

REGULATIONS FOR POLE AND WIRE LOCATION PETITIONS

Hopkinton Board of Selectmen

Adopted August 13, 2013

A. Purpose

The purpose of these Regulations is to establish uniform procedures and requirements for the submission of petitions to the Board of Selectmen for the construction of lines, poles, piers, abutments or conduits upon, along, under or across a public way, pursuant to *M.G.L. c.166, §22* and to protect the public safety, welfare and aesthetics of the Town of Hopkinton. These Regulations are supplemental to any power, express or implied, granted to the Board of Selectmen by statute, Town Charter or local bylaw. A petition made pursuant to these Regulations does not replace any submission or application otherwise required due to the presence of wetlands, shade trees, the opening of trenches or for any other reason.

B. Submission of Petition

Any entity desiring to undertake the type of construction contemplated by *M.G.L. c.166, §22* shall petition the Board of Selectmen, in writing, both in hard copy and electronically in a form acceptable to the Town, with copies to the Town Manager and the Director of the Department of Public Works. The petition shall include a description of the planned construction, which shall include:

- a. A written description and high-resolution photograph of where the petitioner hopes to place any poles, piers, abutments or conduits;
- b. Plans showing the location all planned poles, piers, abutments or conduits. Submitted plans shall conform to the following plan scale and format:

1 inch equals 40 feet and must be submitted electronically in PDF format and hard copy.
- c. The kind of poles, piers or abutments that may be used;
- d. The number of wires or cables that may be attached thereto;
- e. The height to which the wires or cables may run.

The petition shall also include an application fee in the amount of \$50 per application and \$250 per new pole the petitioner proposes to add. This application fee is in addition to any recording fee required by the Town Clerk.

C. Prohibition on Double Poles

Double poles, defined for the purpose of these regulations as a new pole installed next to a previously existing one in order to support the previously existing pole or allow for the transfer of wires and attachments from the existing pole, are not

permitted within the Town of Hopkinton. The inclusion of double poles in a petition's proposed construction shall be grounds for rejection of the petition.

D. Public Hearing

Following the submission of the petition, the petitioner shall be notified of the date, time and place of the public hearing, which shall occur at least thirty (30) days after submission of the petition.

E. Additional Costs

Petitioner shall be responsible for such additional reasonable costs that the Town may incur in the review of the petition, including, but not limited to, the costs of issuing notice of the hearing to the general public and the production of additional copies of the petition, as necessary, for circulation to other Town departments. The Town shall deliver an invoice to the petitioner within thirty (30) days after the close of the public hearing on the petition, and no Order issued by the Board of Selectmen related to the petition shall go into effect until the invoice is paid in full.

F. Proof of Notice to Abutters

At least seven days prior to the date of the public hearing on the petition, the petitioner shall, at its own expense, send written notice of the date, time and place of the hearing, as well as a copy of the petition, by certified mail, return receipt requested, to all owners of real estate abutting upon that part of the way upon, along, across or under which the line is to be constructed, as such ownership is determined by the last preceding assessment for taxation, as well as to any other entities designated by the Board of Selectmen. The petitioner shall demonstrate compliance with these requirements by bringing copies of all receipts from the mailing of the required notice to the Board of Selectmen's office 72 hours prior to the public hearing.