

Date Submitted:

**For MassDOT Use Only**

MassDOT FILE #:

**APPLICATION FOR USE & OCCUPANCY OF MassDOT RAIL PROPERTY**

*THIS APPLICATION MUST BE COMPLETED IN FULL IN ORDER TO EVALUATE APPLICANT'S ABILITY TO FULFILL THE REQUIREMENTS OF THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION (MassDOT) FOR THE USE AND OCCUPANCY OF MASSDOT RAIL PROPERTY. IF THERE ARE SECTIONS THAT ARE NOT APPLICABLE TO YOUR APPLICATION PLEASE INDICATE AND THEN SKIP TO THE NEXT SECTION.*

**SECTION 1: GENERAL INFORMATION**

APPLICANT NAME:

If Applicant is a business, please also complete Section 2 of this Application.

CONTACT PERSON:

(Who is Submitting this Application)

Title:

Relationship to Applicant:

Address:

Office Phone:

Mobile Phone:

Email:

PROPERTY LOCATION:

(City / Town)

RAIL LINE:

(Please use drop down menu)

Mile Post(s):

-

Valuation Station(s):

-

TYPE OF USE:

Public

Private

Business

If Business:

Utility

Commercial

Industrial

PROPOSED  
USE OF PROPERTY:

Anticipated Duration  
of Project:

Anticipated Duration  
of Occupancy:

Anticipated Agreement  
Commencement Date:

## **SECTION 2: COMPANY INFORMATION**

Legal Name of Applicant:

Applicant is a:

Corporation	Limited Liability Company
Partnership	Trust
Sole Proprietorship	Other

Federal Tax ID Number:

Mass. Tax ID Number:

### **Corporation**

Corporate Name:

State of Incorporation:

Year of Incorporation:

Corporate Address:

*Applicant may be required to submit Articles of organization, most recent Annual Report (filed with Massachusetts Secretary of State), and/or Certificate of Good Standing.*

### **Partnership**

Partnership Name:

Name(s) of  
General Partner(s):

Residential Address of  
General Partner(s):

### **Sole Proprietorship**

Name:

Business Address:

### **Trust**

Trust Name:

Trust Address:

Trustees:

*List name & residential address; use separate sheet if necessary.*

Place of filing

Declaration of Trust:

*Applicant may be required to submit Declaration of Trust.*

**Applicant's Officer Authorized to Sign Agreement**

Name:

Title:

Office Phone:

Mobile Phone:

Email:

Basis for Authorization:

**Person / Resident Agent Authorized to Receive Legal Process / Notice**

Name:

Title:

Company:

*(if different from Applicant):*

Business Address:

Office Phone:

Mobile Phone:

Email:

**Billing Information**

Company Name:

Address:

Department:

Contact Person:

Title:

Office Phone:

Email:

### **SECTION 3: PROJECT DESCRIPTION & SPACE REQUIREMENTS**

Please note:

*This Application must be accompanied by:*

- *A location plan or map indicating the location of the MassDOT property that is the subject of Applicant's proposed use / occupancy. The plan(s) should use as many indicators, such as railroad mileposts or other benchmarks, as possible.*
- *Applicable work / construction plans and specifications.*
- *MassDOT Highway Division or other Department contract number, if applicable.*

*Stamped engineering plans may also be required.*

#### **Location and Space Requirements**

**A.** On, under, over, or adjacent to Active MassDOT Railroad Right-of-Way:

Municipality (ies)

Street(s)

Railroad Line

Primary  
Operating Railroad(s)

Mile Post(s)

Valuation Station(s)

Valuation Plan(s)

**B.** On, under, over, or adjacent to Inactive MassDOT Railroad Right-of-Way:

Municipality (ies)

Street(s)

Railroad Line

Mile Post(s)

Valuation Station(s)

Valuation Plan(s)

**C.** Other MassDOT property (please describe by town or city, county, and street address, if known):

**D.** Area of Proposed Occupancy:

Square Feet

Linear Feet

## **SECTION 4: PERMIT REQUIREMENTS & ENVIRONMENTAL INFORMATION**

### **REQUIRED FEDERAL, STATE, and LOCAL PERMITS**

Please list the Federal Approvals required for this Project / Use, Timeline for Submission, and Agency Action:

Please list the State Approvals required for this Project / Use, Timeline for Submission, and Agency Action:

Please list the Local Approvals required for this Project / Use, Timeline for Submission, and Agency Action:

Please list Approvals received to Date, and attach copies of any pending Permit Applications:

*Attach additional pages, if neccessary*

*Please note that copies of all Federal, State, and Local permits must be filed with MassDOT prior to commencement of any construction upon or improvements to MassDOT property. MassDOT's consent and approval of the requested permission to use MassDOT property is subject to the receipt by Applicant of all required approvals, and MassDOT's consent and approval as set forth in any agreement between MassDOT and Applicant shall be deemed void and of no effect if the requisite permits are not obtained.*

## MEPA REVIEW

Does your project exceed one or more review thresholds under the Massachusetts Environmental Policy Act (MEPA)?

YES

NO

Please complete the attached MEPA checklist and submit with an explanatory letter or memorandum signed by a person qualified to make the representations therein.

## OTHER ENVIRONMENTAL INFORMATION

### Environmental Information and Testing

Will you / your company conduct any of the following activities non-site?

Vehicle Maintenance

Vehicle Fueling

Hazardous Waste Generation

Storage of Chemicals, Fuels, Solvents or  
Vehicle Parts

Equipment Repair

Commercial Printing

Vehicle / Equipment Painting

Vehicle / Equipment Washing

Food Preparation

Manufacture

Other (please describe):

Is the applicant seeking permission to perform environmental testing and/or assessment on Authority property?

YES

NO

RTN#

### Other Information

What equipment, other than office equipment, will you use or store on-site?

Type of Supplies / Chemicals / Hazardous Materials (including oils) to be used or stored on premises:

How many storage tanks will you have / need?

Will they be above-ground / below-ground tanks?

What type and size storage tanks will you have / need?

What will these tanks contain?

Do you / will you have a Spill Prevention Control Countermeasure Plan?

Will your operation be a very small, small, or large quantity generator of hazardous waste?

How will you store oil (including waste oils), chemicals, hazardous materials, and/or hazardous waste?

Does your company engage in any activities, which are subject to EPA / DEP / Massachusetts Fire Marshal inspections?	YES	NO
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Has your company ever been denied a permit or license, or had a permit or license revoked by EPA / DEP / Massachusetts Fire Marshal?	YES	NO
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Please provide your permanent EPA ID Generator No.:

Have you / your company, within the past three (3) years, been a party to DEP / OSHA / EPA litigation?	YES	NO
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If yes, please explain:

Is any property owned / operated by you / your company on the federal / state priority disposal site list?	YES	NO
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If yes, please explain:

**Table of Abbreviations:**

**DEP** - Department of Environmental Protection  
**OSHA** - Occupational Safety & Health Act  
**EPA** - Environmental Protection Agency  
**PRP** - Potentially Responsible Party  
**MEPA** - Massachusetts Environmental Policy Act  
**DTC** - Department of Telecommunications and Cable  
**DPU** - Department of Public Utilities

Have you / your company ever been named a Potentially Responsible Party / received a Notice of Responsibility / received an Administrative Summons / been a signatory to a consent decree for the storage, disposal, generation, or transportation of oil (including waste oils), chemicals, hazardous materials, and hazardous waste, or held an interest in a site or property which was listed on any federal or state government list of sites to be investigated for environmental contamination?

YES

NO

If yes, please state case name, court, docket number and date filed:



## SECTION 5: ATTACHMENTS

**THE COMPLETED APPLICATION MUST BE ACCOMPANIED BY (please attached checked items):**

	<u>REQUIRED</u>	<u>COMMENT</u>
1. Current Business Certificate, Articles of Incorporation, <i>OR</i> Declaration of Trust		
2. Current Annual Report (as filed with the Office of the Secretary of State)		
3. Current Insurance Certificates		
4. Applicant Certifications		EXHIBIT A
5. Statement of Beneficial Interest		EXHIBIT C
6. Current Financial Statement (Certified) <i>OR</i> <i>Credit Information AND Banking Information</i>		EXHIBIT D EXHIBIT E
7. Rental Information		EXHIBIT F
8. Technical Information		EXHIBIT G
9. A plan or sketch sufficient to indicate the type of use / occupancy or installation, as well as the location of the property to be the subject of the License, Lease, or Sale.		
10. List of all Required Federal, Local, and State Permits		
11. MEPA Checklist and Memorandum		EXHIBIT H

### **NOTES:**

1. *MASSDOT RESERVES THE RIGHT TO REQUEST ADDITIONAL INFORMATION AS IT MAY DEEM NECESSARY TO COMPLETE ITS REVIEW OF THIS APPLICATION.*
2. *COMPLETION OF THIS APPLICATION DOES NOT OBLIGATE EITHER PARTY TO ENTER INTO AN AGREEMENT FOR THE USE & OCCUPANCY OF MASSDOT PROPERTY OR ESTABLISH ANY RIGHTS IN MASSDOT PROPERTY.*
3. *IF APPLICANT BELIEVES ANY OF THE ABOVE REQUESTED ATTACHMENTS DOES NOT APPLY TO YOUR APPLICATION, PLEASE INDICATE THE REASON WHY NOT ATTACHED.*

**Applicant Acknowledgments:**

1. An administrative fee must be deposited with MassDOT prior to final MassDOT approval of the proposed use and occupancy by Applicant.
2. An annual fee will be assessed for the proposed use, and will be due upon execution of any agreement with MassDOT. MassDOT may waive annual fee if applicable.
3. Applicant shall be responsible for all costs associated with MassDOT's preliminary and final engineering review in connection with this Application, as well as any appraisals deemed necessary by MassDOT to determine the value of the occupation. Any charges in excess of the initial administration fee will be billed directly to the address indicated in the Application.
4. If the proposed occupation is to be installed on an active railroad line owned by MassDOT, Applicant will be required to submit a copy of the Application and any necessary engineering plans and specifications to the Operating Railroad for review and approval.
5. Applicant will be responsible for all costs associated with review by any railroad operating on the property which is the subject of the proposed occupation (Operating Railroad), as well as the costs of inspectors and flagpersons.
6. Applicant will be required to submit copies of insurance policies of the type and in the amount as may be required by MassDOT prior to commencing the occupation or any work connected therewith on MassDOT property.
7. Applicant will be required to notify MassDOT and any Operating Railroad of the commencement date and termination date of any construction work to be performed on MassDOT property.
8. Applicant will be required to deliver a professionally prepared "as-built" plan following the completion of any construction upon or improvements to MassDOT property.

I \_\_\_\_\_ certify that I am authorized to provide the information requested herein and have done so truthfully. I authorize MassDOT to conduct an inquiry as to the information contained in this application. I understand and acknowledge that misrepresentations or omissions of facts will be cause for this request to lease property to be denied or for the immediate termination of a license or lease and/or use or occupancy if one has been granted.

**The applicant shall be responsible for updating the information contained herein and will notify MassDOT in a timely manner, as changes occur.**

Signature:

Date:

Title:

***PLEASE NOTE: THIS APPLICATION WILL NOT BE REVIEWED UNLESS SIGNED AND DATED BY THE APPLICANT'S AUTHORIZED REPRESENTATIVE.***

**THE INFORMATION PROVIDED IN THIS APPLICATION FOR PROPERTY USE & OCCUPANCY WILL BE KEPT CONFIDENTIAL BY MASSDOT AND SHALL NOT BE DISCLOSED EXCEPT TO THE EXTENT REQUIRED BY LAW UNDER M.G.L.C. 66, SECTION 10(B).**