



CITY OF CAMBRIDGE
 MASSACHUSETTS
 BOARD OF ZONING APPEAL
 831 MASSACHUSETTS AVENUE
 CAMBRIDGE, MA 02139
 617 349-6100

BZA APPLICATION FORM

Plan No: BZA-012852-2017

GENERAL INFORMATION

The undersigned hereby petitions the Board of Zoning Appeal for the following:

Special Permit : v Variance : _____ Appeal : _____

PETITIONER : New Cingular Wireless PCS LLC d/b/a AT&T Mobility C/O Timothy Greene

PETITIONER'S ADDRESS : 157 Riverside Drive Norwell, MA 02061

LOCATION OF PROPERTY : 10 Canal Pk Cambridge, MA

TYPE OF OCCUPANCY : _____ ZONING DISTRICT : PUD-4

REASON FOR PETITION :

Other: Telecommunications

DESCRIPTION OF PETITIONER'S PROPOSAL :

This application is a Eligible Facilities Request pursuant to Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012, 47 U.S.C. 1455; or in the alternative, for a special permit under the zoning ordinances cited above, if and to the extent necessary, all rights reserved.

AT&T will be adding 9 remote radio units to the existing facility as part of nationwide network upgrades. The remote radio units will be located out of public view

SECTIONS OF ZONING ORDINANCE CITED :

Article <u>4.000</u>	Section <u>4.32.G.1 (Telecommunications Facility).</u>
Article <u>4.000</u>	Section <u>4.40 (Footnote 49) (Telecommunications Facility)</u>
Article <u>10.000</u>	Section <u>10.40 (Special Permit)</u>
Article <u>6409</u>	Section <u>Middle Class Tax and Relief and Job Creation Act</u>

Original Signature(s) : _____

Timothy W. Greene

(Petitioner(s) / Owner)

Timothy W. Greene

(Print Name)

Address : 157 Riverside Drive
Norwell, MA 02061

Tel. No. : 617-877-2950

E-Mail Address : tgreene@terrasearchllc.com

Date :

3/24/17

BZA APPLICATION FORM - OWNERSHIP INFORMATION

To be completed by OWNER, signed before a notary and returned to The Secretary of the Board of Zoning Appeals.

I/We Ten Canal Park Massachusetts, LLC
(OWNER)

Address: c/o Intercapital Real Estate Corp, 1270 Soldiers Field Rd.
Brighton, MA 02135

State that I/We own the property located at 10 Canal Park, Cambridge, MA
which is the subject of this zoning application. 02141

The record title of this property is in the name of Ten Canal Park
Massachusetts, LLC

*Pursuant to a deed of duly recorded in the date 5/10/16, Middlesex South
County Registry of Deeds at Book 1489, Page 55; or and
Middlesex Registry District of Land Court, Certificate No. 26215
Book _____ Page _____.

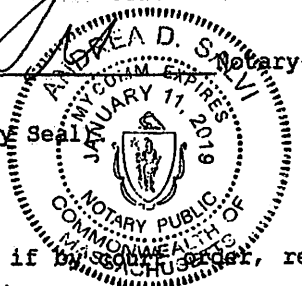
P [Signature] duly authorized
SIGNATURE BY LAND OWNER OR
AUTHORIZED TRUSTEE, OFFICER OR AGENT*

*Written evidence of Agent's standing to represent petitioner may be requested.

Commonwealth of Massachusetts, County of Suffolk

The above-name Peter Palundjian personally appeared before me,
this 22nd of March, 2017, and made oath that the above statement is true.

My commission expires 11/11/19 (Notary Seal) [Signature]



* If ownership is not shown in recorded deed, e.g. if by gift, recent deed, or inheritance, please include documentation.

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: TerraSearch **PRESENT USE/OCCUPANCY:** Office/Telecom
LOCATION: 10 Canal Pk Cambridge, MA **ZONE:** PUD-4
PHONE: 617-877-2950 **REQUESTED USE/OCCUPANCY:** Same

	<u>EXISTING</u> <u>CONDITIONS</u>	<u>REQUESTED</u> <u>CONDITIONS</u>	<u>ORDINANCE</u> <u>REQUIREMENTS</u> ¹	
<u>TOTAL GROSS FLOOR AREA:</u>	<u>0</u>	<u>0</u>	<u>0</u>	(max.)
<u>LOT AREA:</u>	<u>0</u>	<u>0</u>	<u>0</u>	(min.)
<u>RATIO OF GROSS FLOOR AREA</u> <u>TO LOT AREA: 2</u>	<u>0</u>	<u>0</u>	<u>0</u>	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	<u>0</u>	<u>0</u>	<u>0</u>	(min.)
<u>SIZE OF LOT:</u>				
WIDTH	<u>0</u>	<u>0</u>	<u>0</u>	(min.)
DEPTH	<u>0</u>	<u>0</u>	<u>0</u>	
<u>SETBACKS IN FEET:</u>				
FRONT	<u>0</u>	<u>0</u>	<u>0</u>	(min.)
REAR	<u>0</u>	<u>0</u>	<u>0</u>	(min.)
LEFT SIDE	<u>0</u>	<u>0</u>	<u>0</u>	(min.)
RIGHT SIDE	<u>0</u>	<u>0</u>	<u>0</u>	(min.)
<u>SIZE OF BLDG.:</u>				
HEIGHT	<u>0</u>	<u>0</u>	<u>0</u>	(max.)
LENGTH	<u>0</u>	<u>0</u>	<u>0</u>	
WIDTH	<u>0</u>	<u>0</u>	<u>0</u>	
<u>RATIO OF USABLE OPEN SPACE</u> <u>TO LOT AREA:</u>	<u>0</u>	<u>0</u>	<u>0</u>	(min.)
<u>NO. OF DWELLING UNITS:</u>	<u>0</u>	<u>0</u>	<u>0</u>	(max.)
<u>NO. OF PARKING SPACES:</u>	<u>0</u>	<u>0</u>	<u>0</u>	(min./max)
<u>NO. OF LOADING AREAS:</u>	<u>0</u>	<u>0</u>	<u>0</u>	(min.)
<u>DISTANCE TO NEAREST BLDG.</u> <u>ON SAME LOT:</u>	<u>0</u>	<u>0</u>	<u>0</u>	(min.)

Describe where applicable, other occupancies on same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g.; wood frame, concrete, brick, steel, etc.

1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).
2. TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5') DIVIDED BY LOT AREA.
3. OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.



CITY OF CAMBRIDGE
 MASSACHUSETTS
 BOARD OF ZONING APPEAL
 831 MASSACHUSETTS AVENUE
 CAMBRIDGE, MA 02139
 617 349-6100

2017 MAR 28 AM 10:12

BZA APPLICATION FORM

OFFICE OF THE CITY CLERK
 CAMBRIDGE, MASSACHUSETTS
 Plan No: BZA-012852-2017

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Other: Telecommunications

DESCRIPTION OF PETITIONER'S PROPOSAL :

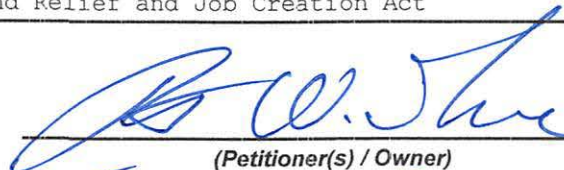
This application is a Eligible Facilities Request pursuant to Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012, 47 U.S.C. 1455; or in the alternative, for a special permit under the zoning ordinances cited above, if and to the extent necessary, all rights reserved.

AT&T will be adding 9 remote radio units to the existing facility as part of nationwide network upgrades. The remote radio units will be located out of public view

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Article <u>4.000</u>	Section <u>4.40 (Footnote 49) (Telecommunications Facility)</u>
Article <u>10.000</u>	Section <u>10.40 (Special Permit)</u>
Article <u>6409</u>	Section <u>Middle Class Tax and Relief and Job Creation Act</u>

Original Signature(s) :


 (Petitioner(s) / Owner)

Timothy W Greene
 (Print Name)

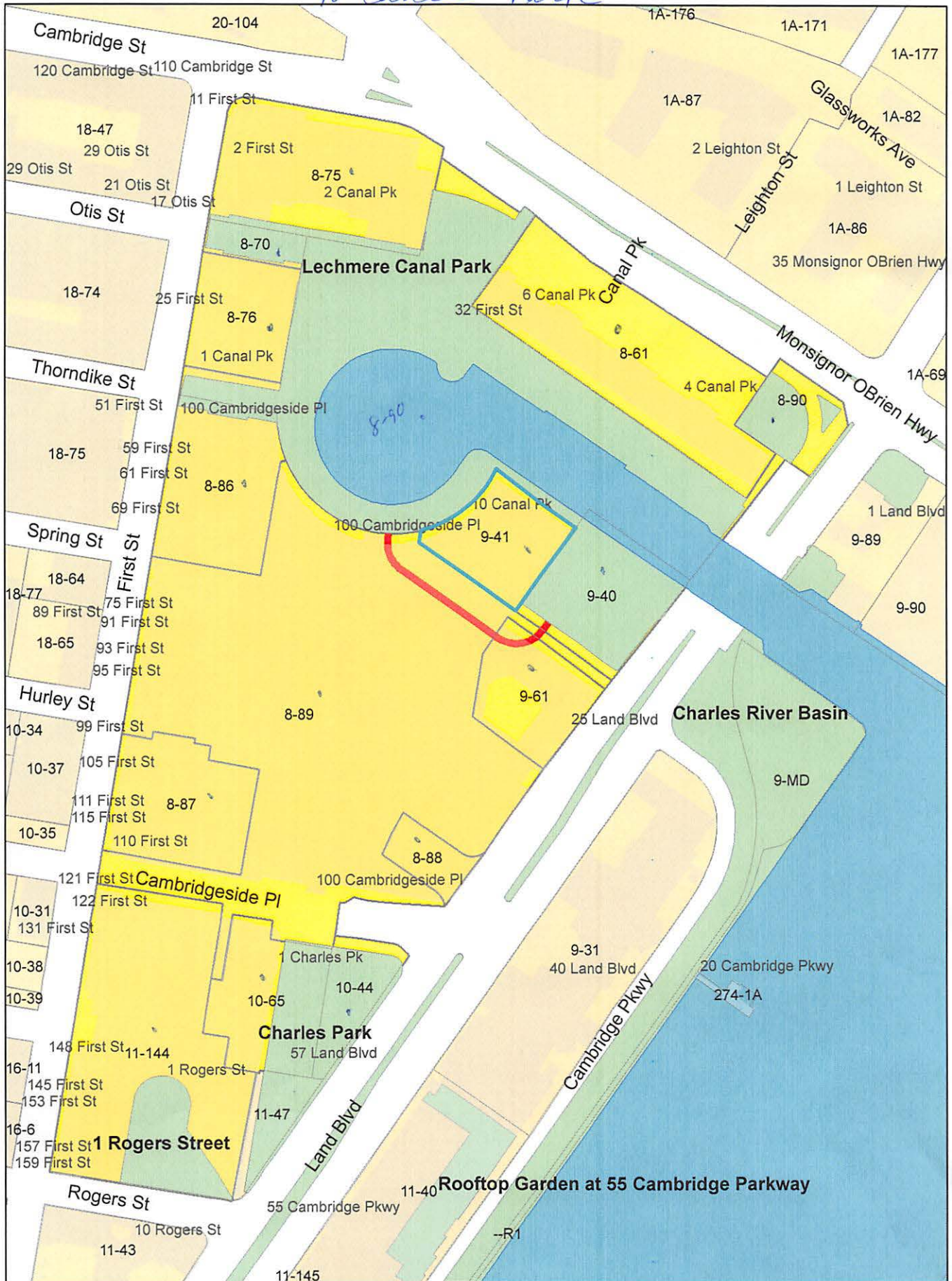
Address : 157 Riverside Drive
Norwell, MA 02061

Tel. No. : 617-877-2950

E-Mail Address : tgroove@terrasearchllc.com

Date : 3/24/17

10 Canal Park



8-90 / 10-44 / 11-47
CAMBRIDGE CITY OF COMM. DEV
57 INMAN ST
CAMBRIDGE, MA 02139

8-90/10-44/11-47
CITY OF CAMBRIDGE
C/O NANCY GLOWA
CITY SOLICITOR

TIMOTHY GREENE
157 RIVERSIDE DRIVE
NORWELL, MA 02061

8-90/10-44
CITY OF CAMBRIDGE
C/O LOUIS DePASQUALE
CITY MANAGER

8-61
CASE, TODD J. & LEI WANG
4 CANAL PK, UNIT #109
CAMBRIDGE, MA 02141

8-61
WOLFRUM, ARTHUR D.,
TRUSTEE JEANNE M. WOLFRUM TRUSTEE
4 CANAL PK., #110
CAMBRIDGE, MA 02141

8-61
HULTSCH, THOMAS & VERENA HULTSCH
4 CANAL PK., #111
CAMBRIDGE, MA 02141

8-61
TAURO, DAVID,
TRUSTEE THE E&T FAMILY TRUST
69 EAST ST.
MELROSE, MA 02176

8-61
ALKHALIFA, MAYSА MOHAMED &
CITY OF CAMBRIDGE TAX TITLE
C/O AL BAIT FURNISHING, 81 OLD PL AVE.
PO BOX 613 RD#339 BLK318
MANAMA, _ _

8-61
WANANDY, YVES A. & MELANIE MUKOAGOW
2991 ESKRIDGE RD
FAIRFAX, VA 22031

8-61
FANTINI, ALFRED
4 CANAL PK, #203
CAMBRIDGE, MA 02141

8-61
FANTINI, GEORGE J. JR. & CAROLYN K.
TRUSTEE OF FANTINI REALTY TR.
30 CUTLER RD.
ANDOVER, MA 01810

8-61
THAIRATANA, PATAMA
13 WEST CREEK RD.
NANTUCKET, MA 02554

8-61
BROWN, ROBERT C. & SUSAN M. LANG
TRUSTEE THE LANG BROWN TRUST
4 CANAL PARK. UNIT#206
CAMBRIDGE, MA 02141

8-61
HICKEY, ELEANOR R.,
TRUSTEE OF ELEANOR R. HICKEY TRUST.
4 CANAL PARK. UNIT#207
CAMBRIDGE, MA 02141

8-61
SAFAI, ATAOLLAH & TAHEREH SAFAI
396 ALICIA WAY
LOS ALTOS, CA 94022

8-61
BLAKE, ROSE L.
4 CANAL PK., UNIT #209
CAMBRIDGE, MA 02141

8-61
KANKOWSKI, STANLEY J. LAURA A. MYLOTT
82 SUMMER STREET
MILFORD, NH 03055

8-61
KRISDATHANONT, SIRAAKGORN
C/O ATTORNEY GILBERT W. COX, JR.
60 DEDHAM AVE
NEEDHAM, MA 02492

8-61
CHEUNG, BETTY HOM
131 DANIEL WEBSTER #563
NASHUA, NH 03060

8-61
KLACKO, CHRISTIAN &
SANDRA J. LE PROIL-VREJAM
4 CANAL PK., UNIT #301
CAMBRIDGE, MA 02141

8-61
KIM, DAVID MINJOON & HYUN JOO LEE
4 CANAL PARK, UNIT #302
CAMBRIDGE, MA 02141

8-61
PELON PUTUKIAN REALTY LIMITED
LIABILITY PARTNERSHIP
145 TRAPELO RD
LINCOLN, MA 01773

8-61
JAY, ELINOR A. & CATHY A. JAY
35 NEW ACRES RD
KEENE, NH 03431

8-61
VIGLIONE, GINA LIFE ESTATE
4 CANAL PARK., UNIT #305
CAMBRIDGE, MA 02141

8-61
MORGAN, SUSAN
4 CANAL PARK #306
CAMBRIDGE, MA 02141

8-61
GOYAL, ROHIT & RENUS GOYAL
4 CANAL PARK, UNIT 307
CAMBRIDGE, MA 02141

8-61
WILLNER, KENNETH P., & JACQUELINE
JACQUELINE BEST-WILLNER, ET. AL.
1 FANEUIL HALL MARKETPL.
BOSTON, MA 02109

8-61
CASTANO, MARIANNE F.
4 CANAL PK., #309
CAMBRIDGE, MA 02141

8-61
SUN, PETER & CHIA CHI SUN
4 CANAL PK., #310
CAMBRIDGE, MA 02141

8-61 AL-SAYEGH, ABDUL JABBAR 4 CANAL PARK, UNIT #311 CAMBRIDGE, MA 02141	8-61 TEJERO, EDEN N. & JOSE A. TEJERO P.O. BOX 29 ASTOR DRIVE RHINEBECK, NY 12572	8-61 FURCOLO, CONSTANCE G. TRUSTEE THE CONSTANCE G. FURCOLO TRUST 4 CANAL PARK SUITE 401 CAMBRIDGE, MA 02141
8-61 WELCH, JOHN D, TRUSTEE 402 CANAL PARK REALTY TRUST 13 WEST CREEK RD NANTUCKET, MA 02554	8-61 LE PRIOL-VREJAN, SANDRA , CHRISTIAN KLACO & MARCELLE VREJAN 4 CANAL PARK. UNIT#301 CAMBRIDGE, MA 02141	8-61 KELLEY, MATTHEW K 4 CANAL PK #404 CAMBRIDGE, MA 02141
8-61 CHANG, JENNY & ALVIN LIN 4 CANAL PARK., #405 CAMBRIDGE, MA 02141	8-61 FATTAHI, AMIRALI 4 CANAL PK., #406 CAMBRIDGE, MA 02142	8-61 KINKEAD, DEVON A. & ANITA D. KINKEAD 4 CANAL PK., #407 CAMBRIDGE, MA 02141
8-61 PALACIOS, IGOR F. TR.MMS 1999 REALTY TRS C/O RICHARD A. MARONE MURTHA CULLINA LLP. 185 ASYLUM ST HARTFORD, CT 06103	8-61 CAVANAUGH, PAUL J. 158 PINE RIDGE RD. MEDFORD, MA 02155	8-61 JDH REALTY TRUST 4 CANAL PARK. UNIT#302 CAMBRIDGE, MA 02141
8-61 CHO, YOUNG SHIN & HYUK SOO SEO 4 CANAL PARK, UNIT #411 CAMBRIDGE, MA 02141	8-61 ALHASSANI, KANAN M. TRUSTEE OF THE CHARLES RIVER TRUST 4 CANAL PARK. UNIT#412 CAMBRIDGE, MA 02141	8-61 DEL RIO, JUAN M. & VARINDERPAL KAUR 4 CANAL PARK. UNIT#501 CAMBRIDGE, MA 02141
8-61 VAN DORN, JOAN S. 4 CANAL PK., #502 CAMBRIDGE, MA 02141	8-61 LU, HSIAO-MING & RUI QI & DIANA YE LU 4 CANAL PK., #503 CAMBRIDGE, MA 02141	8-61 KIM, SHIN HWA & RAYMOND KIM 4 CANAL PK., #504 CAMBRIDGE, MA 02141
8-61 HONG, WON 4 CANAL PARK. UNIT#505 CAMBRIDGE, MA 02141	8-61 MINTZ, RUBY F., TRUSTEE ALLEN M. MINTZ REV TRUST 2012 4 CANAL PK., #506 CAMBRIDGE, MA 02141	8-61 BYUN, KOO YOONG & BYUN HEE BYUN 4 CANAL PK 507 CAMBRIDGE, MA 02141
8-61 SHAH, SATYAN P. & KRISTINE M. THOMPSON 4 CANAL PARK, UNIT 508 CAMBRIDGE, MA 02141	8-61 SCHLISSEL, SCOTT J. & CAROL A. VINCENT 27 KINNAIRD ST. #2 CAMBRIDGE, MA 02139	8-61 DECASTRO, MARTA RINCON C/O LYNN MOORE 17201 COLLINS AVE #1803 SUNNY ISLES BEACH, FL 33160
8-61 BATES, SUSAN M. 4507 169TH AVE.,SE BELLEVUE, WA 98006	8-61 DOERR, WILLIAM W. 4 CANAL PK., #512 CAMBRIDGE, MA 02141	8-61 HILL, MARIHELEN, TR. THE MARIHELEN HILL REALTY TRUST 4 CANAL PK., #601 CAMBRIDGE, MA 02141
8-61 LUNDBERG, MARLENE 185 WEST END AVE., #19G NEW YORK, NY 10023	8-61 GRADY, ANNE A. 10 TROTting HORSE DR. LEXINGTON, MA 02421	8-61 NICOLORA, CAROL A. 4 CANAL PK. #604 CAMBRIDGE, MA 02141

8-61
ANZALONE, LUIGI & CYNTHIA ANZALONE
4 CANAL PARK. UNIT#605
CAMBRIDGE, MA 02141

8-61
HU, DAISY CHIA YOUNG & JULIE HU
4 CANAL PK., #606
CAMBRIDGE, MA 02141

8-61
WANG, NING & WAWA ZHU
4 CANAL PK, #607-1
CAMBRIDGE, MA 02141

8-61
ALMANA, ABDULLAH A. &
ABDULAZIZ I. AL MANA
4 CANAL PARK, UNIT#608
CAMBRIDGE, MA 02141

8-61
DOLAN, ROBERT J.
4 CANAL PK., #609
CAMBRIDGE, MA 02141

8-61
HOM, LINDA WING
262 WOODCLIFF RD.
NEWTON, MA 02461

8-61
LAFARGE, MEDELINE R., SUSAN LAFARGE &
NANCY LAFARGE TRS OF LAFARGE FAMILY TR
4 CANAL PARK, UNIT 611
CAMBRIDGE, MA 02141

8-61
KNOWLTON, LEAH N. & JOAN MCGOWAN
4 CANAL PK., #612
CAMBRIDGE, MA 02141

8-61
TATE, JOHN T. & CAROL P. TATE
4 CANAL PARK #701
CAMBRIDGE, MA 02141

8-61
EBBEL, KATHRYN & ERIC EBBEL
105 W. SANTA INEZ AVE
HILLSBOROUGH, CA 94010

8-61
KARAGEZIAN, JOSEPH
7 DEBSTON LANE
LYNNFIELD, MA 01940

8-61
POLVANI, LORENZO M.
C/O ZHAI, QI
4 CANAL PK., #704
CAMBRIDGE, MA 02141

8-61
KARAGEZIAN, JOSEPH
7 DEBSTON LANE
LYNNFIELD, MA 01940

8-61
GOLACH-KELLEY, IWONA A.
4 CANAL PARK., UNIT #706/1
CAMBRIDGE, MA 02141

8-61
HARRELL, PRISCILLA
6 CANAL PARK
CAMBRIDGE, MA 02141

8-61
JIA, XI XI
4 CANAL PARK. UNIT#708
CAMBRIDGE, MA 02141

8-61
MATAVA, MARIE A., WILLIAM L. BROUILLARD
4 CANAL PARK, UNIT #709
CAMBRIDGE, MA 02141

8-61
RICKEL, KEVIN
4 CANAL PARK., UNIT #710
CAMBRIDGE, MA 02141

8-61
SAWYER, ROBERT M.,
TRUSTEE PENTA FAMILY TRUST
PO BOX 1408
VINEYARD HAVEN, MA 02568

8-61
FITCH, JOHN T. & MARY H. FITCH
4 CANAL PK., #712
CAMBRIDGE, MA 02141

8-61
K. I. T. - U. S. A., INC.
C/O KEZER & KEZER
350 MAIN ST
MALDEN, MA 02148

8-61
RAFTERY, JOHN JAMES
4 CANAL PK PH2
CAMBRIDGE, MA 02141

8-61
GRIAN LLC
93 HOBBS LLC
WALTHAM, MA 02452

8-61
BAILEY, BARBARA B.
4 CANAL PARK, UNIT PH4
CAMBRIDGE, MA 02141

8-61
YUAN, ELAINE
4 CANAL PARK. UNIT#PH5
CAMBRIDGE, MA 02141

8-61
BENDANIEL, DAVID J. & CLAIRE B. BENDANIEL
4 CANAL PARK. UNIT#PH6
CAMBRIDGE, MA 02141

8-61
SASTRAWIDJAJA, DJUNAEDI & FELIANA MULIAN
C/O HENDRIK SASTRAWIDJAJA
16 MOUNT BANK RISE
BELLA VISTA NSW 2153

8-61
REILLY, JUDITH L.
4 CANAL PK., UNIT PH8
CAMBRIDGE, MA 02141

8-61
SAVIANO, FRANK B. JR.
4 CANAL PARK, UNIT PH9
CAMBRIDGE, MA 02141

8-61
HAMERSLEY, CHRISTINE W. &
C/O CHASE HOME FINANCE
P.O. BOX 560763
DALLAS, TX 75356

8-61
PUTNAM, PAMELA MAY
4 CANAL PK., #PH11
CAMBRIDGE, MA 02141

8-61
MACHANIC, WILLIAM C. &
MARY ANN MACHANIC
4 CANAL PK., UNIT PH12
CAMBRIDGE, MA 02141

8-61
HARRELL, PRISCILLA GRACE
6 CANAL PARK., #101/2
CAMBRIDGE, MA 02141

8-61
POPE, GREGORY & MICHELE POPE
C/O EMAMI, ALI
6 CANAL PARK., UNIT #102
CAMBRIDGE, MA 02141

8-61
DOHERTY, MICHAEL P.,
TRUSTEE THE MICHAEL P. DOHERTY REV TRUST
6 CANAL PK., #103/2
CAMBRIDGE, MA 02141

8-61
JOSEPH, JACK & PAULINE JOSEPH
6 CANAL PARK., #106
CAMBRIDGE, MA 02141

8-61
STRICK, SHEERA L.
22 KENWOOD ST.
BROOKLINE, MA 02446

8-61
JOSEPH, JACK & PAULINE JOSEPH
6 CANAL PK UNIT #106
CAMBRIDGE, MA 02141

8-61
BROWN, ROBERT, ALLEN MINTZ, NICHOLAS
GALLINARO, LOWELL A. WARREN, SUSAN
C/O THE NILES COMPANY
3000 DAVENPORT AVE, SUITE 201
CANTON, MA 02021

8-61
MURRAY, ANNA M. & F. TAFT MURRAY,
TRS. OF THE ANNA M. MURRAY LIVING TRUST
6 CANAL PK., #201
CAMBRIDGE, MA 02141

8-61
SALIM AL-ARAYED, JAWAD
ATTN: ALKON & LEVINE
29 CRAFTS STREET#510
NEWTON, MA 02458

8-61
NUNES, CARLOS A.
6 CANAL PARK., UNIT 203/2
CAMBRIDGE, MA 02141

8-61
6 CANAL PARK LLC.
C/O FOUNTAIN, CHARLES F. &
6 CANAL PK., #204/2
CAMBRIDGE, MA 02141

8-61
CHRIS KWEI-JUEN CHOU
6 CANAL PK., #205/2
CAMBRIDGE, MA 02141

8-61
GARRETT, BEVERLY M.
6 CANAL PARK, UNIT #206/2
CAMBRIDGE, MA 02141

8-61
LAM, YU-ANN & WEN-I CHEN
4-6 CANAL PARK., UNIT #207/2
CAMBRIDGE, MA 02141

8-61
UMAKANATH, KARTHIK & AMOGH NAYAK
6 CANAL PK, UNIT #208-II
CAMBRIDGE, MA 02141

8-61
NIGWEKAR SAGAR & ROSY SANDHU
6 CANAL PK, UNIT #209-II
CAMBRIDGE, MA 02141

8-61
ABDEL-MEGUID, SHERIN S. & SUSAN M. DENDI
C/O ALSHAMRI, EID FALEH &
6 CANAL PK., #210/2
CAMBRIDGE, MA 02141

8-61
LIUWANG, LLC
23 ROBINSON DR.
BEDFORD, MA 01730

8-61
RECZEK, JAKUB T & JAN M. & DANUTA M.
RECZEK A LIFE ESTATE & ET AL TR.
54 LEXINGTON STREET
WESTON, MA 02493

8-61
ASGARI, SAEED & MARYAM RAYANI
6 CANAL PARK, #303/2
CAMBRIDGE, MA 02141

8-61
CHEN, PAUL TAK-HAO & LINDA MING-KO CHEN
6 CANAL PK., UNIT #304/2
CAMBRIDGE, MA 02141

8-61
BATAL, HUSSAM S. & ARGHAVAN SHAHIDI BATAL
6 CANAL PK, #305/2
CAMBRIDGE, MA 02141

8-61
BATAL, HUSSAM & ARGHAVAN BATAL
6 CANAL PARK., UNIT #306/2
CAMBRIDGE, MA 02141

8-61
TALLURI, RAMESH C.
6 CANAL PARK., UNIT 307/2
CAMBRIDGE, MA 02141

8-61
FRONTIERO, HAIYAN XIE
6 CANAL PK., #308
CAMBRIDGE, MA 02141

8-61
MARKUS, M. LYNNE,
TR. THE M. LYNNE MARKUS REV TRUST
6 CANAL PK., #309/2
CAMBRIDGE, MA 02141

8-61
RODRIQUEZ, ANN NEAL
P.O BX 380
DUBLIN, NH 03444

8-61
OLIVIER, RICHARD A. & MARIA T. OLIVIER
6 CANAL PARK. UNIT#401
CAMBRIDGE, MA 02141

8-61
YERIMBETOV, ISKANDER &
ZHAMILYA YERIMBETOVA
530 RIVERSIDE DRIVE, APT. #4C
NEW YORK, NY 10027

8-61
KEETER, HELEN L C/O ALHASSANI, KANAN M.
65 E. INDIA ROW
BOSTON, MA 02110

8-61
WAHID, ZABIA B.,
TRUSTEE THE 6 CANAL PARK REALTY TRS
6 CANAL PK., UNIT #408
CAMBRIDGE, MA 02141

8-61
LEE, KUHN H. & BANG W. LEE
6 CANAL PARK, UNIT #501/II
CAMBRIDGE, MA 02141

8-61
MAKTABI, MAZEN & ZEINAB MAKTABI
6 CANAL PK., #504/2
CAMBRIDGE, MA 02141

8-61
BERMAN, EVE
6 CANAL PARK, UNIT 507/2
CAMBRIDGE, MA 02141

8-61
DE LUIS, JAVIER & JEAN KWO
6 CANAL PK., #510/2
CAMBRIDGE, MA 02141

8-61
LU, JUH-HORNG & WENJUN XIE
7 FRANKLIN RD.
BEDFORD, MA 01730

8-61
MONG, ANGELA TR. THE THOMAS GRAVES
LANDING UNIT #606 NOMINEE TRUST
4 CANAL PARK UNIT #606-II
CAMBRIDGE, MA 02142

8-61
MENKE, MATTHEW E.
6 CANAL PK., #609/2
CAMBRIDGE, MA 02139

8-61
PELON PUTUKIAN REALTY LIMITED
LIABILITY PARTNERSHIP
145 TRAPELO RD
LINCOLN, MA 01773

8-61
LYNCH, DAVID M., JR.
6 CANAL PARK, UNIT #406/2
CAMBRIDGE, MA 02141

8-61
LIN, SHUWAN
6 CANAL PK., #409/2
CAMBRIDGE, MA 02141

8-61
ABULKARIM, NADA & RAMZI AL SEWAIDI
C/O MR. JUSTIN ASHLEY
CABOT & COMPANY
213 NEWBURY ST
BOSTON, MA 02132

8-61
HENDERSON, ERIC U. & DONRUTAI
INTARAKANCHIT HENDERSON
6 CANAL PARK., UNIT 505
CAMBRIDGE, MA 02141

8-61
XU, AMANDA YI-PEI TRUSTEE,
AMANDA YI-PEI XU IRREV TRUST
170 TREMONT ST. #1504
BOSTON, MA 02111

8-61
WEIGELE, MANFRED
6 CANAL PARK #601
CAMBRIDGE, MA 02141

8-61
EBERT, SUSAN
6 CANAL PK., #604/2
CAMBRIDGE, MA 02141

8-61
CORRADO, JOSEPH M. & DEBRA M. CORRADO
122 HUNTINGTON RD.
BRIGHTON, MA 02135

8-61
AL-MUDHAF, KHALED, TRUSTEE OF
C/O Nanci Pfeiffer
6 CANAL PARK, UNIT PH7
CAMBRIDGE, MA 02141

8-61
WARD, ANN B. TRUSTEE OF ANN B. WARD TR
6 CANAL PARK. UNIT#404
CAMBRIDGE, MA 02141

8-61
EBBEL, ERIKA N., ERIC EBBEL & KATHRYN EBBEL
105 WEST SANTA INEZ AVE
HILLSBOROUGH, CA 94010

8-61
STASSEN, FRANS L. & CATHARINA J. STASSEN
6 CANAL PARK, SUITE #410
CAMBRIDGE, MA 02141

8-61
NOTARGIACOMO, JUSTYNA RECZEK JAN &
DANUTA M. RECZEK A LIFE ESTATE &
JAN M. & DANUTA RECZEK TRS..
9 LORING LANE
WAYLAND, MA 01778

8-61
REN, XIANFEI & CITY OF CAMBRIDGE TAX TITLE
6 CANAL PK., UNIT 506/2
CAMBRIDGE, MA 02141

8-61
ADOLFSSON, RALF AKE
41 BRIDLE PATH
SUDBURY, MA 01776

8-61
FINN, RITA M.
6 CANAL PARK. UNIT#602/2
CAMBRIDGE, MA 02141

8-61
PAGE, WALTER G. & JULIE L. R. PAGE
6 CANAL PK 605/2
CAMBRIDGE, MA 02141

8-61
LYNCH, MARTHA M.,
TR. THE LYNCH NOMINEE TRUST
6 CANAL PK., UNIT #608
CAMBRIDGE, MA 02141

8-61
POLLAK, DANIEL S.
C/O BRITTINGHAM, BARBARA
6 CANAL PK., UNIT #701/2
CAMBRIDGE, MA 02141

8-61
O'MALLEY, ANN
6 CANAL PARK., UNIT 702
CAMBRIDGE, MA 02141

8-61
MEHRING, JOYCE S.
6 CANAL PK, UNIT #703/2
CAMBRIDGE, MA 02141

8-61
EAMON SAUNDERS & JENNIFER SAUNDERS
6 CANAL PARK. UNIT#704
CAMBRIDGE, MA 02141

8-61
FAN-TONG MONG, JESSICA
6 CANAL PARK. UNIT#705/2
CAMBRIDGE, MA 02141

8-61
HALEY, FREDERICK R. JR. & ELIZABETH A. HALEY
6 CANAL PARK. UNIT#706
CAMBRIDGE, MA 02141

8-61
BOUT CANAL PARK LLC
33 ALDEN RD.
CONCORD, MA 01742

8-61
CHUNG, JUNG JA LEE
1 CENTRAL PARK WEST
NEW YORK, NY 10023

8-61
MORRISSEY, MAUREEN S.
6 CANAL PARK. UNIT#709/2
CAMBRIDGE, MA 02141

8-61
ELLIS, DAVID W. & MARION S. ELLIS
TRUST OF 2001
6 CANAL PARK, #710/2
CAMBRIDGE, MA 02141

8-61
KOCHHAR, ROHIT & DEEYA KOCHHAR
48B PARKERVILLE RD
CHELMSFORD, MA 01824

8-61
KEELEY, WALTER J. & ADELE L. KEELEY
6 CANAL PK PH102
CAMBRIDGE, MA 02141

8-61
MA, STEVE S. & KENT MA
6 CANAL PK PH2/2
CAMBRIDGE, MA 02141

8-61
ALDREDGE, CAROLYN F.
6 CANAL PARK., UNIT #PH3/2
CAMBRIDGE, MA 02141

8-61
KELLY, ANN M.
6 CANAL PARK, UNIT PH4
CAMBRIDGE, MA 02141

8-61
HADDAD, MALEK, TRUSTEE
C/O WENTEN, PARMINDER K. &
2 EARHART ST., #117
CAMBRIDGE, MA 02141

8-61
HEROLD, JAMES B.,
TRUSTEE THE JAMES B. HEROLD REV TRUST
6 CANAL PK., #PH6/2
CAMBRIDGE, MA 02141

8-61
HANCOCK, JOHN JR & Nanci P. HANCOCK
6 CANAL PK., UNIT #PH7/2
CAMBRIDGE, MA 02141

8-61
STONE, RICHARD D. & BETTY W. STONE
6 CANAL PK., UNIT PH8/2
CAMBRIDGE, MA 02141

8-61
ENTEKHABI, DARA
6 CANAL PARK., UNIT# PH9/2
CAMBRIDGE, MA 02141

8-70-76
BCSP CAMBRIDGE ONE PROPERTY LLC, C/O ONE
CANAL PARK MASSACHUSETTS, LLC,
ATTN: US REALTY ESTATE INVESTMENT
1270 SOLDIERS FIELD RD.
BOSTON, MA 02135

8-75
BCSP CAMBRIDGE TWO PROPERTY LLC,
C/O TWO CANAL PARK MASSACHUSETTS, LLC,
ATTN: US REAL ESTATE INV FUND LLC,
1270 SOLDIERS FIELD RD
BOSTON, MA 02135

8-61
MINOT, RICHARD J.
TRUSTEE THE RICHARD J. MINOT TRUST
79 CHANDLER ST., #6
BOSTON, MA 02116

8-86
SEARS, ROEBUCK AND CO.
3333 BEVERLY RD
D768TAX, B2-107A
HOFFMAN ESTATES, IL 60179

9-40
MASSACHUSETTS COMMONWEALTH OF
20 SOMERSET ST
BOSTON, MA 02108

9-41
BCSP CAMBRIDGE TEN PROPERTY LLC C/O TEN CANAL
PK MASSACHUSETTS, LLC,
ATTN: US REAL ESTATE INVEST FUND, LLC
1270 SOLDIERS FIELD RD
BOSTON, MA 02135

8-88
CAMBRIDGE, CITY OF
C/O NEW ENGLAND DEVELOPMENT
75 PARK PLAZA
ATTN: ACCOUNTING DEPT
BOSTON, MA 02116

8-89
KARP, STEPHEN R., STEPHEN C. PLUMERI &
WILLIAM H. MCCABE, JR.
C/O NEW ENGLAND DEVELOPMENT
75 PARK PLAZA
BOSTON, MA 02116

9-61
CAMBRIDGE HOTEL, LLC.
C/O MARVIN F. POER & COMPANY
3520 PIEDMONT RD. NE -SUITE #410
ATLANTA, GA 30305

8-61
HENDERSON, ANNE J.,
TR. OF HENDERSON REALTY TRUST
4 CANAL PARK #108
CAMBRIDGE, MA 02141

8-87
CAMBRIDGESIDE PARTNERS LLC
C/O NEW ENGLAND DEVELOPMENT
75 PARK PLAZA
ATTN: ACCOUNTING DEPT
BOSTON, MA 02116

10 Canal Pk.

787

10-65
CHARLES PARK ONE, LLC,
C/O JONES LANG LASALLE
1 ROGERS STREET
CAMBRIDGE, MA 02142

11-144
CHARLES PARK TWO, LLC,
C/O JONES LANG LASALLE
1 ROGERS STREET
CAMBRIDGE, MA 02142

8-75
TWO CANAL PARK, LLC
C/O TA ASSOC. REALTY TRUST
2 CANAL PARK
CAMBRIDGE, MA 02141

8-61
GARGANO, PAUL A. & SHEILA K. GARGANO
P.O. BOX 444
WEST HYANNISPORT, MA 02672



CAMBRIDGE HISTORICAL COMMISSION

831 Massachusetts Avenue, 2nd Floor, Cambridge, Massachusetts 02139

Telephone: 617 349 4683 TTY: 617 349 6112

E-mail: histcomm@cambridgema.gov URL: http://www.cambridgema.gov/Historic

William B. King, *Chair*, Bruce A. Irving, *Vice Chair*, Charles M. Sullivan, *Executive Director*

William G. Barry, Jr., Robert G. Crocker, Chandra Harrington, Jo M. Solet, *Members*

Joseph V. Ferrara, Kyle Sheffield, Susannah Barton Tobin, *Alternates*

Jurisdiction Advice

To the Owner of Property at 10 Canal Park

The above-referenced property is subject to the jurisdiction of the Cambridge Historical Commission (CHC) by reason of the status referenced below:

- Old Cambridge Historic District
 - Fort Washington Historic District
(M.G.L. Ch. 40C, City Code §2.78.050)
 - Avon Hill Neighborhood Conservation District
 - Half Crown – Marsh Neighborhood Conservation District
 - Harvard Square Conservation District
 - Mid Cambridge Neighborhood Conservation District
 - Designated Landmark
 - Property is being studied for designation: _____
(City Code, Ch. 2.78., Article III, and various City Council Orders)
 - Preservation Restriction or Easement (as recorded)
 - Structure is fifty years or more old and therefore subject to CHC review of any application for a demolition permit, if one is required by ISD. (City Code, Ch. 2.78, Article II). **See the back of this page for definition of demolition.**
 - No jurisdiction: not a designated historic property and the structure is less than fifty years old.
 - No local jurisdiction, but the property is listed on the National Register of Historic Places; CHC staff is available for consultation, upon request.
- Staff comments: _____

The Board of Zoning Appeal advises applicants to complete Historical Commission or Neighborhood Conservation District Commission reviews before appearing before the Board.

If a line indicating possible jurisdiction is checked, the owner needs to consult with the staff of the Historical Commission to determine whether a hearing will be required.

CHC staff initials SLB

Date March 27, 2017

Received by Uploaded to Energov

Date March 27, 2017

Relationship to project BZA 12852-2017

cc: Applicant
Inspectional Services Commissioner

Demolition Delay Ordinance and Application Information

The Demolition Delay Ordinance (Chapter 2.78, Article II of the Cambridge Municipal Code) was adopted by the City Council in 1979 to afford public review of demolition permit applications for potentially significant buildings. When the Historical Commission determines that a building is significant and should be preserved, demolition will be delayed for up to six months so that solutions can be sought to preserve the building indefinitely. The Ordinance covers all buildings over 50 years old, city-wide. The Historical Commission archives provide dates of construction for all properties in the City.

Demolition is defined in the ordinance as "the act of pulling down, destroying, removing or razing a building or commencing the work of total or substantial destruction with the intent of completing the same." The Inspectional Services Commissioner has provided further guidelines to outline what actions require a demolition permit. **In addition to complete demolition of a building, the following actions may require a demolition permit,**

- **removal of a roof,**
- **removal of one side of a building,**
- **gutting of a building's interior to the point where exterior features (windows, etc.) are impacted, and**
- **removal of more than 25% of a structure.**

Please contact the building inspector or a staff member of the Historical Commission if you have questions about whether a demolition permit is required for a particular project.

Demolition permit applications can be obtained from the Inspectional Services Department. The completed application should be submitted to the Historical Commission, where the staff will review the application. If the Executive Director of the Historical Commission makes an initial determination that the building is significant, a public hearing will be scheduled with Historical Commission. If the staff makes an initial determination that the building is not significant, the application is released for further review by the Building Commissioner.

More information about the demolition permit application procedures is available on the Historical Commission's web site or by calling or dropping by the Historical Commission office.

July 2003

Cambridge Historical Commission
831 Massachusetts Ave., 2nd Fl.
Cambridge, MA 02139
Ph: 617/349-4683 or TTY: 617/349-6112
<http://www.cambridgema.gov/Historic>



March 23, 2017

Donna P. Lopez, City Clerk City of Cambridge City Hall 795 Massachusetts Avenue Cambridge, MA 02139	Constantine Alexander, Chair Board of Zoning Appeal City Hall 795 Massachusetts Avenue Cambridge, MA 02139
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Applicant: New Cingular Wireless PCS, LLC (“AT&T”)
Property Address: 10 Canal Park
Assessor’s Map 9, Lot 41 (the “Property”)
Re: Application for:
(i) Eligible Facilities Request pursuant to Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012, 47 U.S.C. § 1455; or, in the alternative,
(ii) Special Permit under Cambridge Zoning Ordinance Section 4.32(g)(1) and M.G.L. c. 40A, Section 9; and
(iii) Any other zoning relief required.
(All relief if and to the extent necessary, all rights reserved)

Dear Ms. Lopez, Mr. Alexander and Members of the Board of Zoning Appeal:

Pursuant to Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012 (a/k/a the “Spectrum Act” or “Section 6409”), 47 U.S.C. § 1455, as further implemented by the Federal Communications Commission’s Report and Order *In re Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies*, FCC Docket No. 13-238, Report and Order No. 14-153 (October 17, 2014) (the “FCC Order”), New Cingular Wireless PCS, LLC (“AT&T”) hereby submits this Eligible Facilities Request (“Request”); and, in the alternative, applies for a special permit from the City of Cambridge Board of Zoning Appeal (the “Board”) under Section 432(g)(1) of the Cambridge Zoning Ordinance (the “Ordinance”) to modify its existing “Telephone Exchange including Transmission Facilities to serve a Mobile Communication System” (the “Facility”) on and within the existing building located at 675 Massachusetts Ave. (the “Special Permit Application”).²

² AT&T submits this Request, Special Permit application and supporting materials subject to a full and complete reservation of AT&T’s rights under the Spectrum Act and the FCC Order including without limitation its rights with respect to (i) any submittal requirements or approval criteria that are inconsistent with the prohibitions established by the FCC Order, (ii) any delay beyond the deadlines established in the FCC Order, (iii) the imposition of conditions on any approval that are inconsistent with the FCC Order, and (iv) referral or requirement to a discretionary review process such as a special permit.

Under Section 6409, AT&T's proposed modification of its existing transmission equipment on and within the existing building, previously approved by the Board for use as a wireless communication base station, does "not substantially change the physical dimensions" of the existing building. Therefore, AT&T's Request must be approved administratively, including the issuance of a building permit, to enable AT&T to make the proposed modifications to its transmission equipment.

In the alternative, as demonstrated in this application letter, the AT&T's proposed modifications to its existing Facility on the Property located in the Business B zoning district satisfy the requirements for the grant of a special permit pursuant to Section 10.43 of the Ordinance.

I. APPLICATION PACKAGE

Enclosed with this application is a check payable to the City of Cambridge in the amount of \$500.00. In addition to the signed original of this letter are copies of the letter and the following materials:

1. The following completed and signed application forms:
 - a. BZA Application Form – General Information;
 - b. BZA Application Form – Ownership Information;
 - c. BZA Application Form – Dimensional Requirements;
 - d. BZA Application Form – Supporting Statement for a Special Permit; and
 - e. BZA Application Form – Check List;
2. AT&T's relevant FCC License information;
3. Drawings by Dewberry Engineers consisting of 6 pages dated 10/3/16;
4. Manufacturer's specification sheets for AT&T's proposed antennas and other featured equipment;
5. Photographs of the existing building;
6. Structural Analysis by Dewberry Engineers dated October 3, 2016;
7. Letter of Authorization from Owner of Subject Property; and
8. Deed to subject property.

In addition to the supporting materials identified above, submitted simultaneously herewith is a completed building permit application package including:

1. Completed Building Permit Application;
2. Certificate of Liability Insurance;
3. Worker's Compensation Insurance Affidavit;
4. Construction Supervisor License for Keith F Barnard; and
5. 1 copy of the Plans.

II. PROPOSED FACILITY DESIGN

AT&T seeks to modify the existing Facility on and within the building located at the Property. The existing Facility consists of twelve (12) panel antennas (Alpha Sector: 4 antennas, Beta Sector: 4 antennas, and Gamma Sector: 4 antennas) that mounted in three (3) locations. The proposed modifications include the addition of nine (9) remote radio-head units (RRUs) in close proximity to the antennas and out of public view.

The Facility's design is shown in detail in the Zoning Drawings attached as Exhibit 3 to this application letter and featured equipment is described in the manufacturers' specification sheets attached as Exhibit 4. The photographs (Exhibit 5) show the building rooftop as currently existing from various locations on the roof. The Remote Radio Units are out of the public view due to its location on the roof as well as the existing parapet wall. A structural analysis for the Facility demonstrates that the building is capable of supporting AT&T's proposed equipment at or near the locations shown on the Zoning Drawings (*see* Exhibit 7).

The Facility will continue to bring advanced wireless voice, text and data communications services to the surrounding areas. It will allow residents, professionals, government, businesses and students to communicate locally, nationally and internationally from virtually any location within the coverage area. In the event of an emergency, the improved Facility will allow immediate contact with fire, rescue and other emergency personnel. The improved Facility will thus enhance public health, safety and welfare both in ordinary daily living and in the event of fire, accident, medical emergency, natural disaster or other dangers.

III. BACKGROUND

AT&T is licensed by the Federal Communications Commission to construct and operate a wireless telecommunications network in various markets throughout the country, including the Commonwealth of Massachusetts and the City of Cambridge. A copy of the AT&T's FCC license that covers the area of the proposed Facility is included with this application (*see* Exhibit 2). AT&T is in the process of designing and constructing additional wireless facilities to its existing telecommunications system to serve Massachusetts. One of the key design objectives of its systems is to provide adequate and reliable coverage. Such a system requires a grid of radio transmitting and

receiving links located approximately .5 to 2 miles apart, depending on the location of existing and proposed installations in the surrounding area, the extent of use of AT&T's wireless services within the network, and the existing topography and obstructions. The radio transmitting and receiving facilities operate on a line-of-sight basis, requiring a clear path from the facility to the user on the ground. In urban settings, this dynamic requires the antennas to be located on buildings at heights and in locations where the signal is not obstructed or degraded by other buildings or by topographical features such as hills.

IV. THE FEDERAL SPECTRUM ACT AND THE FCC ORDER

As set forth below, the proposed modifications constitute an Eligible Facilities Request pursuant to the federal Spectrum Act,³ as further implemented by the FCC Order.⁴

Under the Spectrum Act, as further clarified by the FCC Order, the streamlined process for this Eligible Facilities Request is limited to non-discretionary review. Specifically, the FCC Order “adopt[s] an objective standard for determining when a proposed modification will ‘substantially change the physical dimensions’ of an existing tower or base station.” *FCC Order*, ¶ 87. As stated in the FCC Order, Section 6409 “states without equivocation that the reviewing authority ‘may not deny, and shall approve’ any qualifying application. This directive leaves no room for a lengthy and discretionary approach to reviewing an application that meets the statutory criteria.” *FCC Order*, ¶ 116.

In issuing the FCC Order and eliminating discretionary review for eligible facilities requests, the FCC's goal was to “adopt a test that is defined by specific, objective factors rather than the contextual and entirely subjective standard advocated by the IAC and municipalities.” The FCC intentionally sought to reduce “flexibility” and “open ended context-specific approach” engendered by the discretionary review process:

While we acknowledge that the IAC approach would provide municipalities with maximum flexibility to consider potential effects, we are concerned that it would invite lengthy review processes that conflict with Congress's intent. Indeed, some municipal commenters anticipate their review of covered requests under a subjective, case-by-case approach could take even longer than their review of

³ Pursuant to Section 6409(a)(2) an “eligible facilities request” means any request for modification of an existing wireless tower or base station that involves—

- (A) collocation of new transmission equipment;
- (B) removal of transmission equipment; or
- (C) replacement of transmission equipment.

47 U.S.C. § 1455(a)(2).

⁴ The Order was effective on February 9, 2015, except for § 1.40001, which became effective on April 8, 2015, except for §§ 1.40001(c)(3)(i), 1.40001(c)(3)(iii), 1.140001(c)(4), and 17.4(c)(1)(vii), which became effective on May 18, 2015, after approval by the Office of Management and Budget. The FCC Order makes clear that under the Spectrum Act discretionary review is not required or permitted for an Eligible Facilities Request.

collocations absent Section 6409(a). We also anticipate that disputes arising from a subjective approach would tend to require longer and more costly litigation to resolve given the more fact-intensive nature of the IAC's open-ended and context-specific approach. We find that an objective definition, by contrast, will provide an appropriate balance between municipal flexibility and the rapid deployment of covered facilities. We find further support for this approach in State statutes that have implemented Section 6409(a), all of which establish objective standards.

FCC Order, ¶ 88.

As a result, the FCC Order implementing Section 6409 establishes clear and objective criteria for determining eligibility, limits the types of information that a municipality may require when processing an application for an eligible facilities request, and imposes a “deemed granted” remedy for failure to timely process and eligible facilities request.⁵ The FCC Order also establishes significant limits on the information that can be required to be provided with an eligible facilities request and limits it to only that information “reasonably related to determining whether the request meets the requirements of this section. A State or local government may not require an applicant to submit any other documentation”. 47 CFR 1.40001(c)(1).

Both before and after the FCC Order was issued, the Massachusetts Attorney General's Office provided clear guidance that an eligible request cannot be subjected to a discretionary special permit process. *See* Attorney General's letters to (i) Town of Mount Washington, dated June 12, 2014, p. 3 (ii) Town of Lynnfield, dated February 10, 2015, p. 3 (the “AG Lynnfield Letter”) and (iii) Town of Montague, dated February 23, 2015, p. 2 (all attached hereto). As set forth in each letter [t]he Act's requirement that a local government ‘may not deny, and shall approve, any eligible facilities request’ means that a request for modification to an existing facility that does not substantially change the physical dimensions of the tower or base station must be approved. ***Such qualifying requests also cannot be subject to a discretionary special permit.***”) (Emphasis added). In providing these opinions, the Attorney General's Office specifically opined that provisions in zoning ordinances that specifically required a special permit for modifications to existing facilities could not be applied to eligible facilities requests. While approving the Town of Lynnfield's Zoning Bylaw, the Attorney General stated that “Section 8.7.5.1 requires that PWSF may only be erected upon the grant of a special permit. The Town cannot apply this requirement to eligible facilities requests for modification to existing facilities that qualify for required approval under Section 6409 of the Act.” *AG Lynnfield Letter*, p. 3.

Therefore, as set forth in the FCC Order and Attorney General's opinion letters, the City cannot impose a requirement that AT&T obtain a special permit, or an amendment to an existing special permit utilizing the same discretionary review process, in connection with its eligible facilities request. To the extent that the City of Cambridge's Zoning Ordinance and any prior decisions by the Board include provisions seeking to further regulate the modification of wireless communication facilities, federal law overrules those requirements. *See Sprint Spectrum L.P. v. Town of Swansea*, 574 F.Supp.2d 227, 236 (2008) (Board is obligated to consider whether its actions would violate federal law even if a different outcome would be permitted under state

⁵ *See* 47 CFR §§1.40001(c)(1) - (c)(4).

law). The standard of review for an application to modify an existing wireless communication facility on an existing tower or base station is governed by the Spectrum Act and the FCC Order which require eligible facilities requests to be permitted “by right.”

In addition, the FCC Order establishes a 60-day period for approval from the time of AT&T’s submission. 47 CFR §1.40001(c)(2). Within the context of the Spectrum Act and FCC Order, approval means all necessary approvals to permit the proposed modifications, including the issuance of a building permit, if required. The FCC found that this 60-day period is appropriate due to “the more restricted scope of review applicable to applications under section 6409(a).” *FCC Order*, ¶ 108. If the Request is not acted upon within the 60-day period, it is deemed granted. 47 CFR §1.40001(c)(4).

As set forth below, the proposed modifications constitute an eligible facilities request. Therefore, AT&T respectfully requests the Board to find that Section 4.32(g)(1) of the Ordinance does not apply to its Request.

V. THE PROPOSED MODIFICATIONS ARE AN ELIGIBLE FACILITIES REQUEST

Under Section 6409 and the FCC Order, a “base station” means “[a] structure or equipment at a fixed location that enables Commission-licensed or authorized wireless communications between user equipment and a communications network.” 47 C.F.R §1.40001(b)(1). A Base Station includes “any structure other than a tower” that supports or houses “authorized wireless communications between user equipment and a communications network.” 47 C.F.R §1.40001(b)(1). Therefore, the existing building that is currently used for FCC-licensed transmissions for personal wireless services is a “base station” for purposes of Section 6409.

AT&T proposes to modify its existing Facility as described above and depicted on the Plans submitted herewith.

The proposed modifications will not require the installation of any part of the facility on the ground outside of the building.

As a result, AT&T’s proposed modifications involving the removal and replacement of the existing transmission equipment constitute an “eligible facilities request” under Section 6409. The proposed eligible facilities request is not a “substantial modification” under Section 6409 and the FCC Order because it does not:

- (i) Result in an increase in “the height of the structure by more than 10% or more than ten feet, whichever is greater” because the proposed replacement antennas will be façade mounted and located below the roofline and therefore will not exceed 10 feet above the existing building;
- (ii) Protrude from the edge of the edge of the building by more than six feet because AT&T’s proposed antennas will not protrude more than six feet from building façade;

- (iii) Involve the installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets no new radio communications equipment cabinets will be installed;
- (iv) Require any excavation or deployment outside the current site of the tower or base station because all antennas, equipment cabinets and related equipment will be installed entirely on and within the existing building; or
- (v) Otherwise defeat the existing concealment elements of the tower or base station because the proposed replacement antennas will be painted and textured to match the façade of the existing building on which the existing and proposed antennas will be located and will continue to integrate the Facility into the existing architecture of the building. Further, the proposed RRUs and surge arrestor will be mounted behind an existing parapet or otherwise mounted out of view. Therefore, AT&T's proposed Facility will remain aesthetically consistent with the exterior finish of the building as well as maintain the concealment elements of the original design.

See FCC Order, §1.40001(b)(7)(i)-(v).

VI. COMPLIANCE WITH THE CAMBRIDGE ZONING ORDINANCE

In the alternative, AT&T respectfully requests the Board to grant a special permit for the proposed modifications to the existing Facility.⁶

A. AT&T complies with the Wireless Communications provisions set forth in Section 4.32(g)(1), and Section 4.40, Footnote 49 of the Ordinance.

AT&T's proposed modifications comply with Section 4.32(g)(1), and Section 4.40, Footnote 49 of the Ordinance as follows:⁷

Section 4.32(g)(1): Section 4.32(g)(1) of the Ordinance allows for the use of a “[t]elephone exchange (including switching, relay, and transmission facilities serving mobile communications systems) and any towers or antennas accessory thereto.” Under the Table of Use Regulations beginning at Section 4.30, AT&T's proposed use of the Facility as a transmission facility serving a mobile communications system is permitted by special permit in the Business C zoning district (see the table at Section 4.32(g)(1)).

⁶ AT&T's request is made, if and to the extent necessary, all rights reserved. As discussed above, the FCC Order establishes a 60-day period for receipt of all necessary approvals from the time of AT&T's submission, including a building permit, if required. 47 CFR §1.40001(c)(2). If the Request is not acted upon within the 60-day period, it is deemed granted. 47 CFR §1.40001(c)(4). Therefore, AT&T expressly reserves its rights under 47 CFR §1.40001(c)(2) and (4).

⁷ To the extent that Section 4.32(g)(1), and Section 4.40, Footnote 49 of the Ordinance purport to require the submission of information that is beyond the scope permitted by the FCC Order or Spectrum Act, AT&T expressly reserves, and does not waive, its right to assert that such information is not required under the Spectrum Act and the submission of such information shall not constitute a waiver of AT&T's rights pursuant thereto.

Section 4.40, Footnote 49: Section 4.32(g)(1) includes a reference to Section 4.40, Footnote 49 which sets out the standards for granting the special permit. AT&T's proposed Facility complies with Footnote 49's standards as noted below:

- 1. The Board of Zoning Appeal shall consider “[t]he scope of or limitations imposed by any license secured from any state or federal agency having jurisdiction over such matters.”**

AT&T's Response: AT&T's FCC license is included with this application and the license information included shows that AT&T is authorized to provide wireless service in the area served by the Facility (*see* Exhibit 2).

- 2. The Board of Zoning Appeal shall consider “[t]he extent to which the visual impact of the various elements of the proposed facility is minimized: (1) through the use of existing mechanical elements on the building's roof or other features of the building as support and background, (2) through the use in materials that in texture and color blend with the materials to which the facilities are attached, or (3) other effective means to reduce the visual impact of the facility on the site.”**

AT&T's Response: The design of the overall Facility, including the choice and placement of the remote radio units, minimizes the visual impact of the proposed Facility. This is because the antennas and equipment on the exterior façade surfaces will be painted to match the color and texture of the building so as to be minimally visible and consistent with the concealment elements of the existing Facility. The minimal visual impact of the Facility is shown in the photographs of the existing Facility (*see*, Exhibit 5).

- 3. The Board of Zoning Appeal shall consider “[w]here it is proposed to erect such a facility in any residential zoning district, the extent to which there is a demonstrated public need for the facility at the proposed locations, the existence of alternative, functionally suitable sites in nonresidential locations, the character of the prevailing uses in the area, and the prevalence of other existing mechanical systems and equipment carried on or above the roof of nearby structures. The Board of Zoning Appeal shall grant a special permit to erect such a facility in a residential zoning district only upon finding that nonresidential uses predominate in the vicinity of the proposed facility's location and that the telecommunications facility is not inconsistent with the character that does prevail in the surrounding neighborhood.**

In granting a special permit the Board of Zoning Appeal shall set forth in its decision under which circumstances or procedures, if any, the permittee shall be allowed to replace and upgrade its equipment without the necessity of seeking a new special permit.”

AT&T's Response: AT&T has previously demonstrated an immediate and compelling need for the proposed modifications to its existing Facility located at the Property in order to provide substantially improved indoor coverage to residents, businesses, students and faculty, and the general

public in that area.⁸ AT&T also seeks to substantially improve its ability to satisfy the ever-increasing need of its customers for data accessibility, navigation and use. This is especially critical in and around the area of Massachusetts Ave. which also serves as home for numerous businesses. AT&T proposes to satisfy its RF coverage needs in the area by adding to the existing Facility the antennas and equipment necessary to provide the latest LTE wireless communications service technology. By modifying its existing Facility, AT&T obviates the need to construct an entirely new facility within this area of Cambridge in order to meet its wireless network coverage needs.

As provided in Footnote 49, AT&T requests that once permission is received from the City to site the Facility at the Property, the Board permit AT&T to replace and upgrade the equipment at this Facility in the future without further zoning proceedings or a new special permit, provided that such equipment shall meet the eligible facilities request criteria set forth in 47 CFR § 1.40001.

B. AT&T complies with the Special Permit Criteria set forth in Section 10.43 of the Ordinance.

Section 10.43 of the Ordinance specifies the following criteria for issuance of a special permit: “Special permits will normally be granted where specific provisions of this Ordinance are met, except when particulars of the location or use, not generally true of the district or of the uses permitted in it, would cause granting of such permit to be to the detriment of the public interest because:

(a) The requirements of this Ordinance cannot or will not be met, or

AT&T’s Response: As provided above, AT&T’s proposed modifications comply with the requirements set forth in Section 4.32(g), Footnote 49 of the Ordinance, the Spectrum Act and the eligible facilities request criteria set forth in 47 CFR § 1.40001. Granting the special permit would not be a detriment to the public interest and is consistent with the Board’s obligations pursuant to the Spectrum Act and FCC Order.

(b) Traffic generated or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character for the following reasons, or

AT&T’s Response: The proposed modifications to AT&T’s existing Facility will not result in any change to the existing traffic on or near the Property. The Facility will continue to be unmanned and only require infrequent visits by a technician (typically two times per month for routine diagnostics and/or maintenance, except in cases of emergency), there will be no material increase in traffic or disruption to patterns of access or egress that will cause congestion, hazards or a substantial change in the established neighborhood character. AT&T’s maintenance personnel will make use of the existing access roads and parking at the building. Granting the special permit

⁸ AT&T must generate a signal strength of at least -74 dBm to provide serviceable voice and data coverage on its mobile wireless devices in indoor environments. AT&T also seeks to substantially improve its data navigation service coverage in the area by including antennas and equipment that will provide LTE service.

would not be a detriment to the public interest and is consistent with the Board's obligations pursuant to the Spectrum Act and FCC Order.

- (c) **The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would be adversely affected by the nature of the proposed use, or**

AT&T's Response: As described above and illustrated on the attached photographs (*see* Exhibit 5) the proposed modifications to the existing Facility will result in a *de minimis* change in the appearance of the building because the equipment will be located on building exterior surfaces. As a result, the Facility as a whole either will be hidden from view or will visually blend with existing characteristics of the building and the surrounding neighborhood. Because the proposed installation will not generate any traffic, smoke, dust, heat or glare, discharge noxious substances, nor pollute waterways or groundwater, it will not adversely affect residential uses on neighboring streets. Conversely, the surrounding properties and general public will benefit from the potential to enjoy improved wireless communications services. Granting the special permit would not be a detriment to the public interest and is consistent with the Board's obligations pursuant to the Spectrum Act and FCC Order.

- (d) **Nuisance or hazard would be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the City, or**

AT&T's Response: Because the proposed modifications to the existing Facility will not cause the Facility to generate any traffic, smoke, dust, heat or glare, discharge noxious substances, nor pollute waterways or groundwater, no nuisance or hazard will be created to the detriment of the health, safety, or welfare of the occupants of the building or the residents of the City of Cambridge. To the contrary, the proposed Facility will benefit the City and promote the safety and welfare of its residents, businesses and drivers by providing reliable state-of-the-art digital wireless voice and data services that will improve the reliability of emergency communications with the police and fire departments by eliminating dropped or blocked calls due to inadequate signal strength or insufficient network capacity to handle call volume, particularly important during emergency situations. The Facility, as modified, will continue to comply with all federal, state and local safety requirements including the standards established by the FCC and Federal Aviation Administration (FAA). Granting the special permit would not be a detriment to the public interest and is consistent with the Board's obligations pursuant to the Spectrum Act and FCC Order.

- (e) **For other reasons, the proposed installation would impair the integrity of the district or adjoining district or otherwise derogate from the intent or purpose of this Ordinance, or**

AT&T's Response: The purpose of the Ordinance is multifaceted, the relevant aspects of which relating to wireless telecommunications facilities include the lessening of congestion in the streets, conserving health, securing safety from fire, flood, panic and other danger, conserving the

value of land and buildings and natural resources, preventing blight and pollution, encouraging the most rational use of land throughout the city, including encouraging appropriate economic development, and protecting residential neighborhoods from incompatible activities.

As noted above, the proposed modifications to the existing Facility directly accord with the purposes of the Ordinance because the modifications will not result in any traffic, smoke, dust, heat or glare, discharge noxious substances, nor pollute waterways or groundwater. As the Facility will improve the ability of residents, businesses, travelers and drivers in the area to access state-of-the-art wireless technology, the City's ability to provide emergency services will be improved, as will the economic development of the City as more people will be able to conduct commerce by virtue of a mobile platform. Because the proposed modifications to the existing Facility will be installed on an existing building that includes the Facility, and the proposed modifications are consistent with the existing concealment elements, the proposed modifications to the existing Facility are in consistent with the building's character and will not affect the value of the building or the natural resources of the City. Because the proposed modifications to the existing Facility are designed to be consistent with the existing concealment elements of the Facility and characteristics of the Property, the visual impact on the underlying and adjacent zoning districts will be *de minimis*. As a result, the proposed modifications to the existing Facility are consistent with the Ordinance's purpose to allow for less intrusive wireless telecommunications facilities in all districts (other than Open Space) including the applicable overlay districts, and the underlying PUD-4 district. Granting the special permit would not be a detriment to the public interest and is consistent with the Board's obligations pursuant to the Spectrum Act and FCC Order.

(f) The new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30

AT&T's Response: As stated in the Section 19.30, the Citywide Urban Design Objectives ("Objectives") "are intended to provide guidance to property owners and the general public as to the city's policies with regard to the form and character desirable for new development in the city. It is understood that application of these principles can vary with the context of specific building proposals in ways that, nevertheless, fully respect the policies' intent. It is intended that proponents of projects, and city staff, the Planning Board and the general public, where public review or approval is required, should be open to creative variations from the detailed provisions presented in this Section as long as the core values expressed are being served. *A project need not meet all the objectives of this Section 19.30 where this Section serves as the basis for issuance of a special permit. Rather the permit granting authority shall find that on balance the objectives of the city are being served.* Nor shall a project subject to special permit review be required to conform to the Required Building and Site Plan Requirements set forth in Section 11.50." [emphasis added]. For the reasons stated in AT&T's response to this Section 10.43(f) of the Zoning Ordinance and in its application generally, "on balance, the objectives of the city are being served" by the installation of the Facility at the Property so that granting the special permit would not be a detriment to the public interest and is consistent with the Board's obligations pursuant to the Spectrum Act and FCC Order.

The following are the Objectives' headings as appearing in the Ordinance:

19.31: New projects should be responsive to the existing or anticipated pattern of development.

AT&T's Response: The existing Facility is located on and within the existing building, some of the equipment of which is hidden from view behind the parapet and within the building, or otherwise obstructed from view, and the remaining equipment blends with the structures and colors of the building. The proposed modifications to the existing Facility are consistent with the design and concealment elements of the existing Facility. Therefore, the proposed modifications are responsive to the existing pattern of development in the Property's applicable zoning and overlay districts.

19.32: Development should be pedestrian and bicycle-friendly, with a positive relationship to its surroundings.

AT&T's Response: The existing Facility is located on and within the existing building. The Facility is only accessed by authorized AT&T personnel for routine maintenance one to two times per month and is not accessed by the general public. The proposed modifications to the existing Facility will not result in any increase in routine visits nor otherwise result in a change in traffic patterns in the vicinity of the Property that would affect pedestrian flow or cyclists' access to the building or surrounding areas within the Property's applicable zoning districts.

19.33 The building and site design should mitigate adverse environmental impacts of a development upon its neighbors. Indicators include⁹

(1) Mechanical equipment that is carefully designed, well organized or visually screened from its surroundings and is acoustically buffered from neighbors. Consideration is given to the size, complexity and appearance of the equipment, its proximity to residential areas, and its impact on the existing streetscape and skyline. The extent to which screening can bring order, lessen negative visual impacts, and enhance the overall appearance of the equipment should be taken into account. More specifically:

(a) Reasonable attempts have been made to avoid exposing rooftop mechanical equipment to public view from city streets. Among the techniques that might be considered are the inclusion of screens or a parapet around the roof of the building to shield low ducts and other equipment on the roof from view.

(b) Treatment of the mechanical equipment (including design and massing of screening devices as well as exposed mechanical elements) that relates well to the overall design, massing, scale and character of the building.

(c) Placement of mechanical equipment at locations on the site other than on the rooftop (such as in the basement), which reduces the bulk of elements

⁹ Inasmuch as Section 19.33 is most relevant to the Facility, it is stated here in full.

located on the roof; however, at-grade locations external to the building should not be viewed as desirable alternatives.

(d) Tall elements, such as chimneys and air exhaust stacks, which are typically carried above screening devices for functioning reasons, are carefully designed as features of the building, thus creating interest on the skyline.

(e) All aspects of the mechanical equipment have been designed with attention to their visual impact on adjacent areas, particularly with regard to residential neighborhoods and views and vistas.

AT&T's Response: As shown in the photographs (*see* Exhibit 5), the existing Facility, as proposed to be modified herein, will continue to be visually consistent with the color and texture of the building, the concealment elements of the design of the Facility, and with other existing wireless communications facilities from competing carriers located on the building. As a result, AT&T's Facility is in keeping with the building's existing features without adversely affecting the building's overall design, massing, scale or character.

(2) Trash that is handled to avoid impacts (noise, odor, and visual quality) on neighbors, e.g. the use of trash compactors or containment of all trash storage and handling within a building is encouraged.

AT&T's Response: The Facility does not generate trash, therefore this design objective is inapplicable.

(3) Loading docks that are located and designed to minimize impacts (visual and operational) on neighbors.

AT&T's Response: The Facility does not utilize any loading dock, therefore this design objective is inapplicable.

(4) Stormwater Best Management Practices and other measures to minimize runoff and improve water quality are implemented.

AT&T's Response: The existing Facility, and the proposed modifications, are located entirely on and within the existing Building on the Property and have no effect on stormwater runoff, therefore this design objective is inapplicable.

(5) Landscaped areas and required Green Area Open Space, in addition to serving as visual amenities, are employed to reduce the rate and volume of stormwater runoff compared to pre-development conditions.

AT&T's Response: The existing Facility and proposed modifications have no effect any landscaped or Green Area Open Space, therefore this design objective is inapplicable.

(6) The structure is designed and sited to minimize shadow impacts on neighboring lots, especially shadows that would have a significant impact on the use and enjoyment of adjacent open space and shadows that might impact the operation of a Registered Solar Energy System as defined in Section 22.60 of this Zoning Ordinance.

AT&T's Response: The existing Facility and proposed modifications are designed so as not to cause shadows on neighboring lots.

(7) Changes in grade across the lot are designed in ways that minimize the need for structural retaining walls close to property lines.

AT&T's Response: The existing Facility and proposed modifications are located entirely on and within the existing building and have no impact on the grade of the Property, therefore this design objective is inapplicable.

(8) Building scale and wall treatment, including the provision of windows, are sensitive to existing residential uses on adjacent lots.

AT&T's Response: The proposed modifications to the existing Facility will not change the building's scale because antennas and equipment will blend with the color and textures of the building (*see* Exhibit 3). The existing Facility and proposed modifications are consistent with characteristics of the existing building design, maintain the existing concealment elements of the Facility and therefore minimize any visual impact from the Facility.

(9) Outdoor lighting is designed to provide minimum lighting and necessary to ensure adequate safety, night vision, and comfort, while minimizing light pollution.

AT&T's Response: The existing Facility does not use any outdoor lighting. The proposed modifications to the Facility do not include any additional lighting of the Facility or building. As a result, this design objective is inapplicable.

(10) The creation of a Tree Protection Plan that identifies important trees on the site, encourages their protection, or provides for adequate replacement of trees lost to development on the site.

AT&T's Response: The existing Facility and proposed modifications are located entirely on and within the existing building and have no effect on any trees on the Property, therefore this design objective is inapplicable.

19.34: Projects should not overburden the City infrastructure services, including neighborhood roads, city water supply system, and sewer system.

AT&T's Response: The existing Facility, including the proposed modifications, is a passive use and will not generate trash, odor, excess noise, or utilize water or wastewater services. As such, it will not burden the City's infrastructure services.

19.35: New construction should reinforce and enhance the complex urban aspects of Cambridge as it has developed historically.

AT&T's Response: The proposed modification of the existing Facility located on and within the existing building, will obviate the need for AT&T to construct an additional Facility to address its wireless network coverage need in this area of Cambridge. The existing Facility and the proposed modifications blend the equipment with the building texture and color, and are consistent with the concealment elements of the Facility's design. As a result, the Facility will reinforce the existing Cambridge landscape as it currently is manifested at the Property.

19.36: Expansion of the inventory of housing in the city is encouraged.

AT&T's Response: The Facility and proposed modifications provide wireless services and will not adversely impact the City's housing inventory.

19.37. Enhancement and expansion of open space amenities in the city should be incorporated into new development in the city.

AT&T's Response: The Facility and proposed modifications are located on and within the existing building. The Facility and proposed modifications will not adversely impact or otherwise reduce open space amenities within the City.

VII. SUMMARY

For the foregoing reasons AT&T respectfully requests that the Board to determine that pursuant to the Spectrum Act and the FCC Order, the Request constitutes and eligible facilities request and therefore AT&T's Request must be approved administratively, including the issuance of a building permit, without the need for further relief from the Board. In the alternative, without waiving its rights, AT&T requests the Board grant the foregoing zoning relief in the form of a Special Permit and such other relief as the Board deems necessary to allow the modification and operation of AT&T's proposed Facility.

Best Regards,

Timothy W. Greene
Authorized Agent to New Cingular Wireless PCS, LLC ("AT&T")

cc: Brian S. Grossman, Esq.

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Federal Communications Commission
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: AT&T MOBILITY SPECTRUM LLC

ATTN: REGINALD YOUNGBLOOD
AT&T MOBILITY SPECTRUM LLC
3300 E. RENNER ROAD, B3132
RICHARDSON, TX 75082

Call Sign WQJU427	File Number
Radio Service WY - 700 MHz Lower Band (Blocks A, B & E)	

FCC Registration Number (FRN): 0014980726

Grant Date 01-06-2009	Effective Date 02-12-2014	Expiration Date 06-13-2019	Print Date
Market Number CMA006	Channel Block B	Sub-Market Designator 0	
Market Name Boston-Lowell-Brockton-Lawrenc			
1st Build-out Date 12-13-2016	2nd Build-out Date 06-13-2019	3rd Build-out Date	4th Build-out Date

Waivers/Conditions:

If the facilities authorized herein are used to provide broadcast operations, whether exclusively or in combination with other services, the licensee must seek renewal of the license either within eight years from the commencement of the broadcast service or within the term of the license had the broadcast service not been provided, whichever period is shorter in length. See 47 CFR §27.13(b).

This license is subject to compliance with the conditions set forth in the Commission's Order of Modification, WT Docket No. 12-69, DA 14-43, released January 16, 2014.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at <http://wireless.fcc.gov/uls/index.htm?job=home> and select "License Search". Follow the instructions on how to search for license information.

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**Federal Communications Commission
Wireless Telecommunications Bureau**

RADIO STATION AUTHORIZATION

LICENSEE: NEW CINGULAR WIRELESS PCS, LLC

ATTN: REGINALD YOUNGBLOOD
NEW CINGULAR WIRELESS PCS, LLC
3300 E. RENNER ROAD, B3132
RICHARDSON, TX 75082

Call Sign KNKA226	File Number
Radio Service CL - Cellular	
Market Numer CMA006	Channel Block A
Sub-Market Designator 0	

FCC Registration Number (FRN): 0003291192

Market Name Boston-Lowell-Brockton-Lawrenc
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Grant Date 10-05-2004	Effective Date 02-13-2014	Expiration Date 10-01-2014	Five Yr Build-Out Date	Print Date
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Site Information:

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
15	42-37-42.3 N	070-39-16.8 W	45.7	58.8	

Address: 40 DORY ROAD

City: GLOUCESTER **County:** ESSEX **State:** MA **Construction Deadline:**

Antenna	1	2	3	4	5	6	7	8	9
Antenna: 1 Azimuth (from true north)	0	45	90	135	180	225	270	315	
Antenna Height AAT (meters)	93.100	97.500	101.800	101.800	100.800	88.700	85.700	101.800	
Transmitting ERP (watts)	158.853	205.617	68.628	9.427	0.642	0.431	2.268	29.488	
Antenna: 2 Azimuth (from true north)	0	45	90	135	180	225	270	315	
Antenna Height AAT (meters)	93.100	97.500	101.800	101.800	100.800	88.700	85.700	101.800	
Transmitting ERP (watts)	0.459	5.462	56.429	198.529	168.403	38.276	3.953	0.786	
Antenna: 3 Azimuth (from true north)	0	45	90	135	180	225	270	315	
Antenna Height AAT (meters)	93.100	97.500	101.800	101.800	100.800	88.700	85.700	101.800	
Transmitting ERP (watts)	12.078	0.668	0.599	1.024	10.050	68.014	123.413	62.132	

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

Licensee Name: NEW CINGULAR WIRELESS PCS, LLC

Call Sign: KNKA226

File Number:

Print Date:

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
20	43-03-11.8 N	071-16-02.1 W	179.2	59.4	

Address: 80 Diamond Hill Road

City: Candia County: ROCKINGHAM State: NH Construction Deadline:

Antenna: 1 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	73.200	111.000	159.400	159.000	98.400	148.300	88.600	75.600
Transmitting ERP (watts)	52.325	70.778	16.988	1.425	0.187	0.144	0.491	7.084
Antenna: 2 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	73.200	111.000	159.400	159.000	98.400	148.300	88.600	75.600
Transmitting ERP (watts)	0.343	3.851	33.085	100.313	84.855	19.494	2.061	0.299
Antenna: 3 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	73.200	111.000	159.400	159.000	98.400	148.300	88.600	75.600
Transmitting ERP (watts)	6.845	0.890	0.107	1.038	6.652	7.633	3.304	6.905

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
24	42-54-55.1 N	071-21-37.4 W	100.9	46.3	1011624

Address: 15 INDEPENDENCE DRIVE

City: LONDONDERRY County: ROCKINGHAM State: NH Construction Deadline:

Antenna: 1 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	35.900	30.000	44.800	52.100	54.500	72.000	68.000	66.500
Transmitting ERP (watts)	161.221	224.756	47.602	3.692	0.510	0.437	1.233	19.454
Antenna: 2 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	35.900	30.000	44.800	52.100	54.500	72.000	68.000	66.500
Transmitting ERP (watts)	0.510	3.172	43.604	213.248	156.639	22.374	1.350	0.496
Antenna: 3 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	35.900	30.000	44.800	52.100	54.500	72.000	68.000	66.500
Transmitting ERP (watts)	11.168	0.691	0.533	0.586	7.854	87.092	266.329	94.294

Licensee Name: NEW CINGULAR WIRELESS PCS, LLC

Call Sign: KNKA226

File Number:

Print Date:

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
25	42-00-32.6 N	071-19-15.2 W	90.5	51.8	

Address: 75 WASHINGTON SST

City: PLAINVILLE County: NORFOLK State: MA Construction Deadline: 03-29-2013

Antenna: 1 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	64.500	61.200	95.600	96.100	94.300	64.100	46.000	48.800
Transmitting ERP (watts)	84.752	97.052	31.772	5.158	0.550	0.224	2.803	20.645
Antenna: 2 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	64.500	61.200	95.600	96.100	94.300	64.100	46.000	48.800
Transmitting ERP (watts)	0.380	5.181	37.013	100.829	79.042	20.699	2.118	0.824
Antenna: 3 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	64.500	61.200	95.600	96.100	94.300	64.100	46.000	48.800
Transmitting ERP (watts)	24.577	1.736	0.715	2.292	18.444	139.378	281.180	142.336

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
26	41-46-57.1 N	070-44-06.5 W	12.5	58.8	

Address: KENDRICK ROAD

City: WAREHAM County: PLYMOUTH State: MA Construction Deadline: 03-29-2013

Antenna: 1 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	30.000	30.000	46.500	56.700	59.800	50.600	39.100	32.800
Transmitting ERP (watts)	186.898	242.551	75.777	10.617	0.738	0.508	2.730	35.860
Antenna: 2 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	30.000	30.000	46.500	56.700	59.800	50.600	39.100	32.800
Transmitting ERP (watts)	0.361	5.818	47.861	150.309	121.062	28.493	2.933	0.991
Antenna: 3 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	30.000	30.000	46.500	56.700	59.800	50.600	39.100	32.800
Transmitting ERP (watts)	18.390	1.111	0.538	1.628	13.482	98.897	203.625	103.938

Licensee Name: NEW CINGULAR WIRELESS PCS, LLC

Call Sign: KNKA226

File Number:

Print Date:

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
27	41-53-35.2 N	070-56-35.0 W	17.7	106.1	1210211

Address: 326 W GROVE ST

City: Middleboro County: PLYMOUTH State: MA Construction Deadline: 03-29-2013

Antenna: 1 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	47.500	46.300	30.000	37.000	40.900	39.500	51.600	42.300
Transmitting ERP (watts)	125.283	153.432	54.208	6.550	0.674	0.363	2.675	27.340
Antenna: 2 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	47.500	46.300	30.000	37.000	40.900	39.500	51.600	42.300
Transmitting ERP (watts)	0.351	5.901	52.455	151.828	120.612	27.887	2.679	0.991
Antenna: 3 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	47.500	46.300	30.000	37.000	40.900	39.500	51.600	42.300
Transmitting ERP (watts)	14.428	1.006	0.875	1.215	13.317	87.541	159.641	85.795

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
28	42-14-21.9 N	070-51-09.3 W	54.9	55.8	

Address: 168 Turkey Hill Lane

City: Cohasset County: NORFOLK State: MA Construction Deadline: 03-29-2013

Antenna: 1 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	99.800	98.300	97.600	71.700	64.800	62.900	86.700	99.100
Transmitting ERP (watts)	185.522	243.217	80.727	11.598	0.756	0.499	2.589	34.953
Antenna: 2 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	99.800	98.300	97.600	71.700	64.800	62.900	86.700	99.100
Transmitting ERP (watts)	0.521	6.371	65.693	238.024	196.107	43.191	4.256	0.906
Antenna: 3 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	99.800	98.300	97.600	71.700	64.800	62.900	86.700	99.100
Transmitting ERP (watts)	9.488	0.543	0.538	1.234	8.977	53.553	85.290	45.661

Licensee Name: NEW CINGULAR WIRELESS PCS, LLC

Call Sign: KNKA226

File Number:

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Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
29	41-56-02.0 N	070-35-08.0 W	82.9	128.0	1007828

Address: 265 STATE ROAD

City: PLYMOUTH County: PLYMOUTH State: MA Construction Deadline: 03-29-2013

Antenna: 1 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	128.000	128.000	128.000	123.500	92.200	86.600	84.900	120.500
Transmitting ERP (watts)	23.222	24.154	10.475	1.931	0.466	0.109	1.398	6.965
Antenna: 2 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	128.000	128.000	128.000	123.500	92.200	86.600	84.900	120.500
Transmitting ERP (watts)	0.346	4.427	33.055	88.168	72.485	17.790	1.831	0.701
Antenna: 3 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	128.000	128.000	128.000	123.500	92.200	86.600	84.900	120.500
Transmitting ERP (watts)	9.680	0.561	0.550	1.216	9.292	54.685	90.439	45.409

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
30	42-12-47.6 N	071-32-33.4 W	128.0	58.5	

Address: 26 LUMBER STREET

City: HOPKINTON County: MIDDLESEX State: MA Construction Deadline: 03-29-2013

Antenna: 1 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	68.900	93.200	99.800	91.500	55.300	59.600	35.700	76.400
Transmitting ERP (watts)	158.662	188.312	64.228	8.830	0.704	0.395	4.080	30.535
Antenna: 2 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	68.900	93.200	99.800	91.500	55.300	59.600	35.700	76.400
Transmitting ERP (watts)	0.432	6.612	61.028	195.296	166.263	35.500	3.748	0.703
Antenna: 3 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	68.900	93.200	99.800	91.500	55.300	59.600	35.700	76.400
Transmitting ERP (watts)	18.831	1.074	0.590	1.783	15.144	103.799	219.501	97.060

Licensee Name: NEW CINGULAR WIRELESS PCS, LLC

Call Sign: KNKA226

File Number:

Print Date:

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
31	42-38-27.0 N	070-36-24.8 W	36.6	38.7	
Address: 38 Thatcher Rd					
City: ROCKLAND County: ESSEX State: MA Construction Deadline: 03-29-2013					

Antenna: 1 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	69.500	69.500	69.500	69.500	69.500	66.700	58.400	60.100
Transmitting ERP (watts)	170.519	227.554	76.127	10.393	0.706	0.470	2.520	32.796
Antenna: 2 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	69.500	69.500	69.500	69.500	69.500	66.700	58.400	60.100
Transmitting ERP (watts)	0.462	5.689	58.840	206.264	174.760	39.385	4.197	0.837
Antenna: 3 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	69.500	69.500	69.500	69.500	69.500	66.700	58.400	60.100
Transmitting ERP (watts)	20.761	1.510	0.812	1.238	15.269	110.467	237.338	124.965

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
32	42-36-37.9 N	071-33-28.9 W	148.4	46.3	
Address: 142 LOWELL RD					
City: GROTON County: MIDDLESEX State: MA Construction Deadline: 03-29-2013					

Antenna: 1 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	129.600	133.000	121.700	118.300	83.000	99.300	81.700	86.000
Transmitting ERP (watts)	209.658	291.175	91.511	11.206	1.156	0.596	4.998	40.617
Antenna: 2 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	129.600	133.000	121.700	118.300	83.000	99.300	81.700	86.000
Transmitting ERP (watts)	0.597	10.042	80.421	284.569	246.599	46.898	5.186	0.906
Antenna: 3 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	129.600	133.000	121.700	118.300	83.000	99.300	81.700	86.000
Transmitting ERP (watts)	18.748	1.375	0.781	1.196	15.487	106.791	230.014	118.184

Licensee Name: NEW CINGULAR WIRELESS PCS, LLC

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Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
33	42-08-01.1 N	070-43-57.5 W	68.3	80.5	1017973

Address: 178 EAMES WAY

City: Marshfield County: PLYMOUTH State: MA Construction Deadline: 03-29-2013

Antenna: 1 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	125.300	128.600	128.200	125.800	107.800	113.100	97.600	105.400
Transmitting ERP (watts)	156.993	202.510	73.503	10.210	0.666	0.415	2.429	32.615
Antenna: 2 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	125.300	128.600	128.200	125.800	107.800	113.100	97.600	105.400
Transmitting ERP (watts)	0.482	5.988	62.083	217.536	187.313	40.576	4.382	0.869
Antenna: 3 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	125.300	128.600	128.200	125.800	107.800	113.100	97.600	105.400
Transmitting ERP (watts)	21.007	1.466	0.829	1.219	15.907	109.305	228.002	122.541

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
34	41-42-11.1 N	070-46-47.1 W	14.3	59.4	

Address: 55 BENSONBROOK ROAD

City: MARION County: PLYMOUTH State: MA Construction Deadline: 03-29-2013

Antenna: 1 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	51.300	62.700	66.200	68.700	66.600	60.600	47.100	51.900
Transmitting ERP (watts)	161.079	196.082	67.519	9.213	0.702	0.419	4.077	32.479
Antenna: 2 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	51.300	62.700	66.200	68.700	66.600	60.600	47.100	51.900
Transmitting ERP (watts)	0.446	6.712	62.074	197.767	163.770	38.273	3.886	0.801
Antenna: 3 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	51.300	62.700	66.200	68.700	66.600	60.600	47.100	51.900
Transmitting ERP (watts)	3.819	0.784	0.433	6.729	64.256	202.261	164.916	37.606

Licensee Name: NEW CINGULAR WIRELESS PCS, LLC

Call Sign: KNKA226

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Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
35	42-21-20.1 N	071-33-16.6 W	156.1	26.5	

Address: 157 UNION STREET

City: MARLBOROUGH County: MIDDLESEX State: MA Construction Deadline: 03-29-2013

Antenna: 1 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	97.800	119.900	113.500	108.400	76.200	73.000	51.900	77.300
Transmitting ERP (watts)	280.304	377.489	119.970	14.810	1.525	0.802	6.660	52.209
Antenna: 2 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	97.800	119.900	113.500	108.400	76.200	73.000	51.900	77.300
Transmitting ERP (watts)	0.801	13.105	105.660	375.949	325.389	63.339	6.978	1.142
Antenna: 3 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	97.800	119.900	113.500	108.400	76.200	73.000	51.900	77.300
Transmitting ERP (watts)	30.606	2.831	1.046	2.632	27.909	187.774	419.392	197.441

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
36	42-39-54.6 N	070-38-19.9 W	59.4	44.5	

Address: 68 JOHNSON ROAD

City: ROCKPORT County: ESSEX State: MA Construction Deadline: 03-29-2013

Antenna: 1 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	103.000	103.000	103.000	100.400	95.400	85.100	98.100	103.000
Transmitting ERP (watts)	126.741	159.124	54.189	7.443	0.564	0.334	3.098	25.685
Antenna: 2 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	103.000	103.000	103.000	100.400	95.400	85.100	98.100	103.000
Transmitting ERP (watts)	0.353	5.360	49.103	157.255	130.117	30.639	2.895	0.641
Antenna: 3 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	103.000	103.000	103.000	100.400	95.400	85.100	98.100	103.000
Transmitting ERP (watts)	15.787	0.974	0.495	1.442	11.730	84.942	168.331	87.120

Licensee Name: NEW CINGULAR WIRELESS PCS, LLC

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Print Date:

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
37	42-41-29.8 N	071-47-30.8 W	233.8	47.9	

Address: 1140 Greenville Rd

City: ASHBY County: MIDDLESEX State: MA Construction Deadline: 03-29-2013

Antenna: 1 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	30.000	138.200	163.500	145.000	68.800	30.000	30.000	30.000
Transmitting ERP (watts)	301.383	343.844	123.915	17.212	1.267	0.862	4.339	57.968
Antenna: 2 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	30.000	138.200	163.500	145.000	68.800	30.000	30.000	30.000
Transmitting ERP (watts)	0.559	6.546	72.077	254.800	226.824	50.359	4.678	0.979
Antenna: 3 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	30.000	138.200	163.500	145.000	68.800	30.000	30.000	30.000
Transmitting ERP (watts)	35.557	2.084	1.375	2.194	29.159	209.483	410.600	215.057

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
38	42-38-54.9 N	071-47-40.6 W	240.8	47.2	

Address: 601-603 FITCHBURG STATE ROAD

City: ASHBY County: MIDDLESEX State: MA Construction Deadline: 03-29-2013

Antenna: 1 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	31.100	159.800	170.800	147.700	56.300	30.000	30.000	30.000
Transmitting ERP (watts)	204.865	233.420	85.530	11.768	0.897	0.575	2.961	39.554
Antenna: 2 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	31.100	159.800	170.800	147.700	56.300	30.000	30.000	30.000
Transmitting ERP (watts)	0.570	6.676	74.271	261.076	238.587	50.169	4.787	1.001
Antenna: 3 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	31.100	159.800	170.800	147.700	56.300	30.000	30.000	30.000
Transmitting ERP (watts)	24.123	1.410	0.948	1.499	20.272	140.599	280.157	146.756

Licensee Name: NEW CINGULAR WIRELESS PCS, LLC

Call Sign: KNKA226

File Number:

Print Date:

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
40	43-05-58.2 N	070-47-28.6 W	7.6	67.4	

Address: 165 GOSLING RD

City: NEWINGTON County: ROCKINGHAM State: NH Construction Deadline: 03-29-2013

Antenna: 1 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	34.000	45.500	68.500	72.400	58.800	51.900	57.200	52.000
Transmitting ERP (watts)	205.727	278.300	62.928	5.059	0.711	0.597	1.577	25.136
Antenna: 2 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	34.000	45.500	68.500	72.400	58.800	51.900	57.200	52.000
Transmitting ERP (watts)	0.559	3.335	47.419	236.351	181.187	26.867	1.510	0.563
Antenna: 3 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	34.000	45.500	68.500	72.400	58.800	51.900	57.200	52.000
Transmitting ERP (watts)	10.525	0.618	0.497	0.555	7.391	82.592	243.998	90.540

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
41	43-04-39.1 N	071-07-30.3 W	107.0	60.7	1231475

Address: 150 Raymond Road

City: Nottingham County: ROCKINGHAM State: NH Construction Deadline: 03-29-2013

Antenna: 1 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	54.900	95.800	122.100	119.300	102.200	66.300	44.100	30.000
Transmitting ERP (watts)	160.334	230.049	54.265	4.271	0.586	0.522	1.415	21.993
Antenna: 2 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	54.900	95.800	122.100	119.300	102.200	66.300	44.100	30.000
Transmitting ERP (watts)	0.493	3.289	48.427	238.724	177.920	27.618	1.619	0.581
Antenna: 3 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	54.900	95.800	122.100	119.300	102.200	66.300	44.100	30.000
Transmitting ERP (watts)	10.353	0.693	0.601	0.662	8.753	100.864	305.315	110.743

Licensee Name: NEW CINGULAR WIRELESS PCS, LLC

Call Sign: KNKA226

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Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
42	43-13-24.3 N	071-14-23.2 W	189.0	38.7	

Address: 50 OLD CANTERBURY RD

City: NORTHWOOD County: ROCKINGHAM State: NH Construction Deadline: 03-29-2013

Antenna: 1 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	30.000	30.000	43.800	80.800	68.900	30.000	53.500	30.000
Transmitting ERP (watts)	114.248	162.456	37.049	2.808	0.392	0.366	0.961	16.015
Antenna: 2 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	30.000	30.000	43.800	80.800	68.900	30.000	53.500	30.000
Transmitting ERP (watts)	0.544	3.573	49.915	233.638	184.420	30.453	1.413	0.618
Antenna: 3 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	30.000	30.000	43.800	80.800	68.900	30.000	53.500	30.000
Transmitting ERP (watts)	8.132	0.494	0.387	0.467	6.390	72.302	182.164	77.916

Location	Latitude	Longitude	Ground Elevation (meters)	Structure Hgt to Tip (meters)	Antenna Structure Registration No.
43	42-59-40.7 N	070-46-58.5 W	12.5	59.4	

Address: 96 GROVE RD

City: RYE County: ROCKINGHAM State: NH Construction Deadline: 03-29-2013

Antenna: 1 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	49.700	62.100	64.000	64.300	63.700	45.100	38.900	54.200
Transmitting ERP (watts)	146.515	206.846	49.164	3.766	0.505	0.452	1.193	17.877
Antenna: 2 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	49.700	62.100	64.000	64.300	63.700	45.100	38.900	54.200
Transmitting ERP (watts)	0.464	2.913	42.460	206.462	152.606	24.148	1.373	0.460
Antenna: 3 Azimuth (from true north)	0	45	90	135	180	225	270	315
Antenna Height AAT (meters)	49.700	62.100	64.000	64.300	63.700	45.100	38.900	54.200
Transmitting ERP (watts)	10.168	0.644	0.536	0.576	7.457	86.483	257.603	87.494

Control Points:

Control Pt. No. 2

Address: 100 LOWDER BROOK DR

City: WESTWOOD County: NORFOLK State: MA Telephone Number: (617)462-7094

Licensee Name: NEW CINGULAR WIRELESS PCS, LLC

Call Sign: KNKA226

File Number:

Print Date:

Waivers/Conditions:

Commission approval of this application and the licenses contained therein are subject to the conditions set forth in the Memorandum Opinion and Order, adopted on December 29, 2006 and released on March 26, 2007, and revised in the Order on Reconsideration, adopted and released on March 26, 2007. See AT&T Inc. and BellSouth Corporation Application for Transfer of Control, WC Docket No. 06-74, Memorandum Opinion and Order, FCC 06-189 (rel. Mar. 26, 2007); AT&T Inc. and BellSouth Corporation, WC Docket No. 06-74, Order on Reconsideration, FCC 07-44 (rel. Mar. 26, 2007).

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Federal Communications Commission
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: AT&T MOBILITY SPECTRUM LLC

ATTN: REGINALD YOUNGBLOOD
AT&T MOBILITY SPECTRUM LLC
3300 E. RENNER ROAD, B3132
RICHARDSON, TX 75082

Call Sign KNLB200	File Number
Radio Service WS - Wireless Communications Service	

FCC Registration Number (FRN): 0014980726

Grant Date 09-27-2010	Effective Date 02-12-2014	Expiration Date 07-21-2017	Print Date
Market Number MEA001	Channel Block B	Sub-Market Designator 0	
Market Name Boston			
1st Build-out Date 03-13-2017	2nd Build-out Date 09-13-2019	3rd Build-out Date	4th Build-out Date

Waivers/Conditions:

License renewal granted on a conditional basis, subject to the outcome of FCC proceeding WT Docket No. 10-112 (see FCC 10-86, paras. 113 and 126).

This authorization is subject to the condition that, in the event that systems using the same frequencies as granted herein are authorized in an adjacent foreign territory (Canada/Mexico), future coordination of any base station transmitters shall be required to eliminate any harmful interference to operations in the adjacent foreign territory and to ensure continuance of equal access to the frequencies by both countries.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at <http://wireless.fcc.gov/uls/index.htm?job=home> and select "License Search". Follow the instructions on how to search for license information.

Licensee Name: AT&T MOBILITY SPECTRUM LLC

Call Sign: KNLB200

File Number:

Print Date:

This authorization is subject to the condition that the remaining balance of the winning bid amount will be paid in accordance with Part 1 of the Commission's rules, 47 C.F.R. Part 1.

Spectrum Lease associated with this license. See Spectrum Leasing Arrangement Letter dated 04/01/2005 and File No. 0001999501.

License renewal is granted on a conditional basis, subject to the outcome of FCC proceeding WT Docket No. 10-112 (see FCC 10-86, paras. 113 and 126).

Pursuant to WCS Order on Reconsideration, FCC 12-130, in order to obtain a renewal expectancy at the 7/21/17 renewal deadline, a licensee must, for each license area, certify that it has maintained, or exceeded, the level of coverage demonstrated for that license area at the 3/13/2017 construction deadline.

REFERENCE COPY

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Federal Communications Commission
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: AT&T MOBILITY SPECTRUM LLC

ATTN: REGINALD YOUNGBLOOD
AT&T MOBILITY SPECTRUM LLC
3300 E. RENNER ROAD, B3132
RICHARDSON, TX 75082

Call Sign KNLB210	File Number
Radio Service WS - Wireless Communications Service	

FCC Registration Number (FRN): 0014980726

Grant Date 09-27-2010	Effective Date 02-12-2014	Expiration Date 07-21-2017	Print Date
Market Number MEA001	Channel Block A	Sub-Market Designator 0	
Market Name Boston			
1st Build-out Date 03-13-2017	2nd Build-out Date 09-13-2019	3rd Build-out Date	4th Build-out Date

Waivers/Conditions:

License renewal granted on a conditional basis, subject to the outcome of FCC proceeding WT Docket No. 10-112 (see FCC 10-86, paras. 113 and 126).

This authorization is subject to the condition that, in the event that systems using the same frequencies as granted herein are authorized in an adjacent foreign territory (Canada/Mexico), future coordination of any base station transmitters shall be required to eliminate any harmful interference to operations in the adjacent foreign territory and to ensure continuance of equal access to the frequencies by both countries.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at <http://wireless.fcc.gov/uls/index.htm?job=home> and select "License Search". Follow the instructions on how to search for license information.

Licensee Name: AT&T MOBILITY SPECTRUM LLC

Call Sign: KNLB210

File Number:

Print Date:

This authorization is subject to the condition that the remaining balance of the winning bid amount will be paid in accordance with Part 1 of the Commission's rules, 47 C.F.R. Part 1.

License renewal is granted on a conditional basis, subject to the outcome of FCC proceeding WT Docket No. 10-112 (see FCC 10-86, paras. 113 and 126).

Pursuant to WCS Order on Reconsideration, FCC 12-130, in order to obtain a renewal expectancy at the 7/21/17 renewal deadline, a licensee must, for each license area, certify that it has maintained, or exceeded, the level of coverage demonstrated for that license area at the 3/13/2017 construction deadline.

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Federal Communications Commission
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: AT&T MOBILITY SPECTRUM LLC

ATTN: REGINALD YOUNGBLOOD
AT&T MOBILITY SPECTRUM LLC
3300 E. RENNER ROAD, B3132
RICHARDSON, TX 75082

Table with Call Sign (KNLB297), File Number, and Radio Service (WS - Wireless Communications Service).

FCC Registration Number (FRN): 0014980726

Table with columns: Grant Date, Effective Date, Expiration Date, Print Date, Market Number, Channel Block, Sub-Market Designator, Market Name, 1st Build-out Date, 2nd Build-out Date, 3rd Build-out Date, 4th Build-out Date.

Waivers/Conditions:

License renewal granted on a conditional basis, subject to the outcome of FCC proceeding WT Docket No. 10-112 (see FCC 10-86, paras. 113 and 126).

License renewal is granted on a conditional basis, subject to the outcome of FCC proceeding WT Docket No. 10-112 (see FCC 10-86, paras. 113 and 126).

Pursuant to WCS Order on Reconsideration, FCC 12-130, in order to obtain a renewal expectancy at the 7/21/17 renewal deadline, a licensee must, for each license area, certify that it has maintained, or exceeded, the level of coverage demonstrated for that license area at the 3/13/2017 construction deadline.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS).

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Federal Communications Commission
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: NEW CINGULAR WIRELESS PCS, LLC

ATTN: REGINALD YOUNGBLOOD
NEW CINGULAR WIRELESS PCS, LLC
2200 N. GREENVILLE AVE, 1W
RICHARDSON, TX 75082

Table with Call Sign (KNLF216), File Number, and Radio Service (CW - PCS Broadband).

FCC Registration Number (FRN): 0003291192

Table with columns: Grant Date, Effective Date, Expiration Date, Print Date, Market Number, Channel Block, Sub-Market Designator, Market Name, 1st Build-out Date, 2nd Build-out Date, 3rd Build-out Date, 4th Build-out Date.

Waivers/Conditions:

This license is conditioned upon compliance with the provisions of Applications of AT&T Wireless Services, Inc. and Cingular Wireless Corporation For Consent to Transfer Control of Licenses and Authorizations, Memorandum Opinion and Order, FCC 04-255 (rel. Oct. 26, 2004).

Commission approval of this application and the licenses contained therein are subject to the conditions set forth in the Memorandum Opinion and Order, adopted on December 29, 2006 and released on March 26, 2007, and revised in the Order on Reconsideration, adopted and released on March 26, 2007. See AT&T Inc. and BellSouth Corporation Application for Transfer of Control, WC Docket No. 06-74, Memorandum Opinion and Order, FCC 06-189 (rel. Mar. 26, 2007); AT&T Inc. and BellSouth Corporation, WC Docket No. 06-74, Order on Reconsideration, FCC 07-44 (rel. Mar. 26, 2007).

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at http://wireless.fcc.gov/uls/index.htm?job=home and select "License Search". Follow the instructions on how to search for license information.

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Federal Communications Commission
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: NEW CINGULAR WIRELESS PCS, LLC

ATTN: REGINALD YOUNGBLOOD
NEW CINGULAR WIRELESS PCS, LLC
2200 N. GREENVILLE AVE, 1W
RICHARDSON, TX 75082

Call Sign WPOI214	File Number
Radio Service CW - PCS Broadband	

FCC Registration Number (FRN): 0003291192

Grant Date 07-07-2005	Effective Date 11-24-2012	Expiration Date 06-23-2015	Print Date
Market Number MTA008	Channel Block A	Sub-Market Designator 7	
Market Name Boston-Providence			
1st Build-out Date 06-23-2000	2nd Build-out Date 06-23-2005	3rd Build-out Date	4th Build-out Date

Waivers/Conditions:

This authorization is subject to the condition that, in the event that systems using the same frequencies as granted herein are authorized in an adjacent foreign territory (Canada/United States), future coordination of any base station transmitters within 72 km (45 miles) of the United States/Canada border shall be required to eliminate any harmful interference to operations in the adjacent foreign territory and to ensure continuance of equal access to the frequencies by both countries.

This authorization is subject to the condition that the remaining balance of the winning bid amount will be paid in accordance with Part 1 of the Commission's rules, 47 C.F.R. Part 1.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at <http://wireless.fcc.gov/uls/index.htm?job=home> and select "License Search". Follow the instructions on how to search for license information.

Licensee Name: NEW CINGULAR WIRELESS PCS, LLC

Call Sign: WPOI214

File Number:

Print Date:

This license is conditioned upon compliance with the provisions of Applications of AT&T Wireless Services, Inc. and Cingular Wireless Corporation For Consent to Transfer Control of Licenses and Authorizations, Memorandum Opinion and Order, FCC 04-255 (rel. Oct. 26, 2004).

Commission approval of this application and the licenses contained therein are subject to the conditions set forth in the Memorandum Opinion and Order, adopted on December 29, 2006 and released on March 26, 2007, and revised in the Order on Reconsideration, adopted and released on March 26, 2007. See AT&T Inc. and BellSouth Corporation Application for Transfer of Control, WC Docket No. 06-74, Memorandum Opinion and Order, FCC 06-189 (rel. Mar. 26, 2007); AT&T Inc. and BellSouth Corporation, WC Docket No. 06-74, Order on Reconsideration, FCC 07-44 (rel. Mar. 26, 2007).

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Federal Communications Commission
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: AT&T MOBILITY II LLC

ATTN: REGINALD YOUNGBLOOD
AT&T MOBILITY II LLC
3300 E. RENNER ROAD, B3132
RICHARDSON, TX 75082

Table with Call Sign (WPWU950), File Number, and Radio Service (WZ - 700 MHz Lower Band (Blocks C, D)).

FCC Registration Number (FRN): 0016982233

Table with columns: Grant Date, Effective Date, Expiration Date, Print Date, Market Number, Channel Block, Sub-Market Designator, Market Name, 1st Build-out Date, 2nd Build-out Date, 3rd Build-out Date, 4th Build-out Date.

Waivers/Conditions:

If the facilities authorized herein are used to provide broadcast operations, whether exclusively or in combination with other services, the licensee must seek renewal of the license either within eight years from the commencement of the broadcast service or within the term of the license had the broadcast service not been provided, whichever period is shorter in length. See 47 CFR §27.13(b).

Operation of the facilities authorized herein, are subject to the condition that harmful interference may not be caused to, but must be accepted from UHF TV transmitters in Canada and Mexico as identified in existing and any future agreements with those countries.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at http://wireless.fcc.gov/uls/index.htm?job=home and select "License Search". Follow the instructions on how to search for license information.

Licensee Name: AT&T MOBILITY II LLC

Call Sign: WPWU950

File Number:

Print Date:

This license is subject to compliance with the conditions set forth in the Commission's Order of Modification, WT Docket No. 12-69, DA 14-43, released January 16, 2014.

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Federal Communications Commission
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: NEW CINGULAR WIRELESS PCS, LLC

ATTN: REGINALD YOUNGBLOOD
NEW CINGULAR WIRELESS PCS, LLC
3300 E. RENNER ROAD, B3132
RICHARDSON, TX 75082

Table with Call Sign (WPZY689), File Number, and Radio Service (CW - PCS Broadband).

FCC Registration Number (FRN): 0003291192

Table with columns: Grant Date, Effective Date, Expiration Date, Print Date, Market Number, Channel Block, Sub-Market Designator, Market Name, 1st Build-out Date, 2nd Build-out Date, 3rd Build-out Date, 4th Build-out Date.

Waivers/Conditions:

This authorization is subject to the condition that, in the event that systems using the same frequencies as granted herein are authorized in an adjacent foreign territory (Canada/United States), future coordination of any base station transmitters within 72 km (45 miles) of the United States/Canada border shall be required to eliminate any harmful interference to operations in the adjacent foreign territory and to ensure continuance of equal access to the frequencies by both countries.

This authorization is conditioned upon the full and timely payment of all monies due pursuant to Sections 1.2110 and 24.711 of the Commission's Rules and the terms of the Commission's installment plan as set forth in the Note and Security Agreement executed by the licensee. Failure to comply with this condition will result in the automatic cancellation of this authorization.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at http://wireless.fcc.gov/uls/index.htm?job=home and select "License Search". Follow the instructions on how to search for license information.

Licensee Name: NEW CINGULAR WIRELESS PCS, LLC

Call Sign: WPZY689

File Number:

Print Date:

Pursuant to Order DA 03-617 (rel. March 3, 2003), the designated entity holding period for this license is extended by 703 days, or until the licensee meets its five-year construction requirement, whichever is sooner.

Commission approval of this application and the licenses contained therein are subject to the conditions set forth in the Memorandum Opinion and Order, adopted on December 29, 2006 and released on March 26, 2007, and revised in the Order on Reconsideration, adopted and released on March 26, 2007. See AT&T Inc. and BellSouth Corporation Application for Transfer of Control, WC Docket No. 06-74, Memorandum Opinion and Order, FCC 06-189 (rel. Mar. 26, 2007); AT&T Inc. and BellSouth Corporation, WC Docket No. 06-74, Order on Reconsideration, FCC 07-44 (rel. Mar. 26, 2007).

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Federal Communications Commission
Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: AT&T MOBILITY SPECTRUM LLC

ATTN: REGINALD YOUNGBLOOD
AT&T MOBILITY SPECTRUM LLC
2200 N. GREENVILLE AVE, 1W
RICHARDSON, TX 75082

Table with Call Sign (WQGA763), File Number, and Radio Service (AW - AWS, 1710-1755/2110-2155 MHz bands).

FCC Registration Number (FRN): 0014980726

Table with columns: Grant Date, Effective Date, Expiration Date, Print Date, Market Number, Channel Block, Sub-Market Designator, Market Name, 1st Build-out Date, 2nd Build-out Date, 3rd Build-out Date, 4th Build-out Date.

Waivers/Conditions:

This authorization is conditioned upon the licensee, prior to initiating operations from any base or fixed station, making reasonable efforts to coordinate frequency usage with known co-channel and adjacent channel incumbent federal users operating in the 1710-1755 MHz band whose facilities could be affected by the proposed operations.

Grant of the request to update licensee name is conditioned on it not reflecting an assignment or transfer of control (see Rule 1.948); if an assignment or transfer occurred without proper notification or FCC approval, the grant is void and the station is licensed under the prior name.

Conditions:

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS).

Licensee Name: AT&T MOBILITY SPECTRUM LLC

Call Sign: WQGA763

File Number:

Print Date:

AWS operations must not cause harmful interference across the Canadian or Mexican Border. The authority granted herein is subject to future international agreements with Canada or Mexico, as applicable.

Commission approval of this application and the licenses contained therein are subject to the conditions set forth in the Memorandum Opinion and Order, adopted on December 29, 2006 and released on March 26, 2007, and revised in the Order on Reconsideration, adopted and released on March 26, 2007. See AT&T Inc. and BellSouth Corporation Application for Transfer of Control, WC Docket No. 06-74, Memorandum Opinion and Order, FCC 06-189 (rel. Mar. 26, 2007); AT&T Inc. and BellSouth Corporation, WC Docket No. 06-74, Order on Reconsideration, FCC 07-44 (rel. Mar. 26, 2007).

PROJECT INFORMATION: BWE

SCOPE OF WORK: INSTALL (9) NEW RRUS. INSTALL (2) NEW RRU BALLAST FRAMES.

SITE ADDRESS: 10 CANAL PARK
CAMBRIDGE, MA 02141

LATITUDE: 42° 22' 06.68" (NAD 83)*
LONGITUDE: 71° 04' 31.30" (NAD 83)*
* PER RFDS

JURISDICTION: CITY OF CAMBRIDGE

CURRENT USE: COMMERCIAL BUILDING/TELECOMMUNICATIONS FACILITY
PROPOSED USE: COMMERCIAL BUILDING/TELECOMMUNICATIONS FACILITY

NAME OF APPLICANT: AT&T MOBILITY
550 COCHITUATE ROAD
SUITES 13 & 14
FRAMINGHAM, MA 01701

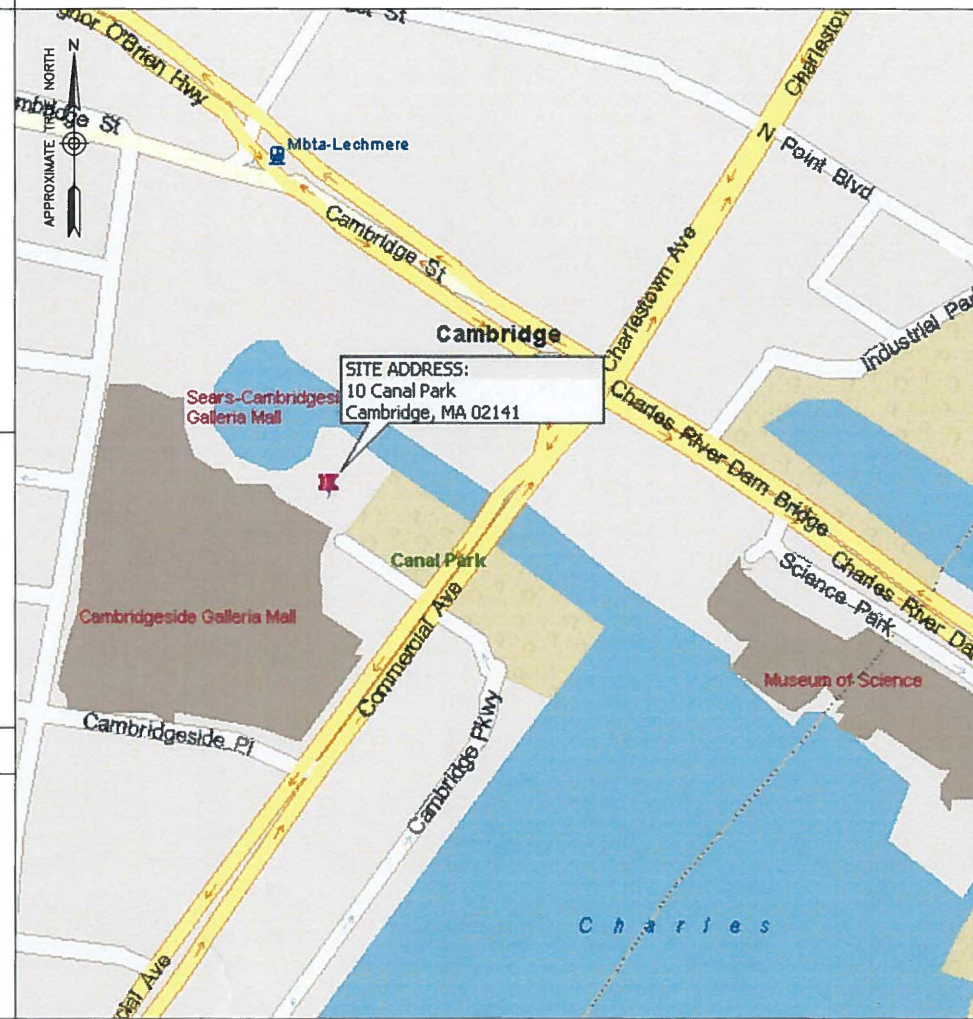


at&t
Mobility

SITE NAME: CAMBRIDGE CANAL PARK
SITE NUMBER: MA2884 BWE

VICINITY MAP

DIRECTIONS: TAKE I-90 E TOWARDS BOSTON. TAKE EXIT 26 TOWARDS STORROW DRIVE. KEEP LEFT AT THE FORK, FOLLOW SIGNS FOR MA-28 N LEVERETT CIRCLE/NORTH STATION. TURN RIGHT ONTO MA 28-N. TURN LEFT ONTO EDWIN H LAND BLVD. THE SITE WILL BE ON THE RIGHT.



APPLICABLE BUILDING CODES AND STANDARDS

CONTRACTOR'S WORK SHALL COMPLY WITH PROJECT STANDARD NOTES, SYMBOLS AND DETAILS (SEE DRAWING INDEX FOR STANDARD NOTES AND DETAILS INCLUDED WITH TYPICAL DRAWING PACKAGE). CONTRACTOR WORK SHALL COMPLY WITH ALL APPLICABLE NATIONAL, STATE, AND LOCAL CODES AS ADOPTED BY THE LOCAL AUTHORITY HAVING JURISDICTION (AHJ) FOR THE LOCATION. THE EDITION OF THE AHJ ADOPTED CODES AND STANDARDS IN EFFECT ON THE DATE OF CONTRACT AWARD SHALL GOVERN THE DESIGN.

BUILDING CODE:
MASSACHUSETTS STATE BUILDING CODE (780 CMR)

ELECTRICAL CODE:
NATIONAL ELECTRICAL CODE (NEC 2014)
MASSACHUSETTS ELECTRICAL CODE (527 CMR 12.00)

CONTRACTOR'S WORK SHALL COMPLY WITH THE LATEST EDITION OF THE FOLLOWING STANDARDS. AMERICAN CONCRETE INSTITUTE (ACI) 318, BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE. AMERICAN INSTITUTE OF STEEL CONSTRUCTION (AISC), MANUAL OF STEEL CONSTRUCTION, ASD, NINTH EDITION. TELECOMMUNICATIONS INDUSTRY ASSOCIATION (TIA) 222-G, STRUCTURAL STANDARDS FOR STEEL ANTENNA TOWER AND ANTENNA SUPPORTING STRUCTURES. TIA 607, COMMERCIAL BUILDING GROUNDING AND BONDING REQUIREMENTS FOR TELECOMMUNICATIONS

INSTITUTE FOR ELECTRICAL AND ELECTRONICS ENGINEERS (IEEE) 81, GUIDE FOR MEASURING EARTH RESISTIVITY, GROUND IMPEDANCE, AND EARTH SURFACE POTENTIALS OF A GROUND SYSTEM. IEEE 1100 (1999) RECOMMENDED PRACTICE FOR POWERING AND GROUNDING OF ELECTRONIC EQUIPMENT

IEEE C62.41, RECOMMENDED PRACTICES ON SURGE VOLTAGES IN LOW VOLTAGE AC POWER CIRCUITS (FOR LOCATION CATEGORY "C3" AND "HIGH SYSTEM EXPOSURE")

TELCORDIA GR-1503, COAXIAL CABLE CONNECTIONS

ANSI T1.311, FOR TELECOM - DC POWER SYSTEMS - TELECOM. ENVIRONMENTAL PROTECTION

FOR ANY CONFLICTS BETWEEN SECTIONS OF LISTED CODES AND STANDARDS REGARDING MATERIAL, METHODS OF CONSTRUCTION, OR OTHER REQUIREMENTS, THE MOST RESTRICTIVE REQUIREMENT SHALL GOVERN. WHERE THERE IS CONFLICT BETWEEN A GENERAL REQUIREMENT AND A SPECIFIC REQUIREMENT, THE SPECIFIC REQUIREMENT SHALL GOVERN.

DRAWING INDEX

REV

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C01	CONSTRUCTION DETAILS	1
E01	GROUNDING DETAILS & NOTES	1

THIS DOCUMENT WAS DEVELOPED TO REFLECT A SPECIFIC SITE AND ITS SITE CONDITIONS AND IS NOT TO BE USED FOR ANOTHER SITE OR WHEN OTHER CONDITIONS PERTAIN. REUSE OF THIS DOCUMENT IS AT THE SOLE RISK OF THE USER.

CONTACT & UTILITY INFORMATION

CONTACT	CONTACT	COMPANY	PHONE NO.
ENGINEERING:	DAMIAN SCHMALZ, P.E.	DEWBERRY	(617) 531-0823
SAC:	MEREDITH PAYNTER	SAI COMMUNICATIONS	(603) 952-8468
CONST.:	RICO MARTELL	SAI COMMUNICATIONS	(774) 454-3788

UTILITIES			
POWER:	EVERSOURCE	(800) 592-2000	
TELCO:	VERIZON	(800) 941-9900	

Dewberry
Dewberry Engineers Inc.
280 SUMMER ST.
10TH FLOOR
BOSTON, MA 02210
PHONE: 617.895.3400
FAX: 617.895.3310

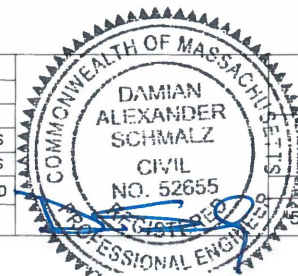
SAI
27 NORTHWESTERN DRIVE
SALEM, NH 03079

CAMBRIDGE CANAL PARK
SITE NO.: MA2884 BWE
10 CANAL PARK
CAMBRIDGE, MA 02141

at&t
Mobility
550 COCHITUATE ROAD
SUITES 13 & 14
FRAMINGHAM, MA 01701

NO.	DATE	REVISIONS	BY	CHK	APP'D
1	10/03/16	ISSUED FOR CONSTRUCTION	JG	SCA	DAS
0	08/19/16	ISSUED FOR REVIEW	JG	SCA	DAS

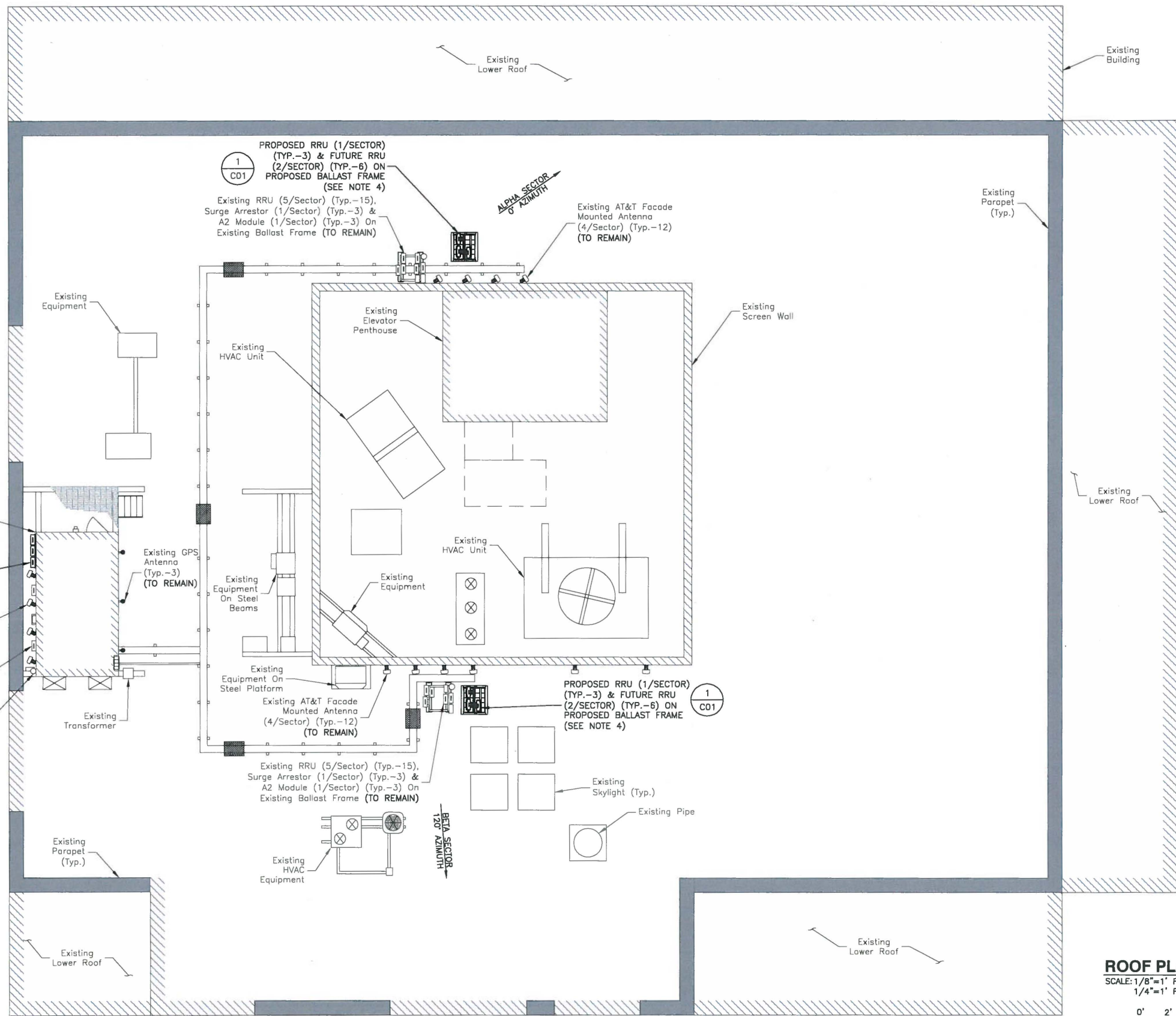
SCALE: AS SHOWN DESIGNED BY: SCA DRAWN BY: JG



AT&T MOBILITY
FRAMINGHAM, MA 01701

TITLE SHEET

DEWBERRY NO.	DRAWING NUMBER	REV
50019239/50083650	T01	1



ROOF PLAN
 SCALE: 1/8"=1' FOR 11"x17"
 1/4"=1' FOR 22"x34"
 0' 2' 4' 8'



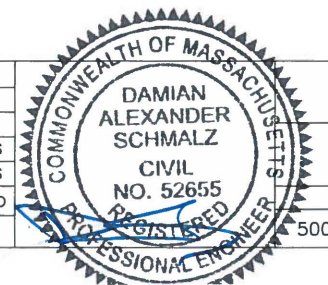
Dewberry®
 Dewberry Engineers Inc.
 280 SUMMER ST.
 10TH FLOOR
 BOSTON, MA 02210
 PHONE: 617.695.3400
 FAX: 617.695.3310

SAI
 27 NORTHWESTERN DRIVE
 SALEM, NH 03079

**CAMBRIDGE CANAL PARK
 SITE NO.: MA2884 BWE**
 10 CANAL PARK
 CAMBRIDGE, MA 02141

**at&t
 Mobility**
 550 COCHITUATE ROAD
 SUITES 13 & 14
 FRAMINGHAM, MA 01701

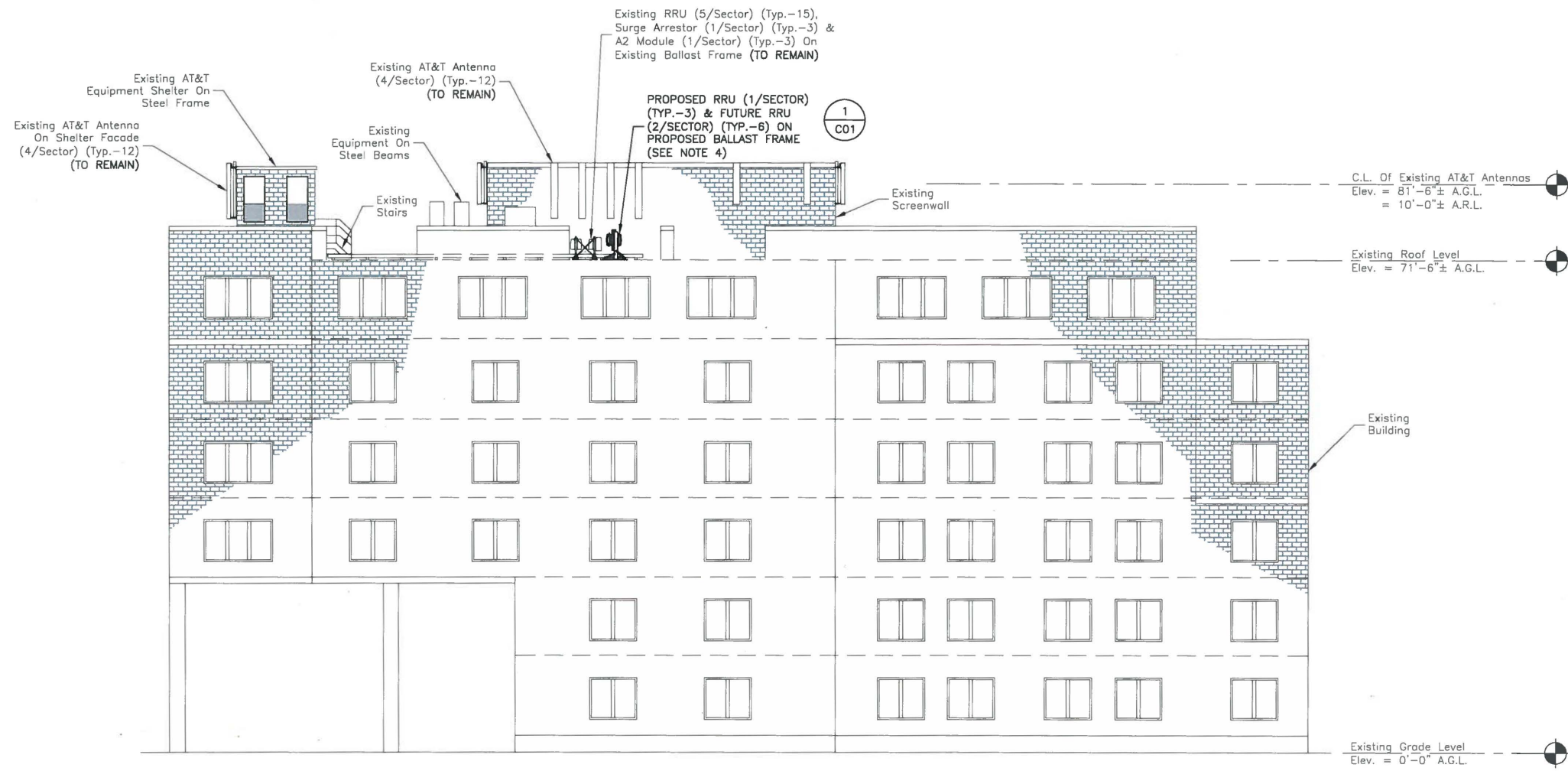
NO.	DATE	REVISIONS	BY	CHK	APP'D
1	10/03/16	ISSUED FOR CONSTRUCTION	JG	SCA	DAS
0	08/19/16	ISSUED FOR REVIEW	JG	SCA	DAS
SCALE: AS SHOWN		DESIGNED BY: SCA	DRAWN BY: JG		



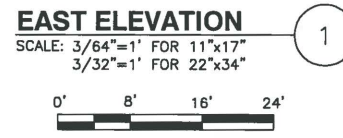
AT&T MOBILITY
 FRAMINGHAM, MA 01701

ROOF PLAN

DEWBERRY NO.	DRAWING NUMBER	REV
50019239/50083650	A01	1



LEGEND	
A.R.L.	ABOVE ROOF LEVEL
A.G.L.	ABOVE GROUND LEVEL
C.L.	CENTER LINE



- NOTES:**
- ELEVATION SHOWN AS APPROXIMATE.
 - SOME PROPOSED & EXISTING INFORMATION NOT SHOWN FOR CLARITY.
 - NO NEW RACKS OR CABINETS ARE PROPOSED TO BE INSTALLED INSIDE THE EQUIPMENT SHELTER AS PART OF THE CURRENT SCOPE OF WORK.
 - INSTALL ALL PROPOSED EQUIPMENT PER MANUFACTURERS RECOMMENDATIONS & IN ACCORDANCE WITH STRUCTURAL LETTER BY DEWBERRY ENGINEERS INC. DATED 10/03/16.

Dewberry
Dewberry Engineers Inc.
280 SUMMER ST.
10TH FLOOR
BOSTON, MA 02210
PHONE: 617.695.3400
FAX: 617.695.3310

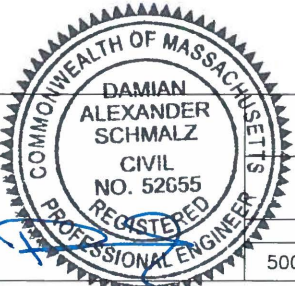
SAI
27 NORTHWESTERN DRIVE
SALEM, NH 03079

CAMBRIDGE CANAL PARK
SITE NO.: MA2884 BWE
10 CANAL PARK
CAMBRIDGE, MA 02141

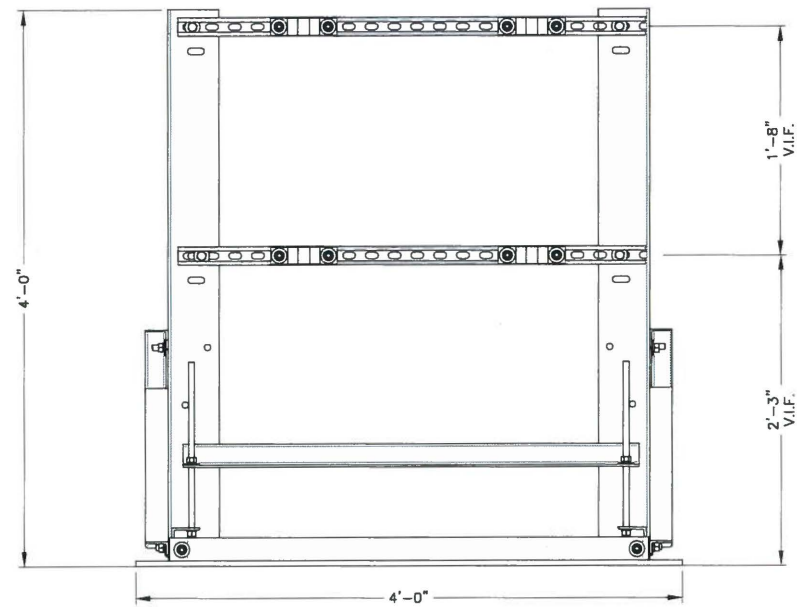
at&t
Mobility
550 COCHITUATE ROAD
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0	08/19/16	ISSUED FOR REVIEW	JG	SCA	DAS

SCALE: AS SHOWN DESIGNED BY: SCA DRAWN BY: JG

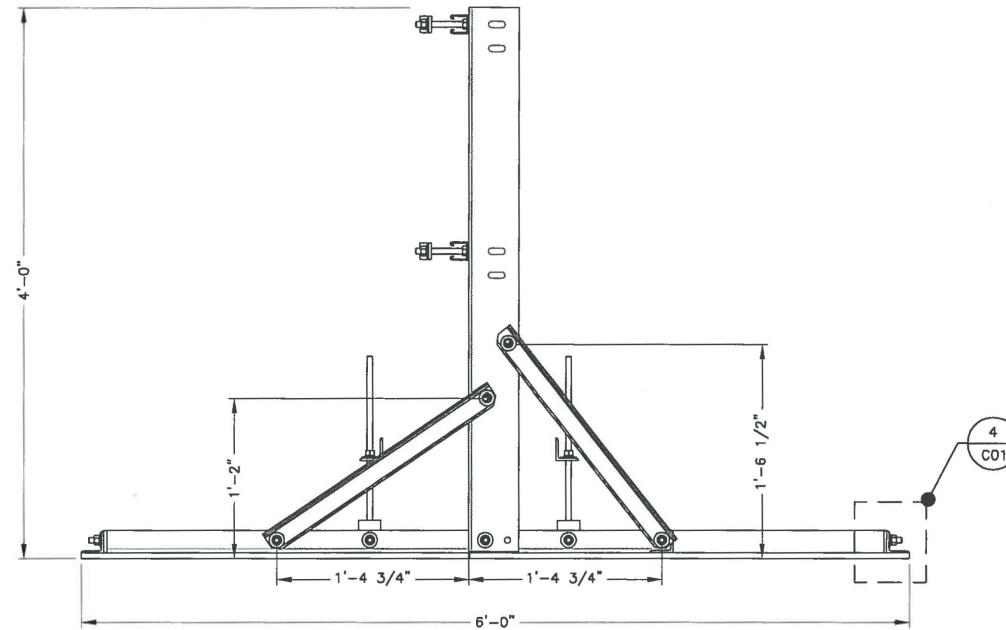


AT&T MOBILITY FRAMINGHAM, MA 01701	
EAST ELEVATION	
DEWBERRY NO.	DRAWING NUMBER
50019239/50083650	A02
REV	1



**ROOFTOP BALLAST MOUNT
FRONT ELEVATION**

SCALE: 3/4"=1' FOR 11"x17"
1 1/2"=1' FOR 22"x34"



**ROOFTOP BALLAST MOUNT
SIDE ELEVATION**

SCALE: 3/4"=1' FOR 11"x17"
1 1/2"=1' FOR 22"x34"

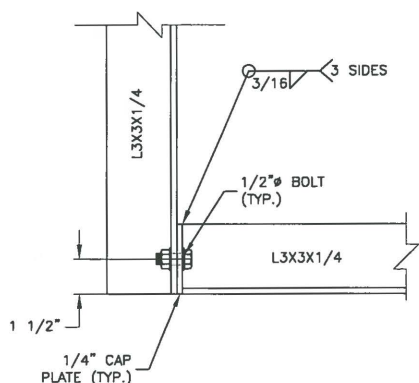


BALLAST FRAME BILL OF MATERIALS			
NUMBER	ITEM	MANUFACTURER/ MODEL #	COMMENTS/NOTES
①	2 1/2" SCH40 PIPE	N/A	GALVANIZED
②	VERTICAL ANGLE	COMMSCOPE/ MTC329420	
③	BRACE ANGLE	COMMSCOPE/ MTC329421	
④	1 5/8" UNISTRUT	COMMSCOPE/ MTC329420	
⑤	1 1/2"-3 1/2" O.D CLAMP HALF	COMMSCOPE/ ACP10	
⑥	CLIP ANGLE	COMMSCOPE/ MTCB326.01	
⑦	BRACE ANGLE	COMMSCOPE/ MTC329422	
⑧	1/2"x16" GALV. THREADED ROD	COMMSCOPE/ MT-379-16	
⑨	1/2"x6" GALV. THREADED ROD	COMMSCOPE/ MT-379-6	
⑩	1/2"x1 1/2" GALV. BOLT KIT	COMMSCOPE/ GB-D4145	
⑪	1/2" GALV. FLAT WASHER	COMMSCOPE/ GWF-04	
⑫	1/2" GALV. LOCK WASHER	COMMSCOPE/ GWL-04	
⑬	1/2" GALV. HEAVY HEX	COMMSCOPE/ GN-04	
⑭	RUBBER MAT .5"x18"x48"	COMMSCOPE/ MT-F1637	
⑮	L3X3X1/4 BASE FRAME ANGLES	N/A	GALVANIZED. SIZES VARY. TO BE FABRICATED WITH 1/4" CAP PLATE.

VERIFY QUANTITIES OF ALL PROPOSED EQUIPMENT PRIOR TO ORDERING AND ASSEMBLY.

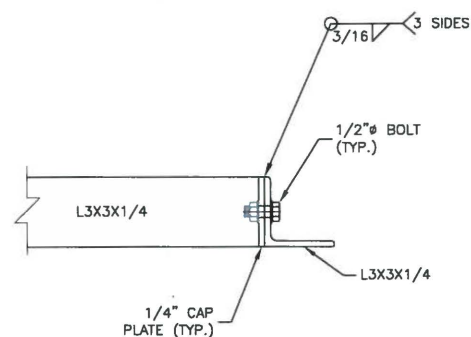
NOTE:

- SOME EXISTING AND PROPOSED INFORMATION NOT SHOWN FOR CLARITY.
- SEE STRUCTURAL STEEL NOTES ON SHEET G-01.
- INSPECT PROCURED STEEL AND EQUIPMENT PRIOR TO BALLAST ERECTION.
- ALL STEEL AND CONNECTIONS TO BE HOT-DIPPED GALVANIZED.
- COMMSCOPE RR-TFS BASE ANGLES TO BE REPLACED WITH SHOP FABRICATED L3X3X1/4 STEEL ANGLES. DRILL REQUIRED HOLES WITHIN ANGLES TO ENSURE CONNECTION WITH PRE-FABRICATED PARTS AS REQUIRED.



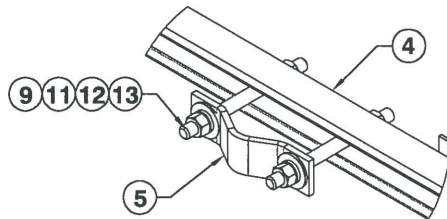
FRAME CORNER CONNECTION

SCALE: 1 1/2"=1' FOR 11"x17"
3"=1' FOR 22"x34"



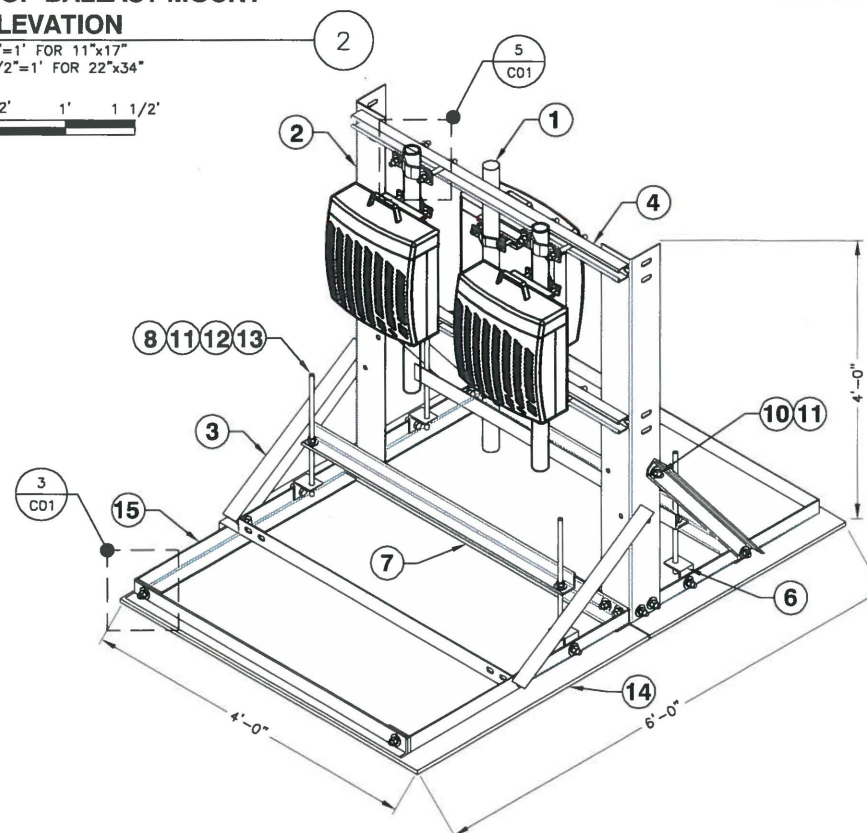
FRAME END CONNECTION

SCALE: 1 1/2"=1' FOR 11"x17"
3"=1' FOR 22"x34"



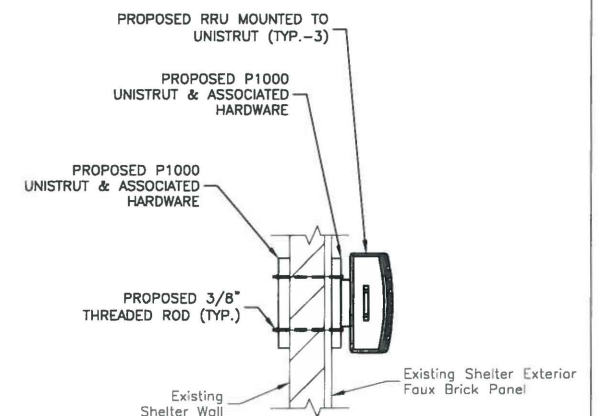
PIPE MOUNT ISOMETRIC

SCALE: N.T.S



**ROOFTOP BALLAST MOUNT
ISOMETRIC**

SCALE: N.T.S



NOTES:

- RRUS ARE TO BE MOUNTED AS LOW AS POSSIBLE ON SHELTER TO MINIMIZE VISUAL IMPACT.
- GROUND ALL EQUIPMENT PER VERIZON WIRELESS STANDARDS & MANUFACTURER'S RECOMMENDATIONS.
- WEATHER-SEAL ALL SHELTER PENETRATIONS.
- VERIFY LOCATION OF ANY INTERIOR ROOM FEATURES PRIOR TO INSTALLATION OF PROPOSED BACKING UNISTRUT.

SHELTER MOUNT DETAIL

SCALE: 3/8"=1' FOR 11"x17"
3/4"=1' FOR 22"x34"



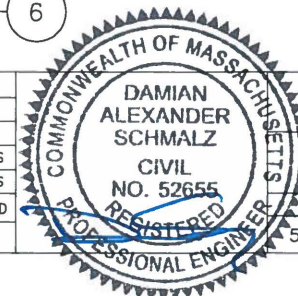
Dewberry®
Dewberry Engineers Inc.
280 SUMMER ST.
10TH FLOOR
BOSTON, MA 02210
PHONE: 617.695.3400
FAX: 617.695.3310

SAI
27 NORTHWESTERN DRIVE
SALEM, NH 03079

**CAMBRIDGE CANAL PARK
SITE NO.: MA2884 BWE**
10 CANAL PARK
CAMBRIDGE, MA 02141

**at&t
Mobility**
550 COCHITUATE ROAD
SUITES 13 & 14
FRAMINGHAM, MA 01701

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0	08/19/16	ISSUED FOR REVIEW	JG	SCA	DAS
NO.	DATE	REVISIONS	BY	CHK	APP'D
SCALE: AS SHOWN		DESIGNED BY: SCA	DRAWN BY: JG		



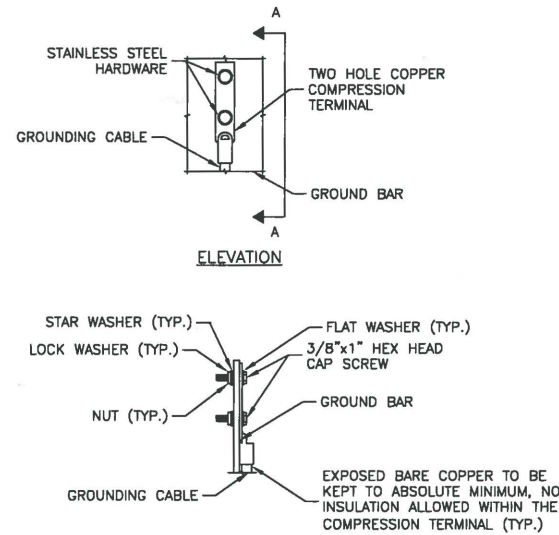
AT&T MOBILITY
FRAMINGHAM, MA 01701

CONSTRUCTION DETAILS

DEWBERRY NO.	DRAWING NUMBER	REV
50019239/50083650	C01	1

GROUNDING NOTES:

1. THE CONTRACTOR SHALL REVIEW AND INSPECT THE EXISTING FACILITY GROUNDING SYSTEM AND LIGHTNING PROTECTION SYSTEM (AS DESIGNED AND INSTALLED) FOR STRICT COMPLIANCE WITH THE NEC (AS ADOPTED BY THE AHJ). THE SITE-SPECIFIC (UL LP1, OR NFPA) LIGHTING PROTECTION CODE, AND GENERAL COMPLIANCE WITH TELCORDIA AND TIA GROUNDING STANDARDS. THE CONTRACTOR SHALL REPORT ANY VIOLATIONS OR ADVERSE FINDINGS TO THE CONTRACTOR FOR RESOLUTION.
2. ALL GROUND ELECTRODE SYSTEMS (INCLUDING TELECOMMUNICATION, RADIO, LIGHTNING PROTECTION, AND AC POWER GES'S) SHALL BE BONDED TOGETHER, AT OR BELOW GRADE, BY TWO OR MORE COPPER BONDING CONDUCTORS. ALL AVAILABLE GROUNDING ELECTRODES SHALL BE CONNECTED TOGETHER IN ACCORDANCE WITH THE NEC.
3. THE CONTRACTOR SHALL PERFORM IEEE FALL-OF-POTENTIAL RESISTANCE TO EARTH TESTING (PER IEEE 1100 AND 81) FOR GROUND ELECTRODE SYSTEMS. USE OF OTHER METHODS MUST BE PRE-APPROVED BY CONTRACTOR IN WRITING.
4. THE CONTRACTOR SHALL FURNISH AND INSTALL SUPPLEMENTAL GROUND ELECTRODES AS NEEDED TO ACHIEVE A TEST RESULT OF 5 OHMS OR LESS ON TOWER SITES AND 10 OHMS OR LESS ON ROOFTOP SITES. WHEN ADDING ELECTRODES, CONTRACTOR SHALL MAINTAIN A MINIMUM DISTANCE BETWEEN THE ADDED ELECTRODE AND ANY OTHER EXISTING ELECTRODE EQUAL TO THE BURIED LENGTH OF THE ROD. IDEALLY, CONTRACTOR SHALL STRIVE TO KEEP THE SEPARATION DISTANCE EQUAL TO TWICE THE BURIED LENGTH OF THE RODS.
5. THE CONTRACTOR IS RESPONSIBLE FOR PROPERLY SEQUENCING GROUNDING AND UNDERGROUND CONDUIT INSTALLATION AS TO PREVENT ANY LOSS OF CONTINUITY IN THE GROUNDING SYSTEM OR DAMAGE TO THE CONDUIT.
6. METAL CONDUIT AND TRAY SHALL BE GROUNDING AND MADE ELECTRICALLY CONTINUOUS WITH LISTED BONDING FITTINGS OR BY BONDING ACROSS THE DISCONTINUITY WITH #6 AWG COPPER WIRE AND UL APPROVED GROUNDING TYPE CONDUIT CLAMPS.
7. METAL RACEWAY SHALL NOT BE USED AS THE NEC REQUIRED EQUIPMENT GROUND CONDUCTOR. STRANDED COPPER CONDUCTORS WITH GREEN INSULATION, SIZED IN ACCORDANCE WITH THE NEC, SHALL BE FURNISHED AND INSTALLED WITH THE POWER CIRCUITS TO TRANSMISSION EQUIPMENT.
8. CONNECTIONS TO THE GROUND BUS SHALL NOT BE DOUBLED UP OR STACKED. BACK-TO-BACK CONNECTIONS ON OPPOSITE SIDES OF THE GROUND BUS ARE PERMITTED.
9. ALUMINUM CONDUCTOR OR COPPER CLAD STEEL CONDUCTOR SHALL NOT BE USED FOR GROUNDING CONNECTIONS.
10. USE OF 90° BENDS IN THE PROTECTION GROUNDING CONDUCTORS SHALL BE AVOIDED WHEN 45° BENDS CAN BE ADEQUATELY SUPPORTED. IN ALL CASES, BENDS SHALL BE MADE WITH A MINIMUM BEND RADIUS OF 8 INCHES.
11. EACH INTERIOR TRANSMISSION CABINET FRAME/PLINTH SHALL BE DIRECTLY CONNECTED TO THE MASTER GROUND BAR WITH #6 AWG STRANDED, GREEN INSULATED SUPPLEMENTAL EQUIPMENT GROUND WIRE UNLESS NOTED OTHERWISE IN THE DETAILS. EACH OUTDOOR CABINET FRAME/PLINTH SHALL BE DIRECTLY CONNECTED TO THE BURIED GROUND RING WITH 2 AWG SOLID TIN-PLATED COPPER WIRE UNLESS NOTED OTHERWISE IN THE DETAILS.
12. ALL EXTERIOR GROUND CONDUCTORS BETWEEN EQUIPMENT/GROUND BARS AND THE GROUND RING, SHALL BE 2 AWG SOLID TIN-PLATED COPPER UNLESS OTHERWISE INDICATED.
13. EXOTHERMIC WELDS SHALL BE USED FOR ALL GROUNDING CONNECTIONS BELOW GRADE. CONNECTIONS TO ABOVE GRADE UNITS SHALL BE MADE WITH EXOTHERMIC WELDS WHERE PRACTICAL OR WITH 2 HOLE MECHANICAL TYPE BRASS CONNECTORS WITH STAINLESS STEEL HARDWARE, INCLUDING SET SCREWS. HIGH PRESSURE CRIMP CONNECTORS MAY ONLY BE USED WITH WRITTEN PERMISSION FROM SAI COMMUNICATIONS MARKET REPRESENTATIVE.
14. EXOTHERMIC WELDS SHALL BE PERMITTED ON TOWERS ONLY WITH THE EXPRESS APPROVAL OF THE TOWER MANUFACTURER OR THE CONTRACTORS STRUCTURAL ENGINEER.
15. ALL WIRE TO WIRE GROUND CONNECTIONS TO THE INTERIOR GROUND RING SHALL BE FORMED USING HIGH PRESS CRIMPS OR SPLIT BOLT CONNECTORS WHERE INDICATED IN THE DETAILS.
16. ON ROOFTOP SITES WHERE EXOTHERMIC WELDS ARE A FIRE HAZARD COPPER COMPRESSION CAP CONNECTORS MAY BE USED FOR WIRE TO WIRE CONNECTIONS. 2 HOLE MECHANICAL TYPE BRASS CONNECTORS WITH STAINLESS STEEL HARDWARE, INCLUDING SET SCREWS SHALL BE USED FOR CONNECTION TO ALL ROOFTOP TRANSMISSION EQUIPMENT AND STRUCTURAL STEEL.
17. COAX BRIDGE BONDING CONDUCTORS SHALL BE EXOTHERMICALLY BONDED OR BOLTED TO THE BRIDGE AND THE TOWER GROUND BAR USING TWO-HOLE MECHANICAL TYPE BRASS CONNECTORS AND STAINLESS STEEL HARDWARE.
18. APPROVED ANTIOXIDANT COATINGS (I.E., CONDUCTIVE GEL OR PASTE) SHALL BE USED ON ALL COMPRESSION AND BOLTED GROUND CONNECTIONS.
19. ALL EXTERIOR GROUND CONNECTIONS SHALL BE COATED WITH A CORROSION RESISTANT MATERIAL.
20. MISCELLANEOUS ELECTRICAL AND NON-ELECTRICAL METAL BOXES, FRAMES AND SUPPORTS SHALL BE BONDED TO THE GROUND RING, IN ACCORDANCE WITH THE NEC.
21. BOND ALL METALLIC OBJECTS WITHIN 6 FT OF THE BURIED GROUND RING WITH 2 AWG SOLID TIN-PLATED COPPER GROUND CONDUCTOR. DURING EXCAVATION FOR NEW GROUND CONDUCTORS, IF EXISTING GROUND CONDUCTORS ARE ENCOUNTERED, BOND EXISTING GROUND CONDUCTORS TO NEW CONDUCTORS.
22. GROUND CONDUCTORS USED IN THE FACILITY GROUND AND LIGHTNING PROTECTION SYSTEMS SHALL NOT BE ROUTED THROUGH METALLIC OBJECTS THAT FORM A RING AROUND THE CONDUCTOR, SUCH AS METALLIC CONDUITS, METAL SUPPORT CLIPS OR SLEEVES THROUGH WALLS OR FLOORS. WHEN IT IS REQUIRED TO BE HOUSED IN CONDUIT TO MEET CODE REQUIREMENTS OR LOCAL CONDITIONS, NON-METALLIC MATERIAL SUCH AS PVC PLASTIC CONDUIT SHALL BE USED. WHERE USE OF METAL CONDUIT IS UNAVOIDABLE (E.G., NON-METALLIC CONDUIT PROHIBITED BY LOCAL CODE) THE GROUND CONDUCTOR SHALL BE BONDED TO EACH END OF THE METAL CONDUIT WITH LISTED BONDING FITTINGS.



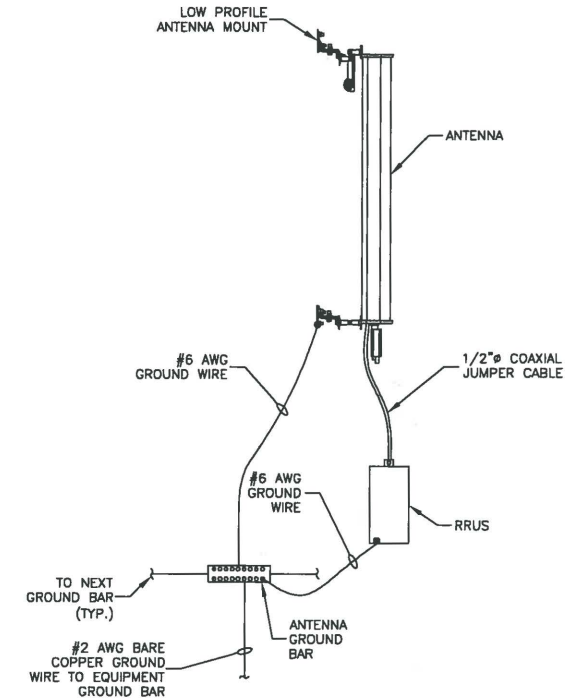
NOTES:

1. DOUBLING UP OR STACKING OF CONNECTIONS IS NOT PERMITTED.
2. OXIDE INHIBITING COMPOUND TO BE USED AT ALL LOCATIONS.

TYPICAL GROUND BAR MECHANICAL CONNECTION DETAIL

SCALE: N.T.S.

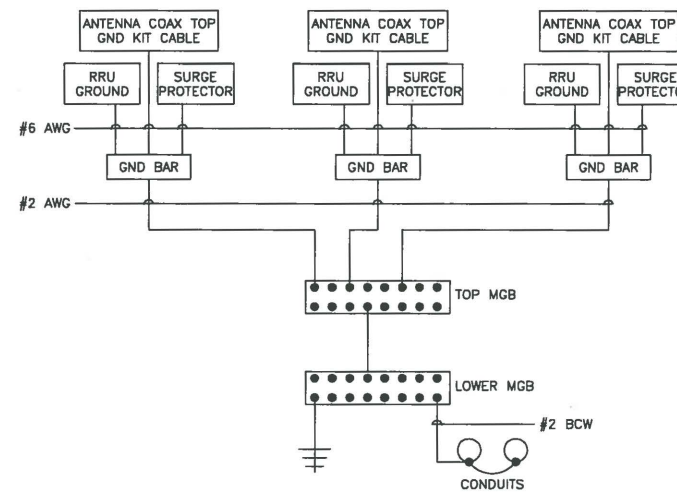
1



TYPICAL ANTENNA GROUNDING DETAIL

SCALE: N.T.S.

2



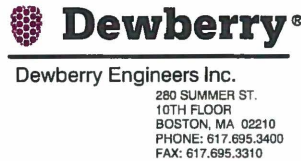
NOTES:

1. BOND ANTENNA GROUNDING KIT CABLE TO TOP CIGBE.
2. BOND ANTENNA GROUNDING KIT CABLE TO BOTTOM CIGBE.

SCHEMATIC GROUNDING DIAGRAM

SCALE: N.T.S.

3



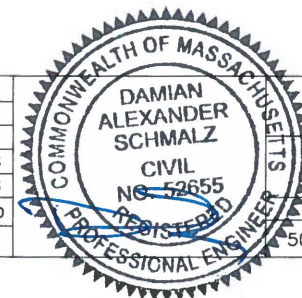
CAMBRIDGE CANAL PARK SITE NO.: MA2884 BWE

10 CANAL PARK, CAMBRIDGE, MA 02141



at&t
Mobility
550 COCHITUATE ROAD, SUITES 13 & 14, FRAMINGHAM, MA 01701

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AT&T MOBILITY, FRAMINGHAM, MA 01701

GROUNDING NOTES & DETAILS

DEWBERRY NO.	DRAWING NUMBER	REV
50019239/50083650	E01	1

RRUS 12



- › 2x60 Watts
- › GSM, WCDMA & LTE
- › Frequencies:
 - Band 2 (PCS, KRC 161 299/2)
 - Band 4 (AWS, KRC 161 349/2)
 - Band 5 (850MHz, KRC 161 321/2)
- › IBW: 40 MHz (B2, B4), 25 MHz (B5)
- › Up to 4 carriers WCDMA or LTE
- › 2.5 Gbps CPRI
- › 6 external alarms
- › DC supply (AC as an option)
- › Dimensions (HxWxD): 20.4"x18.5"x7.5"
(including sun shield and handle)
- › Weight: 50 lbs, excluding mounting hardware
 - 58 lbs in Extranet description, applicable to heaviest (non-AT&T) frequency model



RRUS 11 – RRUS 12 COMPARISON



RRUS 11

- › GSM, WCDMA, LTE
- › 4 carriers over 20 MHz IBW
 - 4 carriers WCDMA, LTE
- › Up to 20 MHz LTE
- › Up to 2 x 40 W
- › IBW = up to 20 MHz
- › 19.7”x17.0”x7.2”
- › 50 lbs



RRUS 12

- › GSM, WCDMA, LTE
- › 8 carriers over 40 MHz IBW
 - 4 carriers WCDMA, LTE
- › Up to 20 MHz LTE
- › Up to 2 x 60 W
- › IBW = up to 40 MHz
- › 20.4”x18.5”x7.5”
- › 50 lbs
 - › 58 lbs in Extranet description

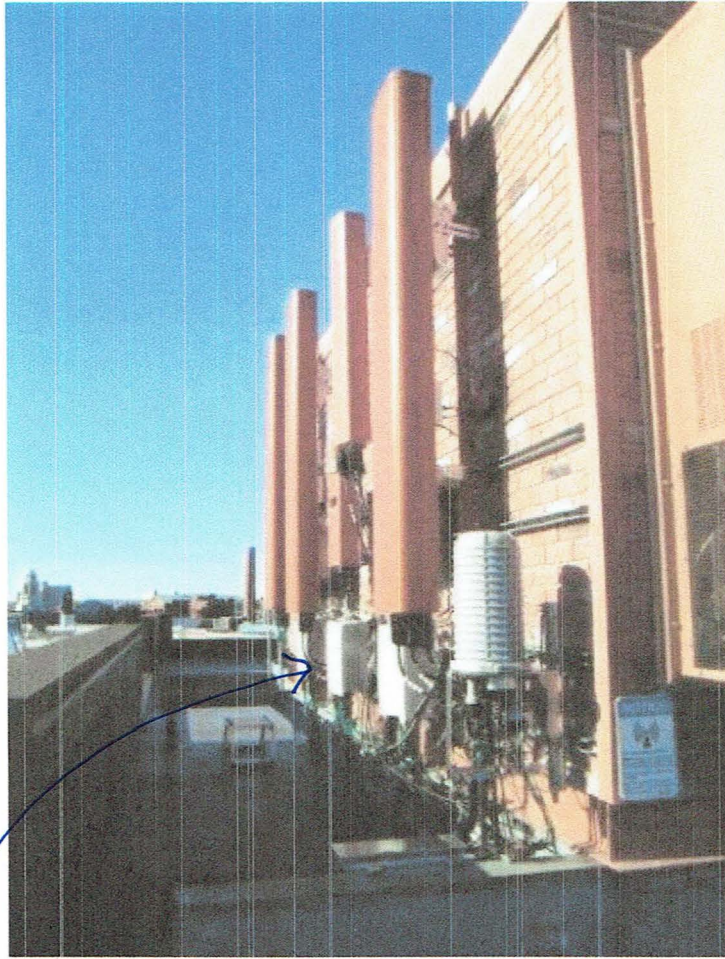
RRUS 32 B30

PRELIMINARY



- › WCS A+B blocks
 - TX = 2350 – 2360 MHz
 - RX = 2305 – 2315 MHz
- › CPRI 2 ports x 10 Gbps
- › Dimensions (incl. feet and sunshield)
 - Height: 26.7” (678 mm)
 - Width: 12.1” (306 mm)
 - Depth: 6.7” (171 mm)
- › Weight, excl. mounting hardware
 - 60 lbs (23 kg)





Additional RRU's to be added . Mounted at Parapet wall height and not visible to public

Additional Frame
to be installed





Dewberry Engineers Inc.
280 Summer Street, 10th Floor
Boston, MA 02210

617.695.3400
617.695.3310 fax
www.dewberry.com

October 03, 2016

SAI Communications
27 Northwestern Drive
Salem, NH 03079

**Re: MA2884 – Cambridge Canal Park BWE
10 Canal Park
Cambridge, MA 02141**

To Whom It May Concern,

SAI/AT&T Mobility has proposed to replace (3) existing remote radio units (RRUs) with (3) new RRUs and (6) future RRUs on the rooftop at the above referenced site. (6) RRUs will be installed on (2) new ballast frames and (3) RRUs will be installed on unistrut on the AT&T shelter exterior.

Dewberry Engineers Inc. (Dewberry) has evaluated the proposed equipment configuration and has determined the existing structure has sufficient capacity to support the proposed loads as shown in our associated Construction Drawings.

Our assessment is based on the assumption that the existing structure is in good condition and was constructed in conformance with all applicable state and local building codes. If during construction any damage or deterioration is noticed, Dewberry is to be notified to assess any deviation from the assumed condition. The addition of any new equipment not accounted for in the associated plans will require further analysis and design.

If you have any questions, please do not hesitate to call me at 617-531-0742.

Sincerely,
Dewberry Engineers Inc.

Brenden Alexander, P.E.
Manager MEPS Engineering



BZA APPLICATION FORM - OWNERSHIP INFORMATION

To be completed by OWNER, signed before a notary and returned to The Secretary of the Board of Zoning Appeals.

I/We Ten Canal Park Massachusetts, LLC
(OWNER)

Address: c/o Intercontinental Real Estate Corp, 1270 Soldiers Field Rd.
Brighton, MA 02135

State that I/We own the property located at 10 Canal Park, Cambridge, MA
which is the subject of this zoning application. 02141

The record title of this property is in the name of Ten Canal Park
Massachusetts, LLC

*Pursuant to a deed of duly recorded in the date 5/10/16, Middlesex South
County Registry of Deeds at Book 1489, Page 55; or and
Middlesex Registry District of Land Court, Certificate No. 26215
Book _____ Page _____.

P [Signature], duly authorized
SIGNATURE BY LAND OWNER OR
AUTHORIZED TRUSTEE, OFFICER OR AGENT*

*Written evidence of Agent's standing to represent petitioner may be requested.

Commonwealth of Massachusetts, County of Suffolk

The above-name Peter Palandjian personally appeared before me,
this 22nd of March, 2017, and made oath that the above statement is true.

My commission expires 11/11/19 (Notary Seal) [Signature]
Notary
MY COMMISSION EXPIRES
JANUARY 11, 2019
NOTARY PUBLIC
COMMONWEALTH OF MASSACHUSETTS

* If ownership is not shown in recorded deed, e.g. if by court order, recent deed, or inheritance, please include documentation.



2016 01729341

Bk: 1489 Pg: 55 Cert#: 262115

Doc: DEED 05/10/2016 03:16 PM

Deed

QUITCLAIM DEED

BCSP CAMBRIDGE TEN PROPERTY LLC, a Delaware limited liability company, having a mailing address at c/o Beacon Capital Partners, LLC, 200 State Street, 5th Floor, Boston, Massachusetts 02109 ("**Grantor**"), for consideration paid and in full consideration of SEVENTY-SEVEN MILLION THREE HUNDRED SIXTY-EIGHT THOUSAND AND 00/100 DOLLARS (\$77,368,000.00) hereby **GRANTS** to **TEN CANAL PARK MASSACHUSETTS, LLC**, a Delaware limited liability company, with an address of c/o U.S. Real Estate Investment Fund, LLC, 1270 Soldiers Field Road, Boston, Massachusetts, 02135 ("**Grantee**"), with QUITCLAIM COVENANTS, the land and all improvements thereon located at Ten Canal Park, Cambridge, Massachusetts (the "**Property**") more particularly described on Exhibit A attached hereto and made a part hereof.

Ten Canal Park, Cambridge, Massachusetts

Together with all right, title and interest of Grantor in and to any land lying in the bed of any street (open or proposed) adjacent to or abutting or adjoining the Property.

Together with all rights, privileges, rights of way and easements appurtenant to the granted Property, to the extent now in force and applicable.

This conveyance is made subject to and with the benefit of those easements, conditions, agreements and restrictions of record insofar as they may lawfully affect the Property, and all unpaid taxes and assessments, known or unknown, insofar as they may lawfully affect the Property.

Being the premises conveyed to Grantor by Quitclaim Deed dated April 28, 2014 and filed with the Middlesex (South) Registry District of the Land Court as Document No. 01669792.

Grantor has not elected to be treated as a corporation for federal tax purposes.

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MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD # 001
Date: 05/10/2016 03:16 PM
Ctrl# 241651-27113 Doc# 01729341
Fee: \$852,798.08 Cons: \$77,368,000.00

256407 145d-7

IN WITNESS WHEREOF, said Grantor has caused this deed to be signed, acknowledged and delivered on its behalf by the undersigned, as of the 9th day of May, 2016.

GRANTOR:

BCSP CAMBRIDGE TEN PROPERTY LLC,
a Delaware limited liability company

LVC
CF
173 1370

By: *Nancy J. Broderick*

Name: Nancy J. Broderick
Title: Managing Director and Authorized
Real Property Signatory

Commonwealth of Massachusetts)
) ss.
County of Suffolk)

On May 5, 2016, before me, Kathleen M. Laubenthal, a
Notary Public, personally appeared Nancy J. Broderick, personally known to me (or
proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the
within instrument and acknowledged to me that he/she executed the same in his/her authorized
capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of
which the person acted, executed the instrument.

WITNESS my hand and official seal.

My Commission Expires: 5/13/2022 Signature *Kathleen M. Laubenthal*
(Seal)



KATHLEEN M. LAUBENTHAL
Notary Public
Commonwealth of Massachusetts
My Commission Expires
May 13, 2022

Commonwealth of Massachusetts)
) ss.
County of Suffolk)

On May 5, 2016, before me, Kathleen M. Laubenthal, a Notary Public, personally appeared Nancy J. Broderick, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument voluntarily for its stated purpose.

WITNESS my hand and official seal.

My Commission Expires: 5/13/2022 Signature Kathleen M. Laubenthal
(Seal)



KATHLEEN M. LAUBENTHAL
Notary Public
Commonwealth of Massachusetts
My Commission Expires
May 13, 2022

EXHIBIT A

Legal Description

Real property in the City of Cambridge, County of Middlesex, Commonwealth of Massachusetts, described as follows:

A certain parcel of land with the buildings and other improvements thereon in Cambridge, Middlesex County, Massachusetts known and numbered as Ten Canal Park and more particularly described as follows:

Northwesterly by Lots 18 and 10 as shown on plan hereinafter mentioned, one hundred sixty-one and 93/100 feet;

Northeasterly by said Lot 10, one hundred forty-two feet;

Southeasterly by Lot 12 on said plan, one hundred sixty-three and 16/100 feet;

Southwesterly by Lot 28 on said plan, one hundred seventy-seven and 52/100 feet; and

Southwesterly, again, by Lot 38 on said plan, sixteen and 79/100 feet.

Said parcel is shown as Lot 37 on said plan (Plan 85X).

All of said boundaries are determined by the Court to be located as shown on a Subdivision Plan, as approved by the Court, filed in the Land Registration Office, a copy of which is filed in the Registry of Deeds for the South Registry District of Middlesex County in Registration Book 1056, Page 182, with Certificate 185332.

There is appurtenant to the above described land the right to use the Canal or Dock shown on Plan filed in Registration Book 67, Page 245 in common with others entitled thereto except that there is expressly reserved and excepted any rights or easements whatsoever which James N. Scully et al, Trustees may have in that part of Lechmere Canal shown on plan filed in Registration Book 727, Page 124, lying westerly of the southwesterly boundary of Lot 4 and the northeasterly boundary of Lot 6 extended northwesterly, referred to in Deed Document No. 426470.

So much of the described land as is included within the limits of the Canal shown on said Plan filed in Registration Book 67, Page 245 running north and south is subject to the rights of all persons lawfully entitled thereto in and over the same and referred to in said Deed Document No. 426470.

There is appurtenant to the above described land a 26 foot right of way over Lot 12 as shown on said plan filed in Registration Book 953, Page 137.

There is appurtenant to the above described land a right of way along the northeasterly side of Lot I on Plan filed in Registration Book 109, Page 509, with reservation, Document No. 141997.

There is appurtenant to the above described land an Access Easement over Lot 12, on said plan filed in Registration Book 953, Page 137 set forth in Document No. 619506, as acquired by Certificate of Election Document No. 669959.

DOCUMENT 01729341

Southern Middlesex Land Court
REGISTRY DISTRICT

RECEIVED FOR REGISTRATION

On: Nov 10, 2016 at 03:16P

Document Fee: 125.00
Receipt Total: *252,467.00

NEW: CERT 262115 BK 01409 PG 58

OLD: CERT 257469 BK 1452 PG 7



MARtha COAKLEY
ATTORNEY GENERAL

THE COMMONWEALTH OF MASSACHUSETTS OFFICE OF THE ATTORNEY GENERAL

CENTRAL MASSACHUSETTS DIVISION
10 MECHANIC STREET, SUITE 301
WORCESTER, MA 01608

(508) 792-7600
(508) 795-1991 fax
www.mass.gov/ago

June 12, 2013

Gail Garrett, Town Clerk
Town of Mount Washington
118 East Street
Mount Washington, MA 01258

**RE: Mount Washington Special Town Meeting of April 1, 2013 - Case # 6642
Warrant Articles # 1, 2, and 3 (Zoning)**

Dear Ms. Garrett:

Articles 1, 2, and 3 - We approve the amendments to the Town by-laws adopted under Articles 1, 2, and 3 on the warrant for the Mount Washington Special Town Meeting that convened on April 1, 2013, and the map pertaining to Article 3. Our comments on Articles 1 and 2 are provided below.

Article 1 - The amendments adopted under Article 1 add a new Section 215-27 to the zoning by-laws entitled "Wireless Telecommunication Facility Zoning Bylaw." We approve the new Section 215-27, but offer the following comments.

I. Applicable Law

The federal Telecommunications Act of 1996, 47 U.S.C. § 332 (7) preserves state and municipal zoning authority to regulate personal wireless service facilities, subject to the following limitations:

1. Zoning regulations "shall not unreasonably discriminate among providers of functionally equivalent services." 47 U.S.C. §332(7) (B) (i) (I)
2. Zoning regulations "shall not prohibit or have the effect of prohibiting the provisions of personal wireless services." 47 U.S.C. § 332 (7) (B) (i) (II).
3. The Zoning Authority "shall act on any request for authorization to place, construct, or modify personal wireless service facilities within a reasonable period of time." 47 U.S.C.

§ 332 (7) (B) (ii).

4. Any decision “to deny a request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record.” 47 U.S.C. § 332 (7) (B) (iii).
5. “No state or local government or instrumentality thereof may regulate the placement, construction and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the [Federal Communications] Commission’s regulations concerning emissions.” 47 U.S.C. § 332(7) (B) (iv).

Federal courts have construed the limitations listed under 47 U.S.C. § 332(7) as follows. First, even a facially neutral by-law may have the effect of prohibiting the provision of wireless coverage if its application suggests that no service provider is likely to obtain approval. “If the criteria or their administration effectively preclude towers no matter what the carrier does, they may amount to a ban ‘in effect’...” Town of Amherst, N.H. v. Omnipoint Communications Enters, Inc., 173 F.3d 9, 14 (1st Cir. 1999).

Second, local zoning decisions and by-laws that prevent the closing of significant gaps in wireless coverage have been found to effectively prohibit the provision of personal wireless services in violation of 47 U.S.C. § 332(7). See, e.g., Nat’l Tower, LLC v. Plainville Zoning Bd. of Appeals, 297 F.3d 14, 20 (1st Cir. 2002) (“local zoning decisions and ordinances that prevent the closing of significant gaps in the availability of wireless services violate the statute”); Omnipoint Communications MB Operations, LLC v. Town of Lincoln, 107 F. Supp. 2d 108, 117 (D. Mass. 2000) (by-law resulting in significant gaps in coverage within town had effect of prohibiting wireless services).

Third, whether the denial of a permit has the effect of prohibiting the provision of personal wireless services depends in part upon the availability of reasonable alternatives. See 360 Degrees Communications Co. v. Bd. of Supervisors, 211 F.3d 79, 85 (4th Cir. 2000). Zoning regulations must allow cellular towers to exist somewhere. Towns may not effectively ban towers throughout the municipality, even under the application of objective criteria. See Virginia Metronet, Inc. v. Bd. of Supervisors, 984 F. Supp. 966, 971 (E.D. Va. 1998).

State law also establishes certain limitations on a municipality’s authority to regulate wireless communications facilities and service providers. Under General Laws Chapter 40A, Section 3, wireless service providers may apply to the Department of Telecommunications and Cable for an exemption from local zoning requirements. If a telecommunication provider does not apply for or is not granted an exemption under c. 40A, § 3, it remains subject to local zoning requirements pertaining to cellular towers. See Building Comm’r of Franklin v. Dispatch Communications of New England, Inc., 48 Mass. App. Ct. 709, 722 (2000). Also, G.L. c. 40J, § 6B, charges the Massachusetts Broadband Institute with the task of promoting broadband access throughout the state. Municipal regulation of broadband service providers must not frustrate the achievement of this statewide policy.

In addition, Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012

requires that “[A] state or local government *may not deny, and shall approve*, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station.” (emphasis added). The Act defines “eligible facilities request” as any request for modification of an existing wireless tower or base station that involves: 1) collocation of new transmission equipment; 2) removal of transmission equipment; or 3) replacement of transmission equipment. The Act applies “[n]otwithstanding section 704 of the Telecommunications Act of 1996.” The Act’s requirement that a local government “may not deny, and shall approve, any eligible facilities request” means that a request for modification to an existing facility that does not substantially change the physical dimensions of the tower or base station must be approved. Such qualifying requests also cannot be subject to a discretionary special permit.

We approve the new Section 215-27. However, the Town must apply the by-law in a manner consistent with the applicable law outlined above. In particular, Section IV of the new by-law requires that Wireless Telecommunication Facilities are only allowed by special permit in the Wireless Telecommunication Overlay District. This requirement cannot be applied to eligible facilities requests for modification to existing facilities which qualify for required approval under Section 6409 of the Act, as described above. We urge the Town to consult closely with Town Counsel regarding the appropriate response to applications for collocation in light of these recent amendments.

II. Analysis of Mount Washington’s Wireless Telecommunication Facility By-Law

A. Section VIII “Criteria For Approval and Conditions”.

This section provides as follows:

5. The applicant will remove the Facility, should the Facility be abandoned or cease to operate. The Planning Board may require the applicant to provide a bond, or other form of financial guarantee acceptable to the Planning Board to cover the cost of removal of the Facility, should the Facility be abandoned or cease to operate, and ensure other compliance hereunder.

The Town must apply any bond or other financial guarantee proceeds in a manner consistent with state law. Bond proceeds do not become Town funds unless and until the applicant defaults on the obligation under the proposed by-law. Moreover, if the Town must use the bond to pay for removal of a wireless communication facility or the repair and/or restoration of the premises, an appropriation is required before expenditure is made to do the work. General Laws Chapter 44, Section 53, provides that “[a]ll moneys received by a city, town or district officer or department, except as otherwise provided by special acts and except fees provided for by statute, shall be paid by such officers or department upon their receipt into the city, town or district treasury.” Under Section 53 all moneys received by the Town become a part of the general fund, unless the Legislature has expressly made other provisions that are applicable to such receipt. In the absence of any general or special law to the contrary, performance security funds of the sort contemplated here must be deposited with the Town Treasurer and made part of the Town’s general fund, pursuant to G.L. c. 44, § 53. The Town must then appropriate the money for the specific purpose of completing the work required for removal and/or restoration.

B. Section X “Permit Revocation For Non-Performance”.

Section X authorizes the Planning Board to revoke a special permit for failure to comply with certain conditions. We approve Section X. However, before the Planning Board revokes a permit for failure to comply with certain conditions provided in Section X, the Planning Board should discuss with Town Counsel what due process, including notice and hearing requirements, are required. We suggest that the Town discuss this issue in more detail with Town Counsel.

Finally, the word “ordinance” is used in the by-law. Towns enact “by-laws” and cities enact “ordinances.” The Town may wish delete the word “ordinance” from the new Section 215-27 and insert the word “by-law” at a future Town Meeting.

Article 2 - The amendments adopted under Article 2 add a new Section 215-28, “Solar Photovoltaic Installation Moratorium Bylaw,” to the Town’s zoning by-laws. The temporary moratorium (through one year from the date of enactment of Section 215-28) on solar photovoltaic installation other than those mounted on an existing structure provides as follows:

Whereas, the Town of Mount Washington is undertaking a comprehensive study with respect to regulating the use of land for Solar Photovoltaic Installations, and

Whereas, there have been significant changes in law regarding Solar Photovoltaic Installations; and,

Whereas, the Town wishes to act carefully in a field with evolving law and technology, to investigate ways to preserve the character of the community while serving the needs of its people, and to devise an orderly process for granting permits by drafting an amendment to the Bylaw which is comprehensive, practical, equitable, and addresses the concerns of the Town on number, size, appearance, site standards, and location of Solar Photovoltaic Installations; and,

Whereas, it is desired to protect the Town from ill-advised and inappropriate development of Solar Photovoltaic Installations pending a thorough review and the formulation of such a zoning amendment; and,

Whereas, the Planning Board has determined that one year is necessary for such a comprehensive review and development of a Bylaw Subsection on Solar Photovoltaic Installations.

Now, therefore, no Solar Photovoltaic Installations other than those mounted on an existing structure, in the usual manner, shall be permitted for one year from the date of enactment of this Bylaw.

We approve the temporary moratorium adopted under Article 2 because the Town has the authority to “impose reasonable time limitations on development, at least where those restrictions are temporary and adopted to provide controlled development while the municipality engages in comprehensive planning studies.” Sturges v. Chilmark, 380 Mass. 246, 252-253 (1980). Such a temporary moratorium is within the Town’s zoning power where there is a stated need for “study, reflection and decision on a subject matter of [some] complexity...” W.R.

Grace v. Cambridge City Council, 56 Mass. App. Ct. 559, 569 (2002) (City’s temporary moratorium on building permits in two districts was within city’s authority to zone for public purposes.) The time limit Mount Washington has selected for its temporary moratorium (one year from the date of enactment of the by-law) appears to be reasonable in the circumstances. The moratorium is limited in time period and scope (to the use of land and structures for solar photovoltaic installations), and thus does not present the problem of a rate-of-development bylaw of unlimited duration which the Zuckerman court determined was unconstitutional. Zuckerman v. Hadley, 442 Mass. 511, 512 (2004) (“[A]bsent exceptional circumstances not present here, restrictions of unlimited duration on a municipality’s rate of development are in derogation of the general welfare and thus are unconstitutional.”)

While we approve the temporary one year moratorium on solar photovoltaic installations, we note that G.L. c. 40A, § 3, protects solar energy systems and the building of structures that facilitate the collection of solar energy from certain local zoning requirements. General Laws Chapter 40A, Section 3, provides in pertinent part as follows:

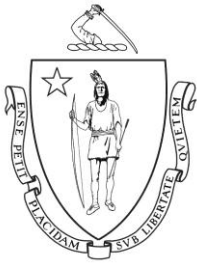
No zoning ordinance or by-law shall prohibit or unreasonably regulate the installation of solar energy systems or the building of structures that facilitate the collection of solar energy, except where necessary to protect the public health, safety or welfare.

General Laws Chapter 40A, Section 3, prohibits towns from adopting zoning by-laws that prohibit or *unreasonably regulate* the installation of solar energy systems or the building of structures that facilitate the collection of solar energy, except where necessary to protect the public health, safety or welfare. A temporary moratorium longer than one year may be vulnerable to a challenge in court that it is an unreasonable regulation of solar energy systems under G.L. c. 40A, § 3. We suggest the Town consult closely with Town Counsel on this issue.

Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the Town has first satisfied the posting/publishing requirements of that statute. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were approved by the Town Meeting, unless a later effective date is prescribed in the by-law.

Very truly yours,
MARTHA COAKLEY
ATTORNEY GENERAL
Kelli E. Gunagan
By: Kelli E. Gunagan
Assistant Attorney General
Municipal Law Unit
10 Mechanic Street, Suite 301
Worcester, MA 01608
(508) 792-7600

cc: Town Counsel Joel Bard (via electronic mail)



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

CENTRAL MASSACHUSETTS DIVISION
10 MECHANIC STREET, SUITE 301
WORCESTER, MA 01608

MAURA HEALEY
ATTORNEY GENERAL

(508) 792-7600
(508) 795-1991 fax
www.mass.gov/ago

February 10, 2015

Trudy L. Reid, Town Clerk
Town of Lynnfield
55 Summer Street
Lynnfield, MA 01940

**RE: Lynnfield Fall Annual Town Meeting of October 20, 2014 - Case # 7408
Warrant Articles # 12, 13 and 14 (Zoning)
Warrant Articles # 16 and 17 (General)**

Dear Ms. Reid:

Articles 12, 13, 14, 16 and 17 - We approve Articles 12, 13, 14, 16 and 17 from the October 20, 2014 Lynnfield Fall Annual Town Meeting. Our comments regarding Article 14 are provided below.

Article 14 - Article 14 makes a number of changes to the Town's zoning by-laws pertaining to Radio Telecommunication Facilities (RTF) and Personal Wireless Service Facilities (PWSF) including adding new definitions to Section 2, amending Section 7.4, "Site Plan" to add a new sub-section 7.4A "Additional Requirements for Personal Wireless Service Facilities"; and amending Section 8, "Special Permits" to add a new sub-section 8.7, "Siting of Radio Telecommunications Facilities."

I. Applicable Law

The federal Telecommunications Act of 1996, 47 U.S.C. § 332 (7) preserves state and municipal zoning authority to regulate personal wireless service facilities, subject to the following limitations:

1. Zoning regulations "shall not unreasonably discriminate among providers of functionally equivalent services." 47 U.S.C. §332(7) (B) (i) (I)
2. Zoning regulations "shall not prohibit or have the effect of prohibiting the provisions of personal wireless services." 47 U.S.C. § 332 (7) (B) (i) (II).
3. The Zoning Authority "shall act on any request for authorization to place, construct, or modify personal wireless service facilities within a reasonable period of time." 47 U.S.C. § 332 (7) (B) (ii).

4. Any decision “to deny a request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record.” 47 U.S.C. § 332 (7) (B) (iii).
5. “No state or local government or instrumentality thereof may regulate the placement, construction and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the [Federal Communications] Commission’s regulations concerning emissions.” 47 U.S.C. § 332(7) (B) (iv).

Federal courts have construed the limitations listed under 47 U.S.C. § 332(7) as follows. First, even a facially neutral by-law may have the effect of prohibiting the provision of wireless coverage if its application suggests that no service provider is likely to obtain approval. “If the criteria or their administration effectively preclude towers no matter what the carrier does, they may amount to a ban ‘in effect’...” Town of Amherst, N.H. v. Omnipoint Communications Enters, Inc., 173 F.3d 9, 14 (1st Cir. 1999).

Second, local zoning decisions and by-laws that prevent the closing of significant gaps in wireless coverage have been found to effectively prohibit the provision of personal wireless services in violation of 47 U.S.C. § 332(7). See, e.g., Nat’l Tower, LLC v. Plainville Zoning Bd. of Appeals, 297 F.3d 14, 20 (1st Cir. 2002) (“local zoning decisions and ordinances that prevent the closing of significant gaps in the availability of wireless services violate the statute”); Omnipoint Communications MB Operations, LLC v. Town of Lincoln, 107 F. Supp. 2d 108, 117 (D. Mass. 2000) (by-law resulting in significant gaps in coverage within town had effect of prohibiting wireless services).

Third, whether the denial of a permit has the effect of prohibiting the provision of personal wireless services depends in part upon the availability of reasonable alternatives. See 360 Degrees Communications Co. v. Bd. of Supervisors, 211 F.3d 79, 85 (4th Cir. 2000). Zoning regulations must allow cellular towers to exist somewhere. Towns may not effectively ban towers throughout the municipality, even under the application of objective criteria. See Virginia Metronet, Inc. v. Bd. of Supervisors, 984 F. Supp. 966, 971 (E.D. Va. 1998).

State law also establishes certain limitations on a municipality’s authority to regulate wireless communications facilities and service providers. Under General Laws Chapter 40A, Section 3, wireless service providers may apply to the Department of Telecommunications and Cable for an exemption from local zoning requirements. If a telecommunication provider does not apply for or is not granted an exemption under c. 40A, § 3, it remains subject to local zoning requirements pertaining to cellular towers. See Building Comm’r of Franklin v. Dispatch Communications of New England, Inc., 48 Mass. App. Ct. 709, 722 (2000). Also, G.L. c. 40J, § 6B, charges the Massachusetts Broadband Institute with the task of promoting broadband access throughout the state. Municipal regulation of broadband service providers must not frustrate the achievement of this statewide policy.

In addition, Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012 requires that “[A] state or local government *may not deny, and shall approve*, any eligible

facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station.” (emphasis added). The Act defines “eligible facilities request” as any request for modification of an existing wireless tower or base station that involves: 1) collocation of new transmission equipment; 2) removal of transmission equipment; or 3) replacement of transmission equipment. The Act applies “[n]otwithstanding section 704 of the Telecommunications Act of 1996.” The Act’s requirement that a local government “may not deny, and shall approve, any eligible facilities request” means that a request for modification to an existing facility that does not substantially change the physical dimensions of the tower or base station must be approved. Such qualifying requests also cannot be subject to a discretionary special permit.

The Town must apply Article 14 in a manner consistent with the applicable law outlined above. In particular, Section 8.7.5.1 requires that PWSF may only be erected upon the grant of a special permit. The Town cannot apply this requirement to eligible facilities requests for modification to existing facilities that qualify for required approval under Section 6409 of the Act. We also urge the Town to consult closely with Town Counsel regarding the appropriate response to applications for collocation in light of these recent amendments.

II. Section 8.7, Siting of Radio Telecommunications Facilities

A. Section 8.7.2, Purpose

Section 8.7.2 provides that the purpose of the by-law is to establish general guidelines for the siting of RTFs. Section 8.7.2 (4) establishes one of the by-law’s goals as “[t]o make all RTF locations available for municipal agencies use where feasible.”

It is unclear whether Section 8.7.2 (4) would require the Town’s use of the RTF, and whether such use would be compensated or uncompensated. When applying the by-law, the Town cannot require an applicant to transfer property to the public without fair compensation. “The Fifth Amendment to the United States Constitution, made applicable to the States through the Fourteenth Amendment, provides that private property shall not ‘be taken for public use, without just compensation.’” This protection is “designed to bar Government from forcing some people alone to bear public burdens which, in all fairness and justice, should be borne by the public as a whole.” Giovanella v. Conservation Commission of Ashland, 447 Mass. 720, 724 (2006) (quoting Armstrong v. United States, 364 U.S. 40, 49 (1960)). More recently, the court in Collins v. Stow, 79 Mass. App. Ct. 447 (2011) ruled that a town cannot condition subdivision approval on the dedication of open space for public use and actual conveyance of the land to the Town in exchange for waivers. “Although a planning board’s authority under the subdivision control law certainly encompasses, in appropriate circumstances, requiring open space, it does not extend to requiring the transfer of that open space to the public for reasons unrelated to adequate access and safety of the subdivision without providing just compensation.” Id. at 453. We suggest that the Town consult with Town Counsel regarding the proper application of Section 8.7.2 (4).

B. Section 8.7.5.4, General

Section 8.7.5.4.1 provides in relevant part that:

An undertaking shall be required, secured by a BOND appropriate in form and amount for removal of the PWSF within 6 months of cessation of operation of said facility or such other activity which may be appropriate to prevent the structures from becoming a nuisance or aesthetic blights.

The Town must apply any bond proceeds in a manner consistent with state law. Bond proceeds do not become Town funds unless and until the applicant defaults on the obligation under the by-law. Moreover, if the Town must use the bond to pay for removal of a PWSF or for other activity to prevent nuisance or blight, an appropriation is required before expenditure is made to do the work. General Laws Chapter 44, Section 53, provides that “[a]ll moneys received by a city, town or district officer or department, except as otherwise provided by special acts and except fees provided for by statute, shall be paid by such officers or department upon their receipt into the city, town or district treasury.” Under Section 53 all moneys received by the Town become a part of the general fund, unless the Legislature has expressly made other provisions that are applicable to such receipt. In the absence of any general or special law to the contrary, performance security funds of the sort contemplated here must be deposited with the Town Treasurer and made part of the Town’s general fund, pursuant to G.L. c. 44, § 53. The Town must then appropriate the money for the specific purpose of completing the work required for removal and/or other activities. The Town should consult with Town Counsel regarding the proper application of Section 8.7.5.4.

C. Section 8.7.5.5, Application Procedures

Section 8.7.5.5 pertaining to the Special Permit application provides in relevant part, that:

The Application Phase of the process begins with the receipt by the SPGA of a complete application including all materials required by the Zoning Bylaw and any applicable regulations.

Within 30 days of receipt, the SPGA or its designee shall review the application for consistency and completeness with respect to the Application Requirements in the bylaw and any applicable regulations and shall notify the Applicant in writing of any deficiency in the completeness of the application.

The SPGA shall take regulatory notice of the Federal Communications Commission (FCC) presumption that the final action of the SPGA on a new Antenna Tower should take no more than 150 days from the date of receipt of the completed application, and that final action on a Collocation or Site Sharing application should take no more than 90 days from the date of receipt of the completed application except upon written

extension of these timelines by mutual agreement between the SPGA and the Applicant.

Section 8.7.5.5 must be applied in a manner consistent with the time limits established in G.L. c. 40A, § 9. General Laws Chapter 40A, Section 9, requires that the special permit granting authority “shall hold a public hearing for which notice has been given as provided in section eleven, on any application for a special permit within sixty-five days from the date of filing of such application. . . . The decision of the special permit granting authority shall be made within ninety days following the date of such public hearing. . . . Failure by the special permit granting authority to take final action within . . . ninety days . . . shall be deemed to be a grant of the special permit.” (emphasis added).

Pursuant to G.L. c. 40A, § 9, the filing of a special permit application “starts the clock” on the time period within which the special permitting authority must act. Section 8.7.5.5 cannot be applied in a manner that “starts the clock” only when a *completed* application is filed. The Town must apply Section 8.7.5.5 consistent with G.L. c. 40A, § 9. See Massachusetts Broken Stone Co. v. Town of Weston, 430 Mass. 637, 642 (2000). The Town should consult with Town Counsel regarding the proper application of Section 8.7.5.5.

Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the Town has first satisfied the posting/publishing requirements of that statute. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were approved by the Town Meeting, unless a later effective date is prescribed in the by-law.

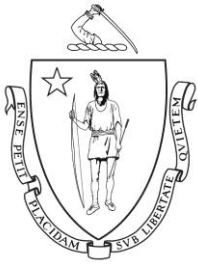
Very truly yours,

MAURA HEALEY
ATTORNEY GENERAL

Nicole B. Caprioli

By: Nicole B. Caprioli
Assistant Attorney General
Municipal Law Unit
10 Mechanic Street, Suite 301
Worcester, MA 01608
(508) 792-7600 ext. 4418
nicole.caprioli@state.ma.us

cc: Town Counsel Thomas Mullen



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

CENTRAL MASSACHUSETTS DIVISION
10 MECHANIC STREET, SUITE 301
WORCESTER, MA 01608

MAURA HEALEY
ATTORNEY GENERAL

(508) 792-7600
(508) 795-1991 fax
www.mass.gov/ago

February 23, 2015

Debra A. Bourbeau, Town Clerk
Town of Montague
1 Avenue A
Montague, MA 01376

**RE: Montague Special Town Meeting of October 29, 2014 - Case # 7451
Warrant Article # 17 (Zoning)**

Dear Ms. Bourbeau:

Article 17 - We approve Article 17 from the October 29, 2014 Montague Special Town Meeting. Article 17 amends several portions of the Town's zoning by-laws pertaining to site plan review.

1. Section 5.2 (d), Permitted Uses and Special Permits - Procedures

Section 5.2 (d) was deleted in its entirety and replaced with new text that provides as follows (with emphasis added):

All applications for Special Permits and Site Plan Review from the Board of Appeals or the Planning Board shall be subject to the procedural requirements established by the respective Board. The Board of Appeals or Planning Board may determine that the assistance of outside professional expertise is required due to the size, scale, or complexity of a given project or its potential impact on the health, safety, and welfare of the Town. When outside review is determined to be necessary, the Board may require the applicant pay all reasonable expenses for this purpose, in accordance with the Board's regulations and M.G.L. Chapter 44 Section 53G.

General Laws Chapter 44, Section 53G, authorizes zoning boards, planning boards, boards of health, and conservation commissions, acting under authority conferred by G.L. c. 40A, § 9 and 12, c. 41, § 81Q, c. 40B, § 21, c. 111; and c. 40, § 8C, to impose consultant review fees, to disburse the funds collected, and to return unused portions to the applicant. However, the Legislature did not include Boards acting under the authority conferred solely by a local law within the small class of local boards that enjoy the benefits of G.L. c. 44, § 53G. When the Board is reviewing a site plan application based solely on the authority granted under local law, it cannot avail itself of the provisions of G.L. c. 44, § 53G. We suggest that the Town discuss this issue in more detail with Town Counsel.

2. Section 7.5.2, Telecommunication Facilities - General Provisions

Section 7.5.2, was deleted in its entirety and replaced with new text that provides as follows:

Telecommunication Facilities may be allowed by Special Permit from the Board of Appeals pursuant to Sections 5.2 and Section 7.5. Conditions shall maximize the shared use of any new or existing structures to minimize the required number of such facilities; and shall minimize[e] adverse visual impacts through careful design, siting, and screening. No facility shall be located in a (RS) Residential District. (see: Section 2, Definitions).

Section 7.5.2 must be applied in a manner consistent with Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012, which requires that “[A] state or local government *may not deny, and shall approve*, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station.” (emphasis added). The Act defines “eligible facilities request” as any request for modification of an existing wireless tower or base station that involves: 1) collocation of new transmission equipment; 2) removal of transmission equipment; or 3) replacement of transmission equipment. The Act applies “[n]otwithstanding section 704 of the Telecommunications Act of 1996.” The Act’s requirement that a local government “may not deny, and shall approve, any eligible facilities request” means that a request for modification to an existing facility that does not substantially change the physical dimensions of the tower or base station must be approved. Such qualifying requests also cannot be subject to a discretionary special permit.

The Town must apply Section 7.5.2 in a manner consistent with the applicable law outlined above. We also urge the Town to consult closely with Town Counsel regarding the appropriate response to applications for collocation in light of these recent amendments.

Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the Town has first satisfied the posting/publishing requirements of that statute. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the

date they were approved by the Town Meeting, unless a later effective date is prescribed in the by-law.

Very truly yours,

MAURA HEALEY
ATTORNEY GENERAL

Nicole B. Caprioli

By: Nicole B. Caprioli
Assistant Attorney General
Municipal Law Unit
10 Mechanic Street, Suite 301
Worcester, MA 01608
(508) 792-7600 ext. 4418
nicole.caprioli@state.ma.us

cc: Town Counsel Gregg J. Corbo