.
HUDSON, N.H. 03051
(603) 635-2799

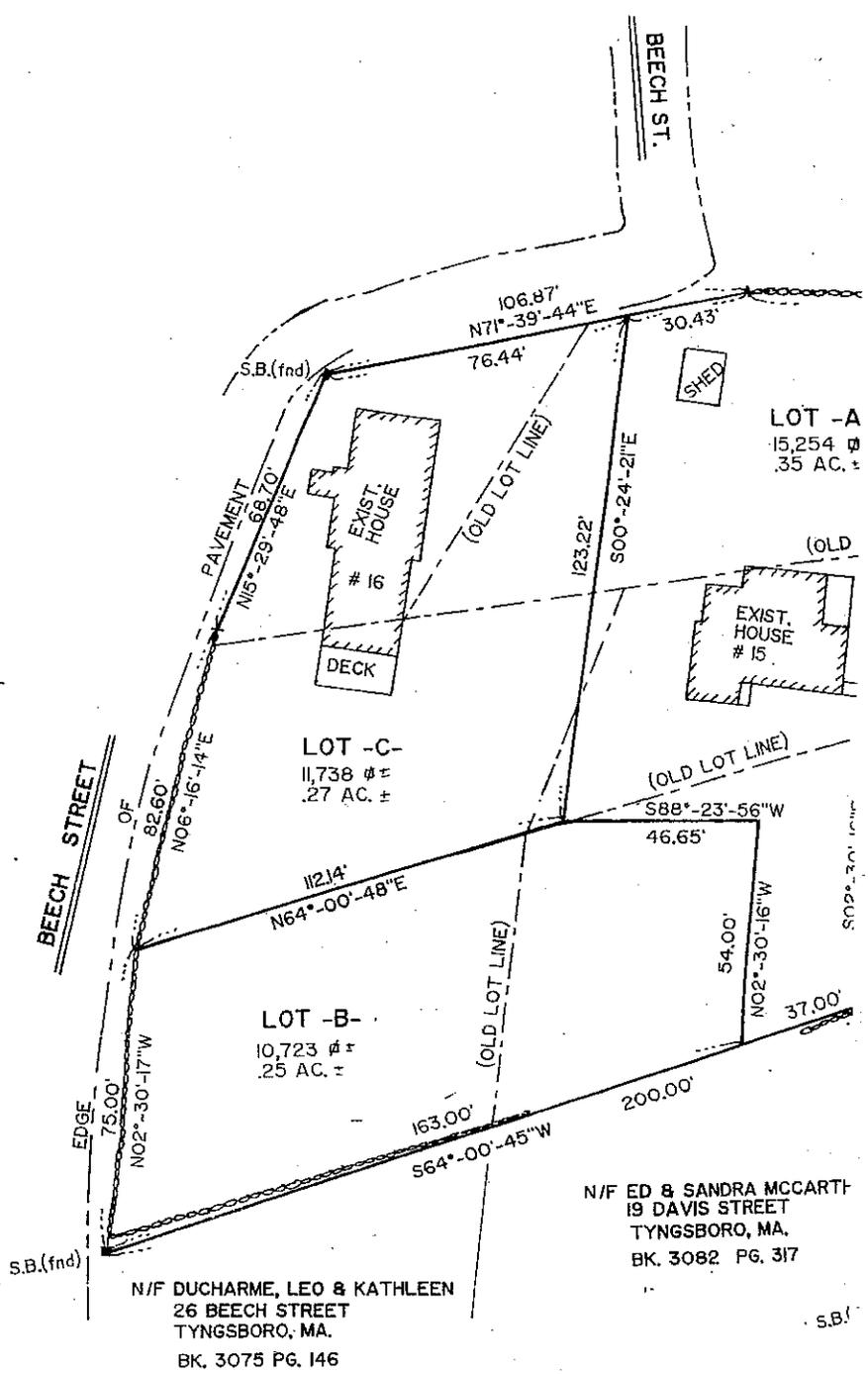


J. PATRICK P.L.S. #33188

R REGISTRY USE ONLY



VICINITY MAP
SCALE: 1" = 4000'



TYNGSBORO PLANNING BOARD
APPROVAL

APPROVAL UNDER THE SUBDIVISION
CONTROL LAW NOT REQUIRED.

BEECH STREET

STREET

N02°30'17"W
75.00'

MAP 26A
LOT 169

S64°00'45"W
200.00'

MAP 26A
LOT 164

LOT 2
12,750± S.F.

N64°00'48"E
112.14'

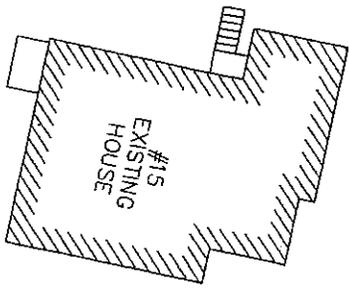
S80°24'48"W
81.20'

MAP 26A
LOT 167

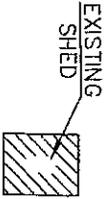
N00°24'21"W
123.22'

50.00'
75.00'

S02°30'16"E
25.00'



LOT 1
13,227± S.F.



N71°39'44"E
30.43'

APPROVAL UNDER THE SUBDIVISION
CONTROL LAW NOT REQUIRED
TYNGSBORO
PLANNING BOARD

DATE

2. SUBJECT PROPERTY IS SHOWN AS LOT 166 ON TOWN OF TYNGSBORO ASSESSOR'S MAP #26A.

3. THE PERIMETER BOUNDARY SHOWN ON THIS PLAN WAS DETERMINED FROM A FIELD SURVEY BY THIS OFFICE, AND PLANS OF RECORD (SEE PLAN REFERENCES).

4. SUBJECT PROPERTY IS LOCATED IN ZONE R2 (RESIDENCE 2)

MINIMUM LOT AREA 20,000 SF*
 MINIMUM FRONTAGE 75 FT
 MINIMUM FRONT YARD 30 FT*
 MINIMUM SIDE YARD 20 FT
 MINIMUM REAR YARD 20 FT

5. OWNER OF RECORD:
 ROBERT R. LORD
 15 DAVIS STREET
 TYNGSBORO, MA 01879

* VARIANCE REQUIRED
 X EXISTING NONCONFORMING

DEED REFERENCE:
 MIDDLESEX NORTH REGISTRY OF DEEDS
 BK. 7688 PG. 205

PLAN REFERENCE:
 MIDDLESEX NORTH REGISTRY OF DEEDS

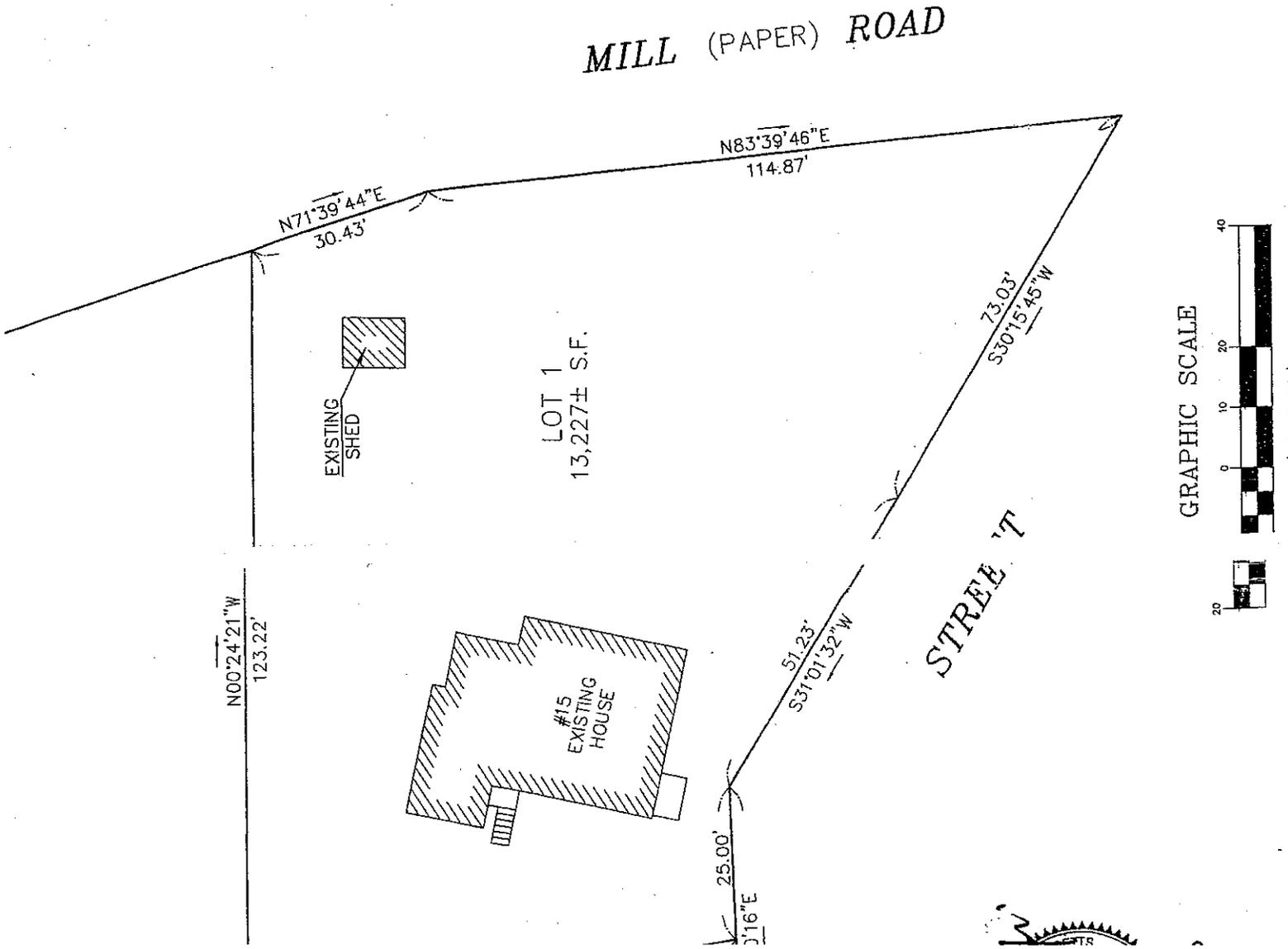
1. PLAN BK. 189 PL. 101
 2. UNOFFICIAL PLAN OF SHERBURNVILLE TYNGSBORO, MA ORIGINAL MADE BY CHARLES SHERBURNE, 1895 DATED DEC. 1948, BY MARTIN G. FERRY, C.E. (NOT RECORDED)

PLAN OF LAND
 IN
 TYNGSBORO, MASSACHUSETTS
 #15 DAVIS STREET

SCALE: 1"=20'
 JOB NO. 221-01
 DATE: APRIL 2, 2010
 SHEET 1 OF 1

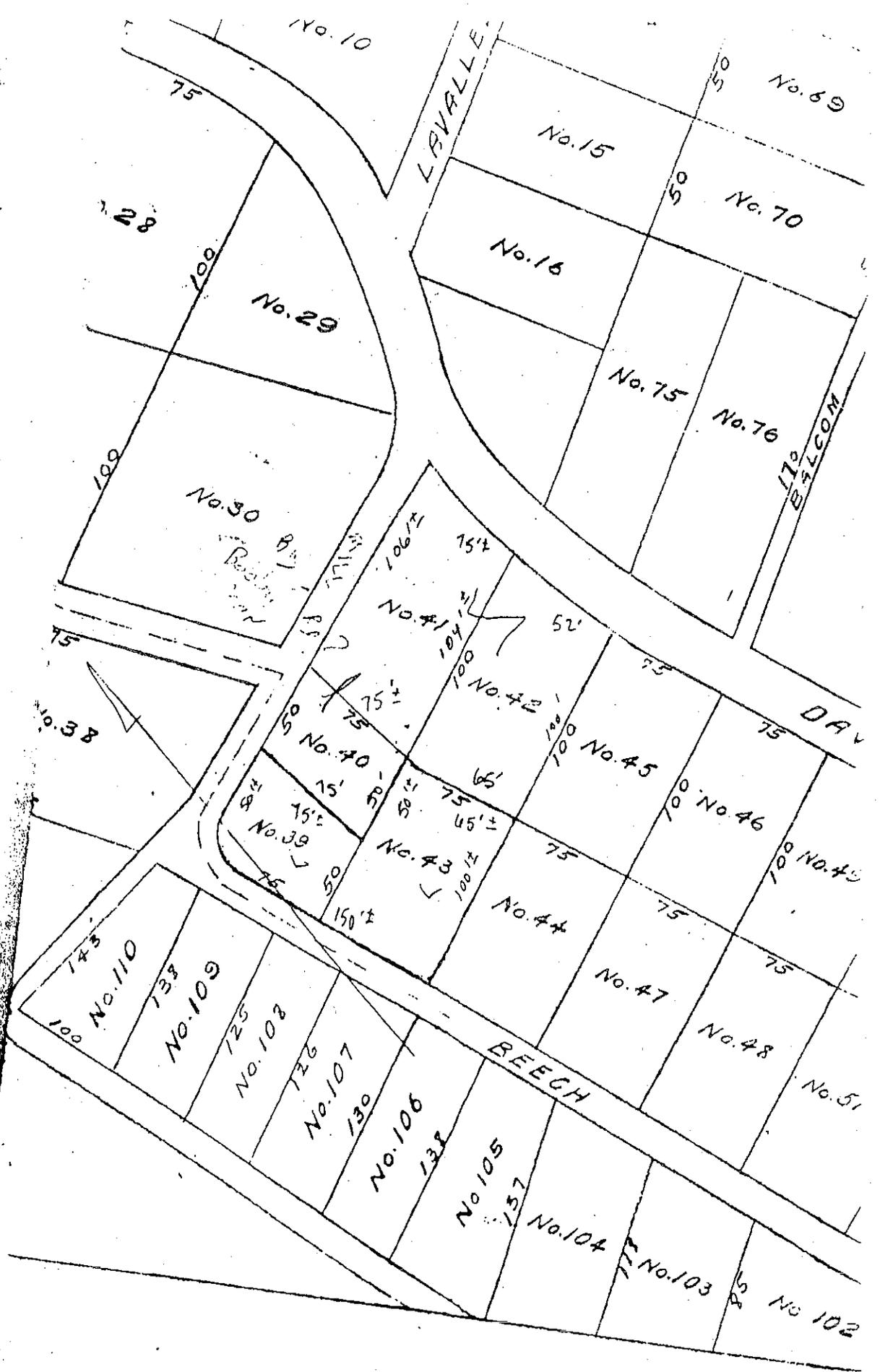
PREPARED FOR/OWNER
 ROBERT R. LORD
 TYNGSBORO, MASSACHUSETTS

PREPARED BY
 Land Engineering & Environmental Services, Inc.
 TYNGSBORO, MASSACHUSETTS 01870



ST

DATE		DEC. 1948	
DESIGNED BY	CHECKED BY	MANTING G. FERRY, C. E.	
M.G.F.	✓	REGISTERED	PROFESSIONAL ENGINEER
DRAWING NO.		D.W.G. NO.	
7		7	
SCALE		N.C.V.	
ORIGINAL MADE BY		ABOUT	
CHARLES SHERBURNE		1895	
COPY OF SKETCH ENTITLED UNOFFICIAL PLAN OF SHERBURNVILLE TYNGSBOROUGH-MASS.			



No. 10

No. 69

No. 15

No. 70

No. 28

No. 16

No. 29

No. 75

No. 76

No. 30

No. 41

No. 42

No. 38

No. 40

No. 45

No. 46

No. 39

No. 43

No. 44

No. 48

No. 110

No. 109

No. 108

No. 107

No. 106

No. 105

No. 104

No. 103

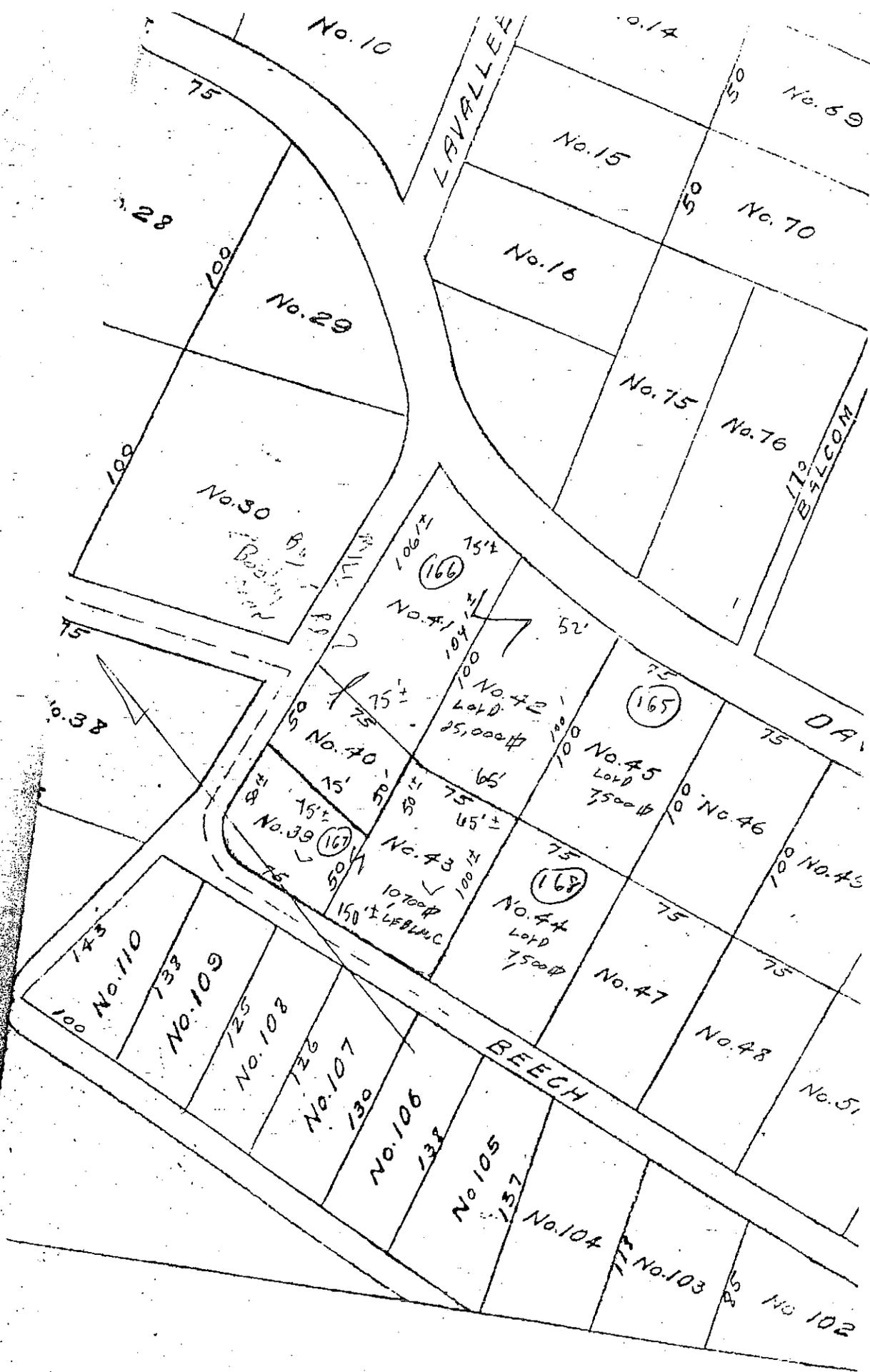
No. 102

LAVALLE

BEECH

BALCOM

DAV



B 0 7 6 8 8 P 2 0 5

QUITCLAIM DEED

ALFRED J. and ANNE M. LEBLANC, husband and wife, both of 16 Beech Street, Tyngsborough, Middlesex County, Massachusetts, in consideration of One (\$1.00) Dollar grants to ROBERT R. LORD of 15 Davis Street, Tyngsborough, Middlesex County, Massachusetts

with QUITCLAIM COVENANTS

All right, title and interest in the land, with buildings thereon, being described as Lot E on a plan of land entitled "Lot Line Relocation' Plan of Land in Tyngsborough, MA.; Prepared for Priscilla Lord; Date June 17, 1993; prepared by: Steven J. Patrick, Licensed Land Surveyor" said Plan being recorded with Middlesex North District Registry of Deeds in Plan Book ~~6353~~, Plan ~~101~~.

Meaning and intending to convey a portion of the premises conveyed to the within grantors by deed of Robert R. Lord, dated February 26, 1993, and recorded in said Registry of Deeds in Book 6353, Page 63.

WITNESS our hands and seals on this 6th day of October, 1995.

Alfred J. LeBlanc
ALFRED J. LEBLANC

Anne M. LeBlanc
ANNE M. LEBLANC

Lot B, Davis St.
Tyngsborough, MA
Lords

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

10-6, 1995

Then personally appeared the above-named Alfred J. LeBlanc and Anne M. LeBlanc who acknowledged the foregoing instrument to be their free act and deed, before me

Michael J. [Signature]
MICHAEL J. [Signature] - Notary Public
My Commission expires: 10-13-2000



18/06/95 PLAN BOOK: 189 PAGE: 101
18/06/95 03:35:55 4911 25:32 12

TOWN OF TYNGSBOROUGH - ZONING BY-LAW

2.12.50 Table of Standard Dimensional Requirements

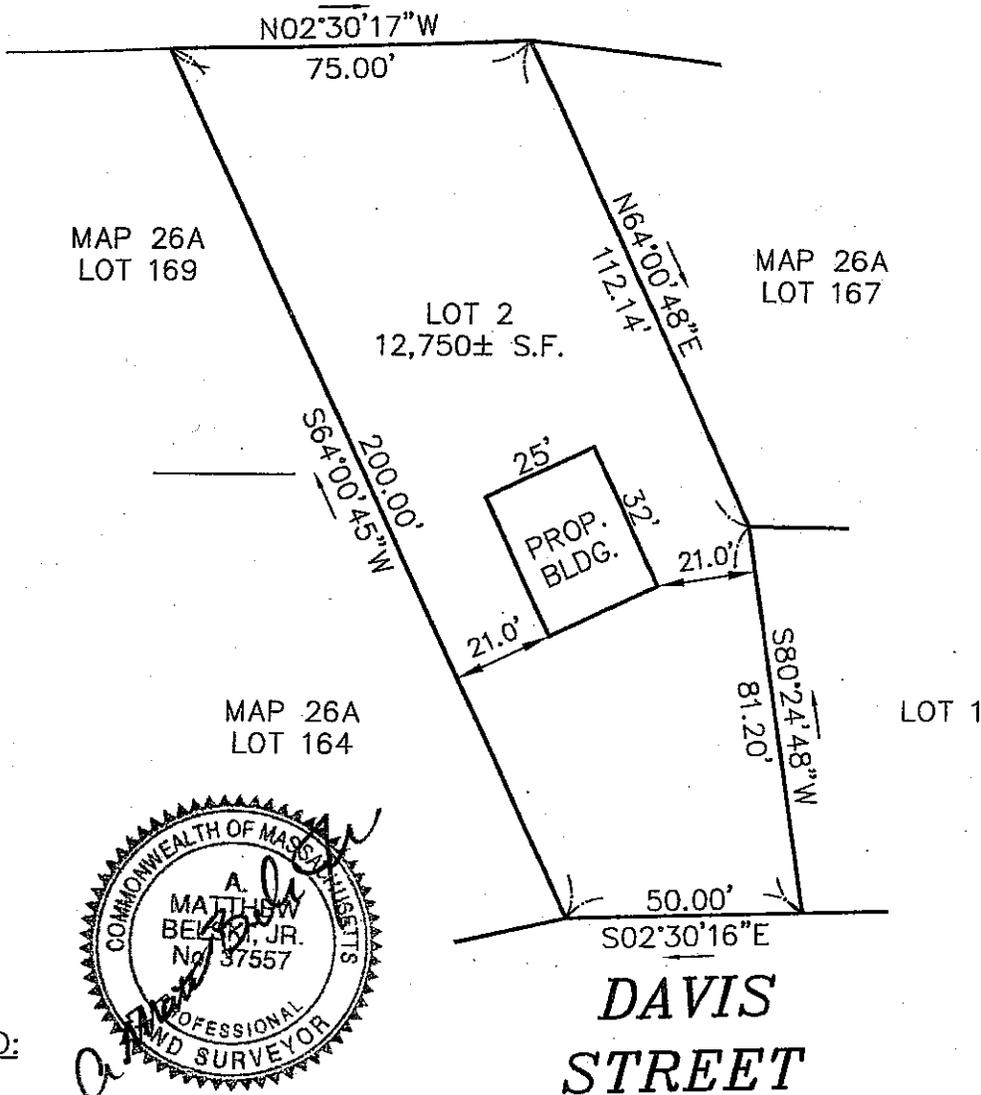
Dimension	Zoning District									
	R1	R2	R3	B1	B2	B3	B4	I1	I2	
Minimum Lot Area (Square Feet) X 1,000	65	20	20	20	20	80	80	80	120	
Minimum Lot Frontage (Lin. Feet)	200	75	75	100	50	150	150	200	225	
Minimum Lot Width (Lin. Feet)	50	50	50	50	50	50	50	100	100	
Minimum Front Yard (Lin. Feet)	30	30	30	30	30	75	75	100	100	
Minimum Side Yard ^{2/} (Lin. Feet)	30	20	15	15	15	30	30	40	40	
Minimum Rear Yard ^{2/} (Lin. Feet)	30	20	15	15	15	40	40	40	40	
Minimum Open Space (Percent of Total Lot Area)	3/	N/A	N/A	N/A	N/A	25	25	25	25	
Maximum Building Height (Lin. Feet)	4/	4/	4/	4/	4/	5/	5/	6/	6/	
	36	36	36	36	36	40	40	45	45	

- 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 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 1/2 stories
- 5/ Not to exceed 3 stories
- 6/ Not to exceed 3 1/2 stories

[eflp-yga.ear]



BEECH STREET



ZONING: R2

MINIMUM SETBACKS:

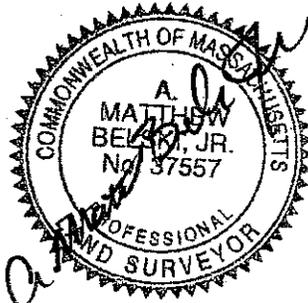
FRONT - 30'

SIDE - 20'

REAR - 20'

OWNER OF RECORD:

ROBERT R. LORD
15 DAVIS STREET
TYNGSBORO, MA 01879



I CERTIFY THAT THE SITE IS OUTSIDE OF THE 500 YEAR FLOOD HAZARD AREA AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 250220 0004 B, DATED SEPTEMBER 2, 1982.

GRAPHIC SCALE



1 INCH = 40 FT

A. Matthew Belski, Jr.
A. MATTHEW BELSKI, JR. P.L.S. #37557

4/12/10
DATE

PROPOSED PLOT PLAN

DAVIS STREET
TYNGSBORO, MASSACHUSETTS
MAP 26A - LOT 166
SCALE 1=40' JOB # 22101 APRIL 2, 2010

PREPARED FOR
ROBERT R. LORD

PREPARED BY
Land Engineering & Environmental Services, Inc.
130 Middlesex Road, Tyngsboro, Massachusetts 01879
Telephone (978) 649-4642

COVER SHEET

ABUTTERS LIST AS PER CH 40A, SEC 11 "PARTIES OF INTEREST"

TOWN BOARD: CONSERVATION

LOCATION: 15 DAVIS STREET MAP 26A-166-0

OWNER: ROBERT LORD

REQUESTED BY: ATTY PETER NICOSIA

PREPARED BY: Jennifer Wilson, Assessors Assistant 

DATE: July 12, 2010

Town of Tynsborough

Abutters List

ParcelID	Location	Owner	Co-Owner	Mailing Address	City	State	Zip
26A 136 0	14 DAVIS ST	BIJEOL HARVE		16 DAVIS ST	TYNGSBOROUGH MA	MA	01879
26A 138 0	16 DAVIS ST	BIJEOL HARVE		16 DAVIS ST	TYNGSBOROUGH MA	MA	01879
26A 163 0	21 DAVIS ST	LOWELL JAMES R JR		21 DAVIS ST	TYNGSBOROUGH MA	MA	01879
26A 164 0	19 DAVIS ST	PARE EDWARD P		16 MONTGOMERY AVENUE	NASHUA NH	NH	03080
26A 166 0	15 DAVIS ST	LORD ROBERT R	MCDONOUGH KRISTEN	15 DAVIS ST	TYNGSBOROUGH MA	MA	01879
26A 167 0	16 BEECH ST	LEBLANC ALRED J		16 BEECH ST	TYNGSBOROUGH MA	MA	01879
26A 169 0	26 BEECH ST	DUCHARME LEO E	KATHLEEN A	26 BEECH ST	TYNGSBOROUGH MA	MA	01879
26A 170 0	28 BEECH ST	MCGEE WILLIAM GERRARD +	KAREN	28 BEECH ST	TYNGSBOROUGH MA	MA	01879
26A 174 0	31 BEECH ST	DEAN CHARLES N	JEANE E	31 BEECH ST	TYNGSBOROUGH MA	MA	01879
26A 175 0	27 BEECH ST	HU SIJIE		27 BEECH ST	TYNGSBOROUGH MA	MA	01879
26A 176 0	BEECH ST	TOWN OF TYNGSBOROUGH	TAX POSSESSION	25 BRYANTS LN	TYNGSBOROUGH MA	MA	01879
26A 177 0	23 BEECH ST	BROADLEY DEBORA S		23 BEECH ST	TYNGSBOROUGH MA	MA	01879
26A 178 0	21 BEECH ST	KULISICH PETER C	KULISICH PETER D	21 BEECH ST	TYNGSBOROUGH MA	MA	01879-0289
26A 179 0	19 BEECH ST	MCMAHON RITA F		19 BEECH ST	TYNGSBOROUGH MA	MA	01879
26A 180 1	15 BEECH ST	WHITTIER FREDERICK A &	HEATHER J	15 BEECH ST	TYNGSBOROUGH MA	MA	01879
26A 181 0	7 DAVIS ST	FLANDERS ELMER P & MARIE J		7 DAVIS ST	TYNGSBOROUGH MA	MA	01879
26A 181A 0	8 BEECH ST	GUERRIERO JOSEPH E	KATHLEEN	8 BEECH ST	TYNGSBOROUGH MA	MA	01879
26A 181B 0	9 DAVIS ST	FLANDERS ELMER P		7 DAVIS ST	TYNGSBOROUGH MA	MA	01879

End of Report



William F. Mulligan
Chief of Police

Town of Tyngsborough

Police Department

20 Westford Road

Tyngsborough, Massachusetts 01879-0549



TEL: (978) 649-7504

FAX: (978) 649-2324

To: Michael Gilleberto Town Administrator/ Board of Selectmen
From: Chief William F. Mulligan *WFM*
Re: Fleu De lis Club
Date: August 5, 2010

2010 AUG -5 PM 3:00
TOWN OF SELECTMEN
TYNGSBOROUGH, MA

On August 1 2010 Officer from the Tyngsborough Police Department were dispatched to the Fleu De lis Club at 39 Elm Street for an injured person call.

Upon arrival officer's located a female lying on the ground outside the entrance door to the club. The officer's determined the injured female was in their opinion highly intoxicated.

I have attached a copy of the officer's reports for your information.

I have also sent a copy of this report to Chief Kevin Richardson of the Dracut Police Department. The liquor license for the Fleu De lis Club is held in that community.

If you should have any questions or concerns please let me know.

Tyngsborough Police Department
Incident Report

Page: 2
08/05/2010

Incident #: 10-650-OF
Call #: 10-14521

#	PERSON(S)	PERSON TYPE	SEX	RACE	AGE	SSN	PHONE
1	CALZINNI, PAMELA K 41 EXETER ST LOWELL MA 01850 DOB: 01/01/1956 EMPLOYER: FLUER DE LIS CLUB	WITNESS	F	W	54	NOT AVAIL	978-815-4633

NARRATIVE FOR PATROL KENNETH R HEALEY

Ref: 10-650-OF

Entered: 08/01/2010 @ 1822 Entry ID: 50
Modified: 08/01/2010 @ 2034 Modified ID: S8
Approved: 08/01/2010 @ 2139 Approval ID: S8

On 8/1/10 I was assigned to Sector 2, Unit 2, while working a 1500-2300hrs shift. At approximately 1656hrs I was dispatched to the Fluer De Lis Club for a report of a disturbance. Upon my arrival I observed a female lying on the ground outside the entrance door the the club. The female had blood on her. I radioed dispatch requesting an ambulance and the fire department. A bystander informed me that she had fallen down three or four stairs that lead out of the club entrance/exit door. The female, later identified as Cheryl Costello, was lying supine on the ground. I stabilized Ms. Costello's head and neck and awaited the ambulance and fire department. Ms. Costello had a deep two inch gash on the top of her forehead and a laceration to her nose. It was obvious Ms. Costello was heavily intoxicated. She stated to fire department personnel that she had consumed "a lot" of alcohol. Ms. Costello stated that she was pushed by a woman but she would not say who the woman was or give any indication as to her identity. Sgt. Chris Chronopoulos arrived on scene to assist. Trinity arrived and placed Ms. Costello in a neck collar, placed her on a backboard, and then a Trinity EMT relieved me of stabilizing Ms. Costello's head and neck. Sgt. Chronopoulos had determined by bystanders and the bartender that Ms. Costello had fallen backwards while standing at the top of the three or four steps of the entrance to the club. Ms. Costello had had an argument with her boyfriend, Ernest Fisher, who was at the club, and he wanted her to leave with him. Mr. Fisher was also intoxicated. All witnesses stated that there was no physical altercation involved in the argument.

I then spoke with the bartender, Pamela Calzini. Ms. Calzini stated that Ms. Costello and her boyfriend had arrived at the club at approximately 1400hrs and were served one drink each. She stated that they then left for approximately two and a half to three hours. She stated that they ordered another drink from the club and showed me the two drinks that were still placed on the bar, nearly untouched.

Ms. Costello was transported to Lowell General Hospital. Mr. Fisher rode with Trinity to the hospital.

Respectfully Submitted,

Officer Kenneth R. Healey #50

NARRATIVE FOR SERGEANT CHRISTOPHER CHRONOPOULOS

Ref: 10-650-OF

Entered: 08/01/2010 @ 2004 Entry ID: S8
Modified: 08/01/2010 @ 2035 Modified ID: S8
Approved: 08/01/2010 @ 2139 Approval ID: S8

(01) On the 1st of August 2010, (Sunday) at approximately 1656hrs I was assisting Ofc. Healey at the Club Fleur De Lis regarding a woman who had fallen. While Ofc. Healey was attending to medical needs of the woman I walked inside the Fleur De Lis to see if any witnesses could be identified.

(02) While inside the club at the bar I asked if anybody witnessed the incident that led to the injured female outside the club. The only person who said that they witnessed the woman's actions was the bartender, Pamela Calzini. Pamela said to me that while the woman was at the bar she was talking to all the patrons. Pamela said the man she was speaking with got up and left the bar. Pamela said to the woman that she would have to leave the bar because she was intoxicated.

(03) The woman started to exit the club towards the parking lot entrance. While doing so she grabbed onto a piece of furniture by the first door. Pamela said that she held the piece of furniture from falling. As Pamela did this the woman fell backwards through the opening of the first door. Pamela said the woman fell straight backwards down the stairs.

(04) I asked Pamela if she had seen the woman's boyfriend inside the bar during this time. Pamela said that the woman was the only person she saw, and that her boyfriend was not near her at the time.

Sgt. Christopher Chronopoulos

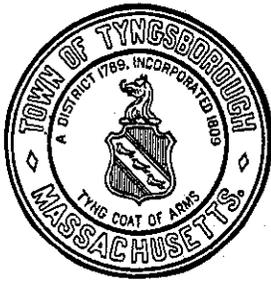
Selectman's Monthly Status Report

Report Start Date: **July 1, 2010** Report End Date: **July 31, 2010** Chief **William F. Mulligan**

Short-Term Action Items	Status	Outcomes/Issues
Dispatch Grant 2011	On Going	We will be looking for another dispatch grant for fiscal year 2010-11 we can use this grant for dispatcher salary as well as equipment. We believe it will be approximately \$26,000.
Reserve Officer Testing	On Going	The three reserve officers in training are doing well. We hope to have another three in training by the fall.
Crime Information	On Going	Recovered a generator, compressor and tools stolen from the Housing Authority over \$2,000.00 worth of item. We are still looking for one generator we have not recovered.
Memo to BOS	On Going	Memo to BOS with budget concerns with over-time issues
Firing Range Improved	On Going	Sgt Chris Chronopoulos, Officer Charles Rubino and Officer Peter Kulisich have painted and improved the firing range. They have also been working with UMASS Police on firearms training.
Poker Tournaments	On Going	We have stopped two local restaurants from having Poker Tournaments. Memos have been sent to the BOS
Regional Dispatch Report Due	On Going	The Regional Dispatch report was to be due this June. I and the committee have reviewed the draft report. They have extended the date for the final report to be due in September 2010
Long-Term Goals	Progress	Issues
State Accreditation	On going project	All the Policies & Procedures that are completed are reviewed at the department's monthly staff meetings and the monthly e-board meetings with the police union. They are then sent to the Town Attorneys for their review before being sent to BOS for approval.
Neighbor to Neighbor	Go going	I will be writing about safety issues, seat belts cell phones live vest. In this month article
Community Service	complete	FBI National Academy Conference in Boston volunteered at Pray Breakfast

I am on a sub-committee for the Regional Dispatch to review RFP for the study on Regional Dispatch. After this review the sub-committee recommended Winbourne & Costas, Inc a management and technology consultants. They will have their report complete by June 2010. We have continued to meet once each month Winbourne & Costas representatives have interviews dispatchers and personnel at a number of police and fire departments as well as Tyngsborough PD. This in an on going project. They have given Winbourne & Costas and extension until September 2010 to complete final report.

A Motor Cycle Run is being planned to help with the cost of the motor cycle unit.



Town of Tyngsborough Building Department

25 Bryants Lane
Tyngsborough, Massachusetts 01879
Office: (978) 649-2300 Ext. 112

2010 AUG -5 PM 2:49

BOARD OF SELECTMEN
TYNGSBOROUGH, MA.

August 6, 2010

To: Michael P. Gilleberto, Town Administrator
Monthly Report

<u>Building Permits Report</u>	<u>Calendar Year</u>					Number of Permits – July 2010 <u>Change from last</u>
	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	
Year to date:	419	357	355	356	172	18
<u>Electrical Permits</u>						
Year to date:	386	264	228	258	169	26
<u>Plumbing & Gas</u>						
Year to date:	450	318	264	263	177	24
<u>Trench Permits</u>						
				46	29	4

40B Update:

	<u>Change from last report</u>						
	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>		
<u>Maple Ridge:</u>							
A) Single Family Homes-	39	10	5	4	0	0	
B) 55+ and over Homes-	40	4	1	2	2	0	
C) Certificates of Occupancy-	40	23	12	12	3	0	
D) Affordable-	32	ALL OCCUPIED					
<u>Merrimack Landing</u>							
A) Single Family Homes-	32	4		60	0	0	
B) Affordable-	0	0		36	0	0	
C) Certificates of Occupancy-	4	15	11	23	37	7	
<u>Wynbrook</u>							
A) 55+ and Over Homes-	13	4	3		5	1	
B) Affordable	0	4		1	0	0	
C) Certificates of Occupancy-	5	4	6	1	3	1	
<u>Whispering Pines</u>							
A) Single Family Homes		14			0	0	
B) Affordable		2		1	0	0	
C) Certificates of Occupancy-		0		4	2	0	



2010 AUG 11 AM 9:22
BOARD OF SELECTMEN
TYNGSBOROUGH, MA.

August 6, 2010

Michael P. Gilleberto, Town Administrator
Town of Tyngsborough
25 Bryants Lane
Tyngsborough, MA 01879

Dear Mr. Gilleberto,

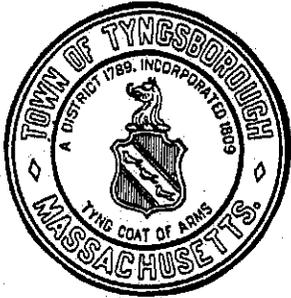
The purpose of this letter is to cordially invite you, selectmen and all town employees to attend the dedication ceremony of "LACOURSE PARK" in remembrance of A. Lucien Lacourse founder and former commissioner of the Tyngsborough Housing Authority.

The ceremony is to take place on Friday, August 13, 2010 at 2:00 pm. at our 186 Frost Road (Red Pine Terrace) location.

Sincerely,

A handwritten signature in cursive script that reads "Melinda L. Theide".

Melinda L. Theide
Housing Manager



**Town of Tyngsborough
Conservation Commission**

25 Bryants Lane 2010 AUG 11 AM 9:44
Tyngsborough, Massachusetts 01879-1003
Office: (978) 649-2300 ext. 116 BOARD OF SELECTMEN
Fax: (978) 649-2301 TYNGSBOROUGH, MA.

**AGENDA
August 10, 2010**

- 7:00pm** **50 Middlesex Rd. (M21, P23-1) – Notice of Intent, DEP# 309-0838** with Stormwater Run-off analysis for the proposed installation of solar modules to develop a 37± acre solar energy generation facility within a bordering vegetated wetland involving the following: concrete pads, retaining walls, clearing trees, culvert, 1244 s.f. alteration, 2205 s.f. replication, and (2) limited project crossings as defined in 310 CMR 10.53(3)(e), with erosion controls. Continued from July 27, 2010.
- 7:15pm** **41 Phalanx St. (M19, P88, L0) – Request for Determination of Applicability** for the proposed construction of a 10' x 12' shed within the buffer zone.
- 7:20pm** **Town of Tyngsborough & Dracut, MA and Pelham, NH (Long Pond) – Notice of Intent DEP# 309-???** for the continued management of excessive vegetation with U.S. EPA & MA registered and approved herbicides.
- 7:30pm** **Pawtucket Blvd. (Route 113), Frost Rd. (Route 3A), and Sherburne Ave. – Massachusetts Department of Transportation Highway Division Notice of Intent, DEP# 309-0825** for the Relocation and Reconstruction of a section of Pawtucket Blvd. and Frost Rd. Continued from April 28, 2009.
- 7:50pm** **Ed Himlan: Massachusetts Watershed Coalition – Tyngsborough's Stormwater Regulation By-Law.**

Discussion:

Administrative:

1. Director's Determinations and Report
 - 12 Scribner Rd. – Modification to an existing garage
2. Minutes/Bills/Other Business:
 - Approve the minutes from the 7/27/10 meeting.
3. Sign the following forms:

Greater Lowell Health Alliance

of the Community Health Network Area 10

Inaugural Annual Meeting & Presentation of the
Community Health Needs Assessment Report

10 12 PM 1:04



BOARD OF SELECTMEN
TYNGSBOROUGH, MA.

* The Community Health Needs Assessment is a collaboration of Lowell General Hospital, Saints Medical Center, and the University of Massachusetts Lowell.

www.greaterlowellhealthalliance.org

Save the Date!

October 6, 2010
7:00-9:00 am



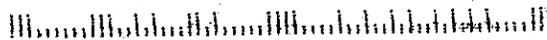
049182952706
09/11/2010
Mailed From: 01874
US POSTAGE

- ~ Breakfast ~
- ~ Annual Report ~
- ~ Community Awards ~
- ~ Community Health Needs Assessment Report ~

Ashley O'Neill, Chair
Tyngsboro Board of Selectmen
25 Bryants Lane
Tyngsboro, MA 01879

**UMass Lowell Inn &
Conference Center**

50 Warren Street • Lowell, MA 01852



For more information or to RSVP please contact Amy Stanley
at 978.788.7278 or astanley@greaterlowellhealthalliance.org

CHARLES J. ZAROULIS LAW OFFICES

August 11, 2010

40 Church Street, Suite 500, Lowell, Massachusetts 01852-2686

Telephone: (978) 458-4583

Facsimile: (978) 937-0950

Mr. Don R. Boyce, Director
Massachusetts Emergency Management Agency
400 Worcester Road
Framingham, MA 01702

File: Tyngsborough

**Re: Emergency Management Director
Appointment**

Dear Mr. Boyce:

I represent the Town of Tyngsborough.

I reviewed the Local Emergency Management Program Guidebook, and in chapter one it reads:
"Typically this is the ... Chair of the Board of Selectmen."

I would appreciate any information you might have that the appointing authority is the Chair
without authorization of the majority of the Board of Selectman.

I note that the Acts of 1950, Chapter 639, § 13 reads in part: "...and in towns shall be appointed
by the selectman"

In my view "selectman" is a scrivener's error and to give reasonable meaning to the statute it
should read "selectmen."

Thank you for your assistance.

Sincerely yours,

Charles J. Zaroulis
Tyngsborough Town Counsel

CJZ:ksz

Cc: Board of Selectmen



Northern Middlesex Council of Governments

A Multi-Disciplinary

Regional Planning

Agency Serving:

Billerica

Chelmsford

Dracut

Dunstable

Lowell

Pepperell

Tewksbury

Tyngsborough

Westford

NOTICE OF PUBLIC MEETING

A public meeting will be held on Tuesday, August 17, 2010 at 6:30 P.M. to receive comments on the proposed FY 2011-2014 Transportation Improvement Program and the Draft FY 2011 Unified Planning Work Program. The meeting will be held at the Northern Middlesex Council of Governments office, 40 Church Street, Suite 200, Lowell, MA. Copies of the Transportation Improvement Program and Unified Planning Work Program may be viewed at www.nmcog.org.

For additional information, please call (978) 454-8021. Please note the TIP contains the program of projects for the Lowell Regional Transit Authority (LRTA).

James G. Silva
Chair

Beverly A. Woods
Executive Director

40 Church Street
Suite 200
Lowell, MA
01852-2686
TEL: (978) 454-8021

FAX: (978) 454-8023

www.nmcog.org

City/Town Clerks: PLEASE POST PURSUANT TO OPEN MEETING LAW



Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
Telephone: (617) 727-3040
Fax: (617) 727-1258

2010 AUG 13 AM 10:30
 CHAIRMAN **Kim S. Gainsboro**
 TYNGSBOROUGH, MA *Chairman*

Timothy P. Cahill
Treasurer and Receiver General

Re: Dracut Food Service Corp.
 D/B/A: Thirsty's
 Premise: 25 Parham Road
 City/Town: Tyngsborough, MA 01879

DECISION

Westland Wine & Spirits dba Westland Package Store ("the licensee") holds an all alcohol license issued pursuant to Massachusetts General Laws chapter 138, §12. The Alcoholic Beverages Control Commission ("the Commission") held a hearing on August 10, 2010 regarding an alleged violation of Massachusetts General Laws c. 138, §34. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Rose Bailey's Compliance Check Field Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Compliance Check Field Report of Investigator Rose Bailey.

There is one (1) tape of this hearing.

Facts

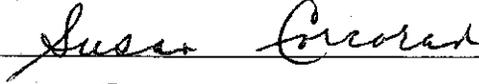
1. On, June 8, 2010 at approximately 7:02 p.m., Commission Investigators investigated the business operation Dracut Food Service Corp. dba Thirsty's
2. An underage operative, working with the investigators, purchased a bottle of Budweiser for \$3.00. The underage operative was not asked for identification.

Conclusion

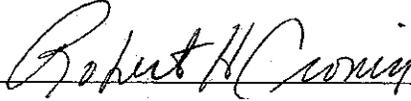
Based on the evidence, the Commission finds the licensee violated Massachusetts General Laws c. 138, §34. The Commission **suspends the license for three (3) days of which three (3) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Susan Corcoran, Commissioner



Robert Cronin, Commissioner



Dated in Boston, Massachusetts this 10th day of August 2010.

You have the right to appeal this decision to the Superior Courts under the provisions of Chapter 30A of the Massachusetts General Laws within thirty days of receipt of this decision.

cc: Tyngsborough Licensing Board
Frederick G. Mahony, Chief Investigator
File



TYNGSBOROUGH AUG 13 AM 11:06
DEMOCRATIC
TOWN COMMITTEE BOARD OF SELECTMEN
TYNGSBOROUGH, MA.

P.O. Box 706
TYNGSBOROUGH, MA 01879-0706
TEL / FAX 978 - 649-9694

ELIZABETH COUGHLIN, CHAIR

STATE SENATE CANDIDATES NIGHT

THE TYNGSBOROUGH DEMOCRATIC TOWN COMMITTEE WILL BE CO-SPONSORING A CANDIDATE'S NIGHT ON AUGUST 31, 2010 AT 7:30PM FOR THE FIRST MIDDLESEX STATE SENATE CANDIDATES IN THE DEMOCRATIC PRIMARY ON SEPTEMBER 14, 2010.

THIS EVENT WILL BE HELD AT THE BLACK BOX THEATER IN THE GROTON-DUNSTABLE REGIONAL HIGH SCHOOL AND IS CO-SPONSORED BY THE TYNGSBOROUGH, DUNSTABLE, GROTON AND PEPPERELL DEMOCRATIC TOWN COMMITTEES.

QUESTIONS MAY BE SUBMITTED TO THE TYNGSBOROUGH DEMOCRATIC TOWN COMMITTEE FOR THOSE UNABLE TO ATTEND.

FOR ADDITIONAL INFORMATION CALL 978-649-9694.

SAVE THE DATE

MBTA ADVISORY BOARD MEETING

**Tuesday, September 7, 2010
9:30 A.M.**

**TRANSPORTATION BUILDING
TEN PARK PLAZA, 2ND FLOOR,
CONFERENCE ROOM 1
BOSTON, MA**

Meeting Packets Will Follow. For More Information, Call (617) 426-6054