



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

NOTICE OF DECISION

Case No: PB #35 MAJOR AMENDMENT #4

Address: Ten Canal Park

Owner: EOP-Ten Canal Park, L.L.C.

Original Decision: October 18, 1983

Major Amendment #1: October 20, 1992

Major Amendment #2: October 14, 1997

Major Amendment #3: November 29, 2002

Major Amendment #4: September 22, 2004

Applicant: Sprint Spectrum LP, 800 West Cummings Park, Suite 6950, Woburn
MA 01801

**Application: Amendment to allow telecommunications antennas and
equipment storage units on the existing penthouse, section
4.32(6)1.**

Decision: GRANTED with conditions.

Appeals, if any, shall be made pursuant to Section 17 of Massachusetts General Laws, Chapter 40A, and shall be filed within twenty (20) days after the filing of the above referenced decision with the City Clerk. Copies of the complete decision and final plans, if applicable, are on file with the Office of the Community Development Department and the City Clerk.

Authorized Representative to the Planning Board

For more information regarding this special permit, please contact the Community Development Department, Liza Paden at voice: 617-349-4647; TTY: 617-349-4621, or email at lpaden@ci.cambridge.ma.us.

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OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Application

Application to amend the original Special Permit to permit telecommunications use, Section 4.32(6)1, consisting of 9 antenna panels mounted on the penthouse façade, and 4 equipment boxes installed on the adjacent roof, photo simulations of the installation, supporting statements and plans.

Findings

After review of the application documents and discussions at the September 7, 2004 public hearing, the Planning Board makes the following findings:

1. Conformance with the Requirements of Telephone exchange, (including, switching, relay and transmission facilities serving mobile communications systems) and any towers or antennas accessory thereto, Section 4.32.g.1.

- a. The scope of or limitations imposed by any license secured from any state or federal agency having jurisdiction over such matters.

The required licenses have been secured and the proposed installation has been reviewed by the appropriate agencies.

- b. Use of existing building/roof elements as support/background

The applicant proposes to utilize the existing building and rooftop mechanical elements to support the antennas and as background to minimize their visual impact. The antennas are to be finished in a material to match appropriately the background surfaces. The equipment cabinets are to be located adjacent to the existing building rooftop penthouse screen wall and will not be visible from most vantage points on the ground.

- c. Location of the facility with respect to residential zoning districts.

The site is located in the PUD-4 district in East Cambridge where the base district is Business A and telecommunications is allowed by Special Permit.

2. Conformance with the criteria for Special Permits, Section 10.40

- a. The requirements of the Ordinance can be met.

This installation meets the special permit requirements now imposed for the erection of new facilities.

- b. Traffic patterns will not cause congestion, hazard, or substantial change in the established neighborhood character.

The facility is fully automated and will not generate any traffic congestion, hazard or a substantial change in the established character of the neighborhood. The facility is visited monthly by a small maintenance crew in a single vehicle.

- c. Continued operation or development of adjacent uses will not be adversely affected.

The proposed facility will enhance the operation of surrounding business and commercial uses by providing wireless service. Visually the installation will be consistent with mechanical elements found throughout the Lechmere Canal area on the tops of buildings. The visual impact of this installation on Ten Canal Park from the public park, Lechmere Canal, will be minimal.

- d. No nuisance or hazard will be created to the detriment of the health, safety, and welfare of the occupants or the citizens of the City.

The proposed use is passive in nature and will create no noise, traffic, smoke, dust, odors, disruptive lighting or other nuisance. The health aspects of the facility are reviewed and monitored by state and federal agencies having appropriate jurisdiction in such matters.

- e. The use will not impair the integrity of the district or adjoining districts or derogate from the intent or purposes of the Ordinance.

The proposed use would not impair the integrity of the Business A or PUD-4 Districts which are office and business districts; the use would generally enhance their operations; any potential negative visual aspects have been mitigated.

Decision

After review of the application documents, testimony at the public hearing and based on the above findings, the Planning Board **GRANTS** the Major Amendment #4 to Special Permit #35 with the following conditions

1. The facility be shall be install in conformance with plans as revised and submitted and reviewed by the Board, dated 6/25/04, (plans labeled as Title sheet, locus and roof plan, and elevations, sheets T-1, C-1 and C-2)
2. The antennas shall be removed within 30 days of the termination of their use.
3. That the facilities may be replaced, after review and approval by the Planning Board at a regular Planning Board meeting, provided the Board finds that the new facilities occupy no more of the surface area of the building and are in the same approximate location as approved herein; and are no more visible than this approved plan.

Voting to **GRANT** the Major Amendment to the special permit were: B. Shaw, H. Russell, P. Winters, L. Brown, W. Tibbs, and J. Hrabchek and K. Benjamin replacing absent Planning Board members, constituting more than two thirds of the membership of the Board.

For the Planning Board

A handwritten signature in cursive script that reads "Barbara Shaw" followed by a circled "MS" in the right margin.

Barbara Shaw, Chair

A copy of this decision shall be filed with the Office of the City Clerk. Appeals, if any, shall be made pursuant to Section 17, Chapter 40A, Massachusetts General Laws, and shall be filed within twenty (20) days after the date of such filing in the Office of the City Clerk.

ATTEST: A true and correct copy of the above decision filed with the Office of the City Clerk on, **September 22, 2004** by Elizabeth M. Paden authorized representative of the Cambridge Planning Board. All plans referred to in the decision have likewise been filed with the City Clerk on such date.

Twenty (20) days have elapsed since the filing of this decision. No appeal has been filed.

DATE: