#### GENERAL INFORMATION

The undersigned he	ereby petitions the Boar	d of Zoning Appeal	for the following:	
and relief pursuant to	x Variance: Section 6409 of the Middle Class T Mobile Northeast LLC	Appe ax Relief Act	al:	
PETITIONER'S ADDRE	ESS: Prince Lobel Tye, LLP, Attn RTY: 10 Fawcett Street	. Ricardo M. Sousa, Esq.,	One International Place, Suite	3700, Boston, MA
TYPE OF OCCUPANCY:	: Telecommunications	ZONING DISTRICT:	0-2	
REASON FOR PETITIC	ON :			
Addit	tions		New Structure	
Chang	ge in Use/Occupancy		Parking	
Conve	ersion to Addi'l Dwellin	g Unit's	Sign	
Dorme	er		Subdivision	
X Other	r: Section 6409(a) of the Spect	rum Act relief for Special P	ermit for the collocation of a W	reless Facility

#### DESCRIPTION OF PETITIONER'S PROPOSAL:

The Applicant proposes to modify its existing Wireless Telecommunications Facility by collocating three (3) new L700 antennas on the existing building, together with supporting equipment. All three (3) proposed antennas will be facade mounted to the existing Building, adjacent to the existing antennas and painted to match the existing building. The Applicants proposal complies with Section 6409 of the Spectrum Act as the collocation of antennas is not a substantial change to the existing base station. Moreover, the Applicants proposal complies with Section 4.32 and 10.4 of the Cambridge Zoning Code.

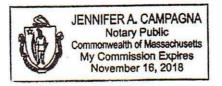
SECTIONS OF ZONING ORDINANCE CITED:
Article 4.00 Section 4.32 (g)(1) Utilities - Telephone Exchange
Article 10.00 Section 10.4 - Special Permit
Article 6409 Section Middle Class Tax Relief Act
Applicants for a <u>Variance</u> must complete Pages 1-5 Applicants for a <u>Special Permit</u> must complete Pages 1-4 and 6 Applicants for an <u>Appeal</u> to the BZA of a Zoning determination by the Inspectional Services Department must attach a statement concerning the reasons for the appeal Original Signature(s): (Petitioner(s)/Owner) Ricardo M. Sousa, Esq. (Print Name) Address: One International Place, Suite 3700
Boston, MA 02110
Tel. No.: 617-456-8123
E-Mail Address: rsousa@princelobel.com
Date: July 29, 2016

#### 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.

Fariett LLC I/We Address: C/O briffith Properties 260 Franklis Street Boston MA 02118 State that I/We own the property located at 10 Fawcett Street which is the subject of this zoning application. The record title of this property is in the name of AG Fawcett, LLC \*Pursuant to a deed of duly recorded in the date 6/28/2013, Middlesex South County Registry of Deeds at Book 62137 , Page 327 ; or Middlesex Registry District of Land Court, Certificate No. Book \_\_\_\_\_ Page \_ 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 The above-name personally appeared before me, this Afthof Une, 2016, and made oath that the above statement is true. (Notary Seal). My commission expires

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



#### DIMENSIONAL INFORMATION

APPLICANT:	ile Northeast	I	PRESENT USE/OCCUPANCY	: Wireless Tele	ecommunicatio
LOCATION:	wcett Street		ZONE :	0-2	
PHONE:617-456	-8123	REQUESTED USE	Virele	ess Telecommuni	cations
		EXISTING CONDITIONS	REQUESTED CONDITIONS	ORDINANCE REQUIREMENTS	1
TOTAL GROSS FLOOR	AREA:	N/A	No Change	N/A	(max.)
LOT AREA:		N/A		N/A	(min.)
RATIO OF GROSS FLO	OR AREA	N/A	No Change	N/A	(max.)
LOT AREA FOR EACH	DWELLING UNIT.	N/A	No Change	N/A	(min.)
SIZE OF LOT:	WIDTH	N/A		N/A	_ (min.)
	DEPTH				
Setbacks in	FRONT	N/A	No Change	N/A	(min.)
<u>Feet</u> :	REAR	N/A	No Change	N/A	(min.)
	LEFT SIDE	N/A	No Change	N/A	(min.)
	RIGHT SIDE	N/A	No Change	N/A	- (min.)
SIZE OF BLDG.:	HEIGHT	N/A	No Change	N/A	_(max.)
	LENGTH				
	WIDTH				
RATIO OF USABLE OP TO LOT AREA: 3)	EN SPACE	N/A	No Change		
			No Change	N/A	_(min.)
NO. OF DWELLING UN	ITS:	N/A	No Change	N/A	_(max.)
NO. OF PARKING SPA	CES:	N/A		N/A (mi	.n./max)
NO. OF LOADING ARE	AS:	N/A	No Change	N/A	(min.)
DISTANCE TO NEARES	T BLDG.	N/A	No Change	N/A	(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.

The proposed installation involves a modification of an existing Wireless Telecommunications Facility,

more commonly referred to as a "collocation".

<sup>1.</sup> SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).

<sup>2.</sup> 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'.

## ■ PRI∩CE LOBEL

July 29, 2016

City of Cambridge Board of Zoning Appeals 831 Massachusetts Avenue Cambridge, MA 02139

Re:	Eligible Facilities Request pursuant to Section 6409 of the
	Spectrum Act and an Application for Special Permit, in the
	alternative
Property Address:	10 Fawcett Street
	Assessor's Map 267F, Lot 301 (the "Property")
Applicant:	T-Mobile Northeast LLC (the "Applicant")

Dear Honorable Members of the Board of Zoning Appeals:

This firm represents T-Mobile Northeast LLC ("T-Mobile") (hereinafter, the "Applicant") in connection with an application for a special permit from the City of Cambridge Board of Zoning Appeals (the "Board"), to modify an existing wireless communications facility on the Property. The Property is located in the Office 2 (O-2) zoning district. To the extent that the Board determines that the requirements of Article 4 Section 4.32G.1 of the City of Cambridge Zoning Ordinance (the "Ordinance") apply, the use of the Property for a wireless telecommunications facility is permitted by special permit from the Board<sup>1</sup>. The Applicant's proposal satisfies the requirements for the grant of a special permit pursuant to Section 10-43 of the Ordinance.

The Applicant's Proposed Facility (as defined herein) is subject to Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012, more commonly known as the "Spectrum Act" (47 U.S.C. § 1455). As such, we respectfully submit that in the event that the Board determines that the application does not comply with the Spectrum Act, the Applicant hereby states that the special permit requirements set forth in the Ordinance are hereby met by the Applicant, and that relief must be granted to the Applicant. The compliance with the Spectrum Act is shown on the Eligible Facilities Request permit application form attached hereto and incorporated herein by reference (the "EFR").

<sup>1</sup> Pursuant to Section 6409(a) of the Spectrum Act, state and local governments "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." As such, the Applicant submits that they need not apply for a special permit from the board. To the extent that this Board determines that the Applicants' proposed wireless facility must comply with special permit requirements set forth in Section 10-43 of the Ordinance, the Applicants submit that they have complied with said requirements, without waiving the argument that such relief is not required. Prince Lobel Tye LLP One International Place Suite 3700 Boston, MA 02110 TEL: 617 456 8000 FAX: 617 456 8100

## ▶ PRI∩CE LOBEL

The Applicant seeks to modify its existing wireless communications facility by collocating three (3) new L700 antennas mounted to the façade of the existing penthouse on the building located at the Property (the "Building"), three (3) Remote Radio Head Units ("RRH") and supporting equipment (the "Proposed Facility"). All of the proposed antennas will be installed adjacent to the existing antennas and painted to match the existing building. The Applicant's facilities are shown on the Plans attached hereto and incorporated herein by reference (the "Plans").

#### I. Background

The Applicant is licensed by the Federal Communications Commission (the "FCC") to construct and operate a wireless telecommunications network in various markets throughout the country, including the Commonwealth of Massachusetts and in particular in the City of Cambridge. A copy of the Applicant's FCC license is attached hereto. The Applicant is in the process of designing and constructing a telecommunications system to serve all of the Commonwealth of Massachusetts. One of the key design objectives of its systems is to provide seamless 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 existing use of the network and the existing topography. 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. This dynamic requires the antennas to be located in a location where the signal is not obstructed or degraded by other buildings or by topographical features such as hills.

#### II. <u>Project Description</u>

As noted above, the Applicant proposes to modify its existing wireless facility currently operating on the rooftop of the Building by adding three (3) new T-Mobile L700 panel antennas, façade mounted to the existing building, adjacent to the existing antennas and painted to match the building, together with supporting equipment. All new antennas will be installed to be consistent with the previous decisions of the Board for this facility, the first of which is dated December 1, 1997 (Case No. PB #27, Major Amendment #2) (the "Original Decision") and a second decision dated January 3, 2013 (Case No. 10333) (the "Previous Decision") (together, the Original Decision and the Previous Decision shall hereafter be referred to as the "Decisions"). Consequently, the visual change to the Applicant's existing facility will be de minimus.

After installation, the Proposed Facility will be unmanned and will only require twice a month maintenance visits per carrier. The only utilities required to operate this Proposed Facility are standard 120-volt electrical power as well as telephone service. These are presently in place at the Property. The traffic generated by the Proposed Facility will be approximately two vehicle trips per month by maintenance personnel who will inspect the Proposed Facility to ensure it remains in good working order. The Proposed Facility will comply with all applicable local, state and federal safety codes.

#### III. Legal Arguments

#### A. <u>The Applicant complies with the Wireless Communications provisions set</u> forth in Section 4.32(g), footnote 49 of the Ordinance

Pursuant to Section 4.32(g) of the Ordinance, the Applicant's proposed use for a wireless communications facility in the O-2 zoning district is permitted by special permit. The Applicant's Proposed Facility further complies with the provisions set forth in Section 4.32(g), footnote 49 of the Ordinance:

# 1. The Board of Zoning Appeal shall consider the scope of or limitations imposed by any license secured from any state or federal agency having jurisdiction over such matters.

Enclosed herewith is the Applicant's FCC license. The Applicant meets all requirements imposed by governmental authorities having jurisdiction over the Proposed Facility, including by the FCC, to provide wireless communications in this market area.

The intent of the U.S. Congress, when it enacted the Telecommunications Act of 1996 ("TCA") was to institute a framework to promote competition and innovation within the telecommunications industry. Under its license from the FCC, T-Mobile is obligated to provide a reliable "product" (i.e. wireless communications service) to the population of the City of Cambridge. Likewise, consumer expectations for increasingly robust and reliable service requires competing service providers (including T-Mobile) to identify and remedy existing gaps in reliable network coverage, or gaps that result from increasing subscriber voice and data traffic beyond the limits of existing network infrastructure. A carrier's failure to remedy network gaps in a timely fashion can result in a significant loss of subscribers to competing telecommunications carriers. As demonstrated in the Affidavit of Radio Frequency Expert provided by the Applicant and attached hereto, the Proposed Facility and corresponding relief requested are necessary to remedy a gap in reliable service coverage within T-Mobile's existing network infrastructure.

T-Mobile investigated alternative sites in and around the defined geographic area within which its engineers determined that a facility must be located to fill the gap in service coverage and to function effectively within its network of existing and planned facilities. This is an existing location that is being upgraded with new technology to provide the necessary coverage to the subject area of the City of Cambridge. Therefore, the Proposed Facility in the O-2 zoning district is necessary to close the coverage gap that is illustrated on the propagation maps submitted herewith. Consequently, T-Mobile is unable to close a gap in its wireless network without obtaining the requested relief under Section 6409 of the Spectrum act or a Special Permit to modify its existing wireless facility in the O-2 zoning district.

Furthermore, Section 6409(a) of the Spectrum Act mandates that state and local governments "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." Under Section 6409(a)(2)(A)-(C) an Eligible

### ■ PRI∩CE LOBEL

Facilities Request is any request to modify a Tower or Base Station that involves "collocations of new Transmission Equipment," "removal," or "replacement" of Transmission Equipment.

Because federal law now preempts many of the permit application requirements that this jurisdiction would previously have required from an Applicant, we have provided, on the attached EFR, only the information that federal law allows this jurisdiction to consider when reviewing an EFR. As such, we submit that the Wireless Communications set forth in Section 4.32(g), footnote 49 of the Ordinance, provisions are not applicable to Proposed Facility and relief must be granted pursuant to Section 6409(a) of the Spectrum Act.

2. The Board of Zoning Appeal shall consider the 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.

The Applicant's Proposed Facility has no additional visual impact on the existing facility and Building. The Proposed Facility will be installed entirely within the existing faux chimney and as such will have no change on the existing visual conditions of the Building.

As stated above, federal law now preempts many of the permit applications requirements that the Ordinance sets forth. To the extent that this Board determines that the Applicants' proposed wireless facility must comply with the Wireless Communications provisions set forth in Section 4.32(g), footnote 49 of the Ordinance, the Applicants submit that they have complied with said requirements, without waiving the argument that such relief is not required.

3. Where 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 a 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.

This is not applicable to the Proposed Facility. The Applicant proposes to install its facility within the O-2 zoning district.

#### B. <u>The Applicant complies with the Special Permit Criteria set forth in Section</u> <u>10-43 of the Ordinance<sup>2</sup></u>:

#### 1. The requirements of the Ordinance can be met:

As provided above, the Applicant has met the requirements set forth in Section 4.32(g), footnote 49 of the Ordinance.

# 2. Traffic generated or patterns of access or egress would not cause congestion hazard, or substantial change in established neighborhood character for the following reasons:

The proposed installation will not obstruct existing rights-of-way or pedestrian access and will not change the daily conditions of access, egress, traffic, congestion hazard, or character of the neighborhood. The installation will not require the addition of any new parking or loading spaces. The use is passive and will not change the current conditions or appearance surrounding the Building. The facility will not produce any odors, fumes, noise or waste. There will be no need for water, sewer, or other municipal services.

As mentioned above, once modified, the facility will be unmanned and will only require infrequent visits by a technician, typically two times per month for routine diagnostics and/or maintenance, except in cases of emergency. These infrequent visits will not result in any material increase in traffic or disruption to patterns of access or egress that will cause congestion hazards or cause a substantial change in the established neighborhood character. The Applicant's maintenance personnel will make use of the existing access roads and parking at the Building.

# 3. The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would not be adversely affected by the nature of the proposed use for the following reasons:

As described above and illustrated on the attached photograph simulations, the modification of the existing facility will produce a minimal change in the appearance of the Building. The modification of the existing facility will blend with the existing characteristics of the Building and the surrounding neighborhood. Moreover, the proposed installation will not generate any traffic, smoke, dust, heat, glare, discharge of noxious substances, nor will it pollute waterways or groundwater. Conversely, the surrounding properties and general public will benefit from the potential to enjoy improved wireless communication.

<sup>&</sup>lt;sup>2</sup> Pursuant to Section 6409(a) of the Spectrum Act, state and local governments "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." As such, the Applicant submits that they need not apply for a special permit from the board. To the extent that this Board determines that the Applicants' proposed wireless facility must comply with special permit requirements set forth in Section 10-43 of the Ordinance, the Applicants submit that they have complied with said requirements, without waiving the argument that such relief is not required.

4. Nuisance or hazard would not 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 for the following reasons:

The operations of the proposed telecommunications facility will not adversely impact the health, safety, and the welfare of the residents of the City of Cambridge. On the contrary, the proposed use 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. Further, the site 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 Proposed Facility will comply with all federal, state and local safety requirements including the standards established by the FCC, Federal Aviation Administration (FAA), the American Standards Institute (ANSI), and the Massachusetts Department of Public Health (MDPH).

Accordingly, the Proposed Facility will not adversely impact the health, safety and/or welfare of the neighborhood or the residents of the City of Cambridge.

#### 5. For other reasons, the proposed installation will not impair the integrity of the district or adjoining district or otherwise derogate from the intent or purpose of this ordinance for the following reasons:

The Proposed Facility is designed to blend with the existing characteristics of the Property, reducing any visual impacts to the surrounding area. Accordingly, the Proposed Facility's design results in a minimal impact on the underlying and adjacent zoning district and is consistent with the Ordinance's intention to allow for less intrusive wireless telecommunications facilities in all districts (other than Open Space), including the O-2 zoning districts.

As mentioned above, the proposed modifications to the existing installation will not generate any traffic, smoke, dust, heat, glare, discharge or noxious substances, nor will it pollute waterways or groundwater.

## 6. The new use of the building construction is consistent with the Urban Design Objective set for tin Section 19.30 of the Ordinance:

Not Applicable. The Applicant is not proposing to construct a new building or structure.

## ▶ PRI∩CE LOBEL

#### IV. Summary

The Applicant hereby requests that the Board determine that the City of Cambridge has the right to authorize the construction of the Proposed Facility through the issuance of a Building Permit, pursuant to Section 6409(a) of the Spectrum Act. Or, in the alternative, its proposed modifications to the existing telecommunications facility will not have any adverse effect on the neighborhood within which the Property is located in particular, and the City of Cambridge as a whole. The findings are made in view of the particular characteristics of the Property and of the Applicant's proposed siting and equipment, as detailed above. This Property is the most appropriate location for the installation and operation of the wireless communications facility.

For the foregoing reasons the Applicant respectfully requests that the Board grant the foregoing relief pursuant to Section 6409(a) of the Spectrum Act or, in the alternative, zoning relief in the form of a Special Permit and such other relief as the Board deems necessary to allow the installation and operation of the Applicant's Proposed Facility.

Sincerely,

u Ricardo M. Sousa

Direct: 617-456-8123 Email: rsousa@princelobel.com

> Prince Lobel Tye LLP One International Place Suite 3700 Boston, MA 02110 TEL: 617 456 8000 FAX: 617 456 8100

www.princelobel.com

#### GENERAL INFORMATION

The undersign	ned hereby petitions the Board of Zoning Ap	peal AUG the PHIJ: 45g:
Special Permi and relief pursu PETITIONER:	x     Variance:     C/       Juant to Section 6409 of the Middle Class Tax Relief Act     C/       T-Mobile Northeast LLC     C/	APBRIDGE, MASSACHUSETTS
PETITIONER'S	ADDRESS: Prince Lobel Tye, LLP, Attn. Ricardo M. Sousa,	Esq., One International Place, Suite 3700, Boston, MA
LOCATION OF P	PROPERTY: 10 Fawcett Street	
TYPE OF OCCUE	PANCY:Telecommunications ZONING DISTRI	ст:
REASON FOR PE	TITION:	-
	Additions	New Structure
	Change in Use/Occupancy	Parking
	Conversion to Addi'l Dwelling Unit's	Sign
1	Dormer	Subdivision
_X	Other:Section 6409(a) of the Spectrum Act relief for Spe	ecial Permit for the collocation of a Wireless Facility

#### DESCRIPTION OF PETITIONER'S PROPOSAL:

The Applicant proposes to modify its existing Wireless Telecommunications Facility by collocating three (3) new L700 antennas on the existing building, together with supporting equipment. All three (3) proposed antennas will be facade mounted to the existing Building, adjacent to the existing antennas and painted to match the existing building. The Applicants proposal complies with Section 6409 of the Spectrum Act as the collocation of antennas is not a substantial change to the existing base station. Moreover, the Applicants proposal complies with Section 4.32 and 10.4 of the Cambridge Zoning Code.

SECTIONS OF ZONING ORDINANCE CITED:
Article 4.00 Section 4.32 (g)(1) Utilities - Telephone Exchange
Article 10.00 Section 10.4 - Special Permit
Article 6409 Section Middle Class Tax Relief Act
Applicants for a Variance must complete Pages 1-5 Applicants for a Special Permit must complete Pages 1-4 and 6 Applicants for an Appeal to the BZA of a Zoning determination by th Inspectional Services Department must attach a statement concerning the reason for the appeal Original Signature(s): (Petitioner(s)/Owner) Ricardo M. Sousa, Esq. (Print Name) Address: One International Place, Suite 3700
Boston, MA 02110
Tel. No.: 617-456-8123
E-Mail Address: rsousa@princelobel.com
Date: July 29, 2016

#### APPLICATION FOR RELIEF UNDER SECTION 6409(a) OF THE SPECTRUM ACT OR FOR SPECIAL PERMIT For a Modification to a WIRELESS COMMUNICATION FACILITY

#### **T-Mobile Northeast LLC**

c/o Ricardo M. Sousa, Esq. Prince Lobel Tye LLP One International Place, Suite 3700 Boston, MA 02110

Applicant

Property Location: 10 Fawcett Street Cambridge, MA 02138 Map 267F, Lot 301

Prepared by: Ricardo M. Sousa, Esq. Prince Lobel Tye LLP One International Place, Suite 3700 Boston, MA 02110 Telephone: (617) 456-8123 Facsimile: (617) 456-8100

July 29, 2016

#### TABLE OF CONTENTS

#### APPLICATION TO THE BOARD OF ZONING APPEALS For Relief under Section 6409 of the Spectrum Act Or For a Special Permit for a WIRELESS COMMUNICATION FACILITY

**Property located at:** 

10 Fawcett Street Cambridge, MA 02138

Map 267F, Lot 301

Board of Zoning Appeals Special Permit Application	Tab 1
Zoning Supporting Statement	Tab 2
Plans	Tab 3
Photograph Simulations	Tab 4
FCC License	Tab 5
Previous Decision	Tab 6
Eligible Facilities Request	Tab 7

#### CHECK LIST

PROPERTY LOCATION:	10 Fawce	tt Street	DATE :	7/29/2016
PETITIONER OR REPRE	SENTATIVE:	Ricardo M. Sousa, Esq. for	T-Mobile Nort	heast LLC
ADDRESS & PHONE:	One Internatio	nal Place, Suite 3700, Boston	, MA 02110	
BLO	<b>CK:</b> 267F	LOT:	301	

PLEASE CHECK THAT YOU HAVE INCLUDED THE FOLLOWING WITH YOUR APPLICATION. <u>APPLICATIONS</u> WILL NOT BE ACCEPTED FOR PROCESSING & SCHEDULING UNLESS ALL REQUIRED DOCUMENTS ARE PROVIDED.

PLEASE INCLUDE THIS CHECKLIST WITH YOUR APPLICATION. ALL DOCUMENTS ARE TO BE TYPED OR WRITTEN LEGIBLY.

DOCUMENTS	REQUIRED	ENCLOSED
Application Form <b>3 Forms with Original Signatures</b>	X	
Supporting Statements - Scanned & 1 set to Zoning	X	X
Application Fee (You will receive invoice online)	X	X
Assessor's GIS "Block Map" (Available on line or At Engineering Dept 147 Hampshire Street)	X	X
Dimensional Form - Refer to Cambridge Zoning Ordinance - Scanned & 1 set to Zoning (Subject to further review by Zoning Specialist)	X	X
Ownership Certificate, Notarized - Scanned & 1 set to Zoning	X	X
Floor Plans - Scanned & 1 set to Zoning	X	X
Elevations - Scanned & 1 set to Zoning	X	X
Certified Plot Plan - Scanned & 1 set to Zoning (By Registered Land Surveyor)	N/A	N/A
Photographs of Property - Scanned & 1 set to Zoning	Х	x
Parking Plan (if relevant to your application) Scanned & 1 set to Zoning	N/A	N/A
FOR SUBDIVISION ALSO INCLUDE: Scanned & 1 set to Zoni	ng	

Proposed Deeds	N/A	N/A
Evidence of Separate Utilities <b>**</b>	N/A	N/A
Proposed Subdivision Plan	N/A	N/A

Petitioners are advised to refer to Attachment A (Procedures for applying to the Board of Zoning Appeal) & consult zoning staff for review. It is advisable for the Petitioner to discuss the petition with the abutters as listed in the Zoning BZA Case file.

\* For Special Permits under Art. 4.32.G.1 (Communication Towers and Antennas), include a photo simulation.

\*\* Can be submitted after subdivision has been approved.

#### GENERAL INFORMATION

The undersigned here	eby petitions the Boa	rd of Zoning Appeal	l for the following:	
·	Variance: ction 6409 of the Middle Class		eal:	
PETITIONER:T-MC	bbile Northeast LLC			
PETITIONER'S ADDRES	s: Prince Lobel Tye, LLP, Att	n. Ricardo M. Sousa, Esq.,	One International Place, Suit	te 3700, Boston, MA
LOCATION OF PROPERTY	r:10 Fawcett Street			
TYPE OF OCCUPANCY:	Telecommunications	_ ZONING DISTRICT:	0-2	_
REASON FOR PETITION	:			
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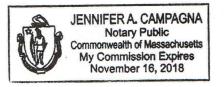
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Article	10.00	Section	10.4 - Special Permit	
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Applican Applican	ts for ts for onal Se	a <mark>Specia</mark> an <b>Ap</b> ervices D	nce       must complete Pages 1-5         nl       Permit       must complete Pages 1-4 and 6         peal       to       the BZA of a Zoning determination b         Department must attach a statement concerning the r         inal Signature(s):       (Petitioner(s)/Owner)         Ricardo M. Sousa, Esq.         Address:       One International Place, Suite 3700	
			Boston, MA 02110	
			Tel. No.: 617-456-8123	
			E-Mail Address: rsousa@princelobel.com	
Date:	July 29, 1	2016		

#### 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.

6 Farriett LLC I/We Address: C/O briffith Propolicy 260 Franklis Street Boston MA 02118 State that I/We own the property located at 10 Fawcett Street which is the subject of this zoning application. The record title of this property is in the name of AG Fawcett, LLC \*Pursuant to a deed of duly recorded in the date  $\frac{6/28/2013}{5}$ , Middlesex South County Registry of Deeds at Book 62137 , Page 327 ; or Middlesex Registry District of Land Court, Certificate No. Book \_\_\_\_\_ Page \_ 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 The above-name personally appeared before me, this of the of a )UNC, 20 10, and made oath that the above statement is true. (Notary Seal). My commission expires

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



#### DIMENSIONAL INFORMATION

APPLICANT: T-Mob	ile Northeast	PI	RESENT USE/OCCUPANCY	: Wireless Teleo	communications
LOCATION:10 Fa	wcett Street		ZONE :	0-2	
<b>PHONE :</b> 617-456	-8123	_ REQUESTED USE/	OCCUPANCY: Wirel	ess Telecommunica	ations
		EXISTING CONDITIONS	<u>REQUESTED</u> CONDITIONS	ORDINANCE REQUIREMENTS <sup>1</sup>	
TOTAL GROSS FLOOR	AREA:	N/A	No Change	N/A	(max.)
LOT AREA:		N/A		N/A	(min.)
RATIO OF GROSS FLO TO LOT AREA: <sup>2</sup>	OR AREA	N/A	No Change	N/A	(max.)
lot area for each	DWELLING UNIT:	N/A	No Change	N/A	(min.)
SIZE OF LOT:	WIDTH	N/A		N/A	(min.)
Setbacks in	DEPTH FRONT	N/A	No Change	N/A	(min.)
Feet:	REAR	N/A	No Change	N/A	(min.)
	LEFT SIDE	N/A	No Change	N/A	(min.)
	RIGHT SIDE	N/A	No Change	N/A	(min.)
SIZE OF BLDG.:	HEIGHT	N/A	No Change	N/A	(max.)
	LENGTH				
	WIDTH				
RATIO OF USABLE OP TO LOT AREA: <sup>3</sup> )	EN SPACE	N/A	No Change	N/A	(min.)
NO. OF DWELLING UN	TTC.	N/A	No Change	N/A	(max.)
NO. OF PARKING SPA		N/A	No Change	N/A (mir	_(max.)
NO. OF LOADING ARE		N/A	No Change	N/A	(min.)
DISTANCE TO NEARES		N/A	No Change	N/A	(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.

The proposed installation involves a modification of an existing Wireless Telecommunications Facility,

more commonly referred to as a "collocation".

<sup>1.</sup> SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).

<sup>2.</sup> 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'.

#### SUPPORTING STATEMENT FOR A VARIANCE

EACH OF THE FOLLOWING REQUIREMENTS FOR A VARIANCE MUST BE ESTABLISHED AND SET FORTH IN COMPLETE DETAIL BY THE APPLICANT IN ACCORDANCE WITH MGL 40A, SECTION 10:

A) A Literal enforcement of the provisions of this Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant for the following reasons:

#### N/A

B) The hardship is owing to the following circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located for the following rearsons:

N/A

#### C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:

1) Substantial detriment to the public good for the following reasons:

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2) Relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance for the following reasons:

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(ATTACHMENT B - PAGE 5)

#### SUPPORTING STATEMENT FOR A SPECIAL PERMIT

Please describe in complete detail how you meet each of the following criteria referring to the property and proposed changes or uses which are requested in your application. Attach sheets with additional information for special permits which have additional criteria, e.g.; fast food permits, comprehensive permits, etc., which must be met.

Granting the Special Permit requested for <u>10 Fawcett Street</u> (location) would not be a detriment to the public interest because:

A) Requirements of the Ordinance can or will be met for the following reasons:

Please see the attached supporting statement.

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(ATTACHMENT B - PAGE 6)

#### CHECK LIST

PROPERTY LOCATION:	10 Fawce	tt Street	DATE :	7/29/2016
PETITIONER OR REPRE	SENTATIVE:	Ricardo M. Sousa, Esq. for	T-Mobile Nort	heast LLC
ADDRESS & PHONE:	One Internatio	nal Place, Suite 3700, Boston	, MA 02110	
BLO	<b>CK:</b> 267F	LOT:	301	

PLEASE CHECK THAT YOU HAVE INCLUDED THE FOLLOWING WITH YOUR APPLICATION. <u>APPLICATIONS</u> WILL NOT BE ACCEPTED FOR PROCESSING & SCHEDULING UNLESS ALL REQUIRED DOCUMENTS ARE PROVIDED.

PLEASE INCLUDE THIS CHECKLIST WITH YOUR APPLICATION. ALL DOCUMENTS ARE TO BE TYPED OR WRITTEN LEGIBLY.

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Supporting Statements - Scanned & 1 set to Zoning	X	X
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Assessor's GIS "Block Map" (Available on line or At Engineering Dept 147 Hampshire Street)	X	X
Dimensional Form - Refer to Cambridge Zoning Ordinance - Scanned & 1 set to Zoning (Subject to further review by Zoning Specialist)	X	X
Ownership Certificate, Notarized - Scanned & 1 set to Zoning	X	X
Floor Plans - Scanned & 1 set to Zoning	X	X
Elevations - Scanned & 1 set to Zoning	X	X
Certified Plot Plan - Scanned & 1 set to Zoning (By Registered Land Surveyor)	N/A	N/A
Photographs of Property - Scanned & 1 set to Zoning	Х	x
Parking Plan (if relevant to your application) Scanned & 1 set to Zoning	N/A	N/A
FOR SUBDIVISION ALSO INCLUDE: Scanned & 1 set to Zoni	ng	

Proposed Deeds	N/A	N/A
Evidence of Separate Utilities <b>**</b>	N/A	N/A
Proposed Subdivision Plan	N/A	N/A

Petitioners are advised to refer to Attachment A (Procedures for applying to the Board of Zoning Appeal) & consult zoning staff for review. It is advisable for the Petitioner to discuss the petition with the abutters as listed in the Zoning BZA Case file.

\* For Special Permits under Art. 4.32.G.1 (Communication Towers and Antennas), include a photo simulation.

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The undersigned here	eby petitions the Boa	rd of Zoning Appeal	l for the following:	
·	Variance: ction 6409 of the Middle Class		eal:	
PETITIONER:T-MC	bbile Northeast LLC			
PETITIONER'S ADDRES	s: Prince Lobel Tye, LLP, Att	n. Ricardo M. Sousa, Esq.,	One International Place, Suit	te 3700, Boston, MA
LOCATION OF PROPERTY	r:10 Fawcett Street			
TYPE OF OCCUPANCY:	Telecommunications	_ ZONING DISTRICT:	0-2	_
REASON FOR PETITION	:			
Additi	ons		New Structure	
Change	in Use/Occupancy		Parking	
Conver	sion to Addi'l Dwellin	ng Unit's	Sign	
Dormer			Subdivision	
X Other:	Section 6409(a) of the Spec	trum Act relief for Special F	Permit for the collocation of a	Wireless Facility

#### DESCRIPTION OF PETITIONER'S PROPOSAL:

The Applicant proposes to modify its existing Wireless Telecommunications Facility by collocating three (3) new L700 antennas on the existing building, together with supporting equipment. All three (3) proposed antennas will be facade mounted to the existing Building, adjacent to the existing antennas and painted to match the existing building. The Applicants proposal complies with Section 6409 of the Spectrum Act as the collocation of antennas is not a substantial change to the existing base station. Moreover, the Applicants proposal complies with Section 4.32 and 10.4 of the Cambridge Zoning Code.

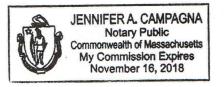
SECTIONS	OF ZON	NING ORDI	INANCE CITED:	
Article	4.00	Section	4.32 (g)(1) Utilities - Telephone Exchange	
Article	10.00	Section	10.4 - Special Permit	
Article	6409	Section	Middle Class Tax Relief Act	
Applican Applican	ts for ts for onal Se	a <mark>Specia</mark> an <b>Ap</b> ervices D	nce       must complete Pages 1-5         nl       Permit       must complete Pages 1-4 and 6         peal       to       the BZA of a Zoning determination b         Department must attach a statement concerning the r         inal Signature(s):       (Petitioner(s)/Owner)         Ricardo M. Sousa, Esq.         Address:       One International Place, Suite 3700	
			Boston, MA 02110	
			Tel. No.: 617-456-8123	
			E-Mail Address: rsousa@princelobel.com	
Date:	July 29, 1	2016		

#### 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.

6 Farriett LLC I/We Address: C/O briffith Propolicy 260 Franklis Street Boston MA 02118 State that I/We own the property located at 10 Fawcett Street which is the subject of this zoning application. The record title of this property is in the name of AG Fawcett, LLC \*Pursuant to a deed of duly recorded in the date  $\frac{6/28/2013}{5}$ , Middlesex South County Registry of Deeds at Book 62137 , Page 327 ; or Middlesex Registry District of Land Court, Certificate No. Book \_\_\_\_\_ Page \_ 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 The above-name personally appeared before me, this of the of a )UNC, 20 10, and made oath that the above statement is true. (Notary Seal). My commission expires

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



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APPLICANT: T-Mob	ile Northeast	PI	RESENT USE/OCCUPANCY	: Wireless Teleo	communications
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<b>PHONE :</b> 617-456	-8123	_ REQUESTED USE/	OCCUPANCY: Wirel	ess Telecommunica	ations
		EXISTING CONDITIONS	<u>REQUESTED</u> CONDITIONS	ORDINANCE REQUIREMENTS <sup>1</sup>	
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LOT AREA:		N/A		N/A	(min.)
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lot area for each	DWELLING UNIT:	N/A	No Change	N/A	(min.)
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Feet:	REAR	N/A	No Change	N/A	(min.)
	LEFT SIDE	N/A	No Change	N/A	(min.)
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SIZE OF BLDG.:	HEIGHT	N/A	No Change	N/A	(max.)
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	WIDTH				
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REASON FOR PETITION	:			
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Conver	sion to Addi'l Dwellin	ng Unit's	Sign	
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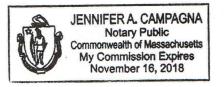
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Applican Applican	ts for ts for onal Se	a <mark>Specia</mark> an <b>Ap</b> ervices D	nce       must complete Pages 1-5         nl       Permit       must complete Pages 1-4 and 6         peal       to       the BZA of a Zoning determination b         Department must attach a statement concerning the r         inal Signature(s):       (Petitioner(s)/Owner)         Ricardo M. Sousa, Esq.         Address:       One International Place, Suite 3700	
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10 Fawcett Street		ZONE : O-2			
<b>PHONE</b> : 617-456-8123		REQUESTED USE/OCCUPANCY: Wireless Telecommunications			ations
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LOT AREA:		N/A		N/A	(min.)
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LOT AREA FOR EACH DWELLING UNIT:		N/A	No Change	N/A	(min.)
SIZE OF LOT:	WIDTH	N/A		N/A	(min.)
Setbacks in Feet: SIZE OF BLDG.:	DEPTH FRONT	N/A	No Change	N/A	(min.)
	REAR	N/A	No Change	N/A	(min.)
	LEFT SIDE	N/A	No Change	N/A	(min.)
	RIGHT SIDE	N/A	No Change	N/A	(min.)
	HEIGHT	N/A	No Change	N/A	(max.)
	LENGTH				
	WIDTH				
RATIO OF USABLE OPEN SPACE TO LOT AREA: <sup>3</sup> )		N/A	No Change	N/A	(min.)
		N/A	No Change	N/A	(max.)
NO. OF DWELLING UNITS: NO. OF PARKING SPACES:		N/A	No Change	N/A (mir	_(max.)
NO. OF LOADING AREAS:		N/A	No Change	N/A	(min.)
DISTANCE TO NEAREST BLDG. ON SAME LOT:		N/A	No Change	N/A	(min.)

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(ATTACHMENT B - PAGE 6)

# 

July 29, 2016

City of Cambridge Board of Zoning Appeals 831 Massachusetts Avenue Cambridge, MA 02139

Re:	Eligible Facilities Request pursuant to Section 6409 of the		
	Spectrum Act and an Application for Special Permit, in the		
	alternative		
Property Address:	10 Fawcett Street		
	Assessor's Map 267F, Lot 301 (the "Property")		
Applicant:	T-Mobile Northeast LLC (the "Applicant")		

Dear Honorable Members of the Board of Zoning Appeals:

This firm represents T-Mobile Northeast LLC ("T-Mobile") (hereinafter, the "Applicant") in connection with an application for a special permit from the City of Cambridge Board of Zoning Appeals (the "Board"), to modify an existing wireless communications facility on the Property. The Property is located in the Office 2 (O-2) zoning district. To the extent that the Board determines that the requirements of Article 4 Section 4.32G.1 of the City of Cambridge Zoning Ordinance (the "Ordinance") apply, the use of the Property for a wireless telecommunications facility is permitted by special permit from the Board<sup>1</sup>. The Applicant's proposal satisfies the requirements for the grant of a special permit pursuant to Section 10-43 of the Ordinance.

The Applicant's Proposed Facility (as defined herein) is subject to Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012, more commonly known as the "Spectrum Act" (47 U.S.C. § 1455). As such, we respectfully submit that in the event that the Board determines that the application does not comply with the Spectrum Act, the Applicant hereby states that the special permit requirements set forth in the Ordinance are hereby met by the Applicant, and that relief must be granted to the Applicant. The compliance with the Spectrum Act is shown on the Eligible Facilities Request permit application form attached hereto and incorporated herein by reference (the "EFR").

<sup>1</sup> Pursuant to Section 6409(a) of the Spectrum Act, state and local governments "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." As such, the Applicant submits that they need not apply for a special permit from the board. To the extent that this Board determines that the Applicants' proposed wireless facility must comply with special permit requirements set forth in Section 10-43 of the Ordinance, the Applicants submit that they have complied with said requirements, without waiving the argument that such relief is not required.

Prince Lobel Tye LP One International Place Suite 3700 Boston, MA 02110 TEL: 617 456 8000 FAX: 617 456 8100

The Applicant seeks to modify its existing wireless communications facility by collocating three (3) new L700 antennas mounted to the façade of the existing penthouse on the building located at the Property (the "Building"), three (3) Remote Radio Head Units ("RRH") and supporting equipment (the "Proposed Facility"). All of the proposed antennas will be installed adjacent to the existing antennas and painted to match the existing building. The Applicant's facilities are shown on the Plans attached hereto and incorporated herein by reference (the "Plans").

#### I. Background

The Applicant is licensed by the Federal Communications Commission (the "FCC") to construct and operate a wireless telecommunications network in various markets throughout the country, including the Commonwealth of Massachusetts and in particular in the City of Cambridge. A copy of the Applicant's FCC license is attached hereto. The Applicant is in the process of designing and constructing a telecommunications system to serve all of the Commonwealth of Massachusetts. One of the key design objectives of its systems is to provide seamless 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 existing use of the network and the existing topography. 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. This dynamic requires the antennas to be located in a location where the signal is not obstructed or degraded by other buildings or by topographical features such as hills.

#### II. <u>Project Description</u>

As noted above, the Applicant proposes to modify its existing wireless facility currently operating on the rooftop of the Building by adding three (3) new T-Mobile L700 panel antennas, façade mounted to the existing building, adjacent to the existing antennas and painted to match the building, together with supporting equipment. All new antennas will be installed to be consistent with the previous decisions of the Board for this facility, the first of which is dated December 1, 1997 (Case No. PB #27, Major Amendment #2) (the "Original Decision") and a second decision dated January 3, 2013 (Case No. 10333) (the "Previous Decision") (together, the Original Decision and the Previous Decision shall hereafter be referred to as the "Decisions"). Consequently, the visual change to the Applicant's existing facility will be de minimus.

After installation, the Proposed Facility will be unmanned and will only require twice a month maintenance visits per carrier. The only utilities required to operate this Proposed Facility are standard 120-volt electrical power as well as telephone service. These are presently in place at the Property. The traffic generated by the Proposed Facility will be approximately two vehicle trips per month by maintenance personnel who will inspect the Proposed Facility to ensure it remains in good working order. The Proposed Facility will comply with all applicable local, state and federal safety codes.

#### III. Legal Arguments

#### A. <u>The Applicant complies with the Wireless Communications provisions set</u> forth in Section 4.32(g), footnote 49 of the Ordinance

Pursuant to Section 4.32(g) of the Ordinance, the Applicant's proposed use for a wireless communications facility in the O-2 zoning district is permitted by special permit. The Applicant's Proposed Facility further complies with the provisions set forth in Section 4.32(g), footnote 49 of the Ordinance:

# 1. The Board of Zoning Appeal shall consider the scope of or limitations imposed by any license secured from any state or federal agency having jurisdiction over such matters.

Enclosed herewith is the Applicant's FCC license. The Applicant meets all requirements imposed by governmental authorities having jurisdiction over the Proposed Facility, including by the FCC, to provide wireless communications in this market area.

The intent of the U.S. Congress, when it enacted the Telecommunications Act of 1996 ("TCA") was to institute a framework to promote competition and innovation within the telecommunications industry. Under its license from the FCC, T-Mobile is obligated to provide a reliable "product" (i.e. wireless communications service) to the population of the City of Cambridge. Likewise, consumer expectations for increasingly robust and reliable service requires competing service providers (including T-Mobile) to identify and remedy existing gaps in reliable network coverage, or gaps that result from increasing subscriber voice and data traffic beyond the limits of existing network infrastructure. A carrier's failure to remedy network gaps in a timely fashion can result in a significant loss of subscribers to competing telecommunications carriers. As demonstrated in the Affidavit of Radio Frequency Expert provided by the Applicant and attached hereto, the Proposed Facility and corresponding relief requested are necessary to remedy a gap in reliable service coverage within T-Mobile's existing network infrastructure.

T-Mobile investigated alternative sites in and around the defined geographic area within which its engineers determined that a facility must be located to fill the gap in service coverage and to function effectively within its network of existing and planned facilities. This is an existing location that is being upgraded with new technology to provide the necessary coverage to the subject area of the City of Cambridge. Therefore, the Proposed Facility in the O-2 zoning district is necessary to close the coverage gap that is illustrated on the propagation maps submitted herewith. Consequently, T-Mobile is unable to close a gap in its wireless network without obtaining the requested relief under Section 6409 of the Spectrum act or a Special Permit to modify its existing wireless facility in the O-2 zoning district.

Furthermore, Section 6409(a) of the Spectrum Act mandates that state and local governments "*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.*" Under Section 6409(a)(2)(A)-(C) an Eligible

Facilities Request is any request to modify a Tower or Base Station that involves "collocations of new Transmission Equipment," "removal," or "replacement" of Transmission Equipment.

Because federal law now preempts many of the permit application requirements that this jurisdiction would previously have required from an Applicant, we have provided, on the attached EFR, only the information that federal law allows this jurisdiction to consider when reviewing an EFR. As such, we submit that the Wireless Communications set forth in Section 4.32(g), footnote 49 of the Ordinance, provisions are not applicable to Proposed Facility and relief must be granted pursuant to Section 6409(a) of the Spectrum Act.

2. The Board of Zoning Appeal shall consider the 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.

The Applicant's Proposed Facility has no additional visual impact on the existing facility and Building. The Proposed Facility will be installed entirely within the existing faux chimney and as such will have no change on the existing visual conditions of the Building.

As stated above, federal law now preempts many of the permit applications requirements that the Ordinance sets forth. To the extent that this Board determines that the Applicants' proposed wireless facility must comply with the Wireless Communications provisions set forth in Section 4.32(g), footnote 49 of the Ordinance, the Applicants submit that they have complied with said requirements, without waiving the argument that such relief is not required.

3. Where 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 a 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.

This is not applicable to the Proposed Facility. The Applicant proposes to install its facility within the O-2 zoning district.

## B. <u>The Applicant complies with the Special Permit Criteria set forth in Section</u> <u>10-43 of the Ordinance<sup>2</sup></u>:

## 1. The requirements of the Ordinance can be met:

As provided above, the Applicant has met the requirements set forth in Section 4.32(g), footnote 49 of the Ordinance.

# 2. Traffic generated or patterns of access or egress would not cause congestion hazard, or substantial change in established neighborhood character for the following reasons:

The proposed installation will not obstruct existing rights-of-way or pedestrian access and will not change the daily conditions of access, egress, traffic, congestion hazard, or character of the neighborhood. The installation will not require the addition of any new parking or loading spaces. The use is passive and will not change the current conditions or appearance surrounding the Building. The facility will not produce any odors, fumes, noise or waste. There will be no need for water, sewer, or other municipal services.

As mentioned above, once modified, the facility will be unmanned and will only require infrequent visits by a technician, typically two times per month for routine diagnostics and/or maintenance, except in cases of emergency. These infrequent visits will not result in any material increase in traffic or disruption to patterns of access or egress that will cause congestion hazards or cause a substantial change in the established neighborhood character. The Applicant's maintenance personnel will make use of the existing access roads and parking at the Building.

# 3. The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would not be adversely affected by the nature of the proposed use for the following reasons:

As described above and illustrated on the attached photograph simulations, the modification of the existing facility will produce a minimal change in the appearance of the Building. The modification of the existing facility will blend with the existing characteristics of the Building and the surrounding neighborhood. Moreover, the proposed installation will not generate any traffic, smoke, dust, heat, glare, discharge of noxious substances, nor will it pollute waterways or groundwater. Conversely, the surrounding properties and general public will benefit from the potential to enjoy improved wireless communication.

<sup>&</sup>lt;sup>2</sup> Pursuant to Section 6409(a) of the Spectrum Act, state and local governments "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." As such, the Applicant submits that they need not apply for a special permit from the board. To the extent that this Board determines that the Applicants' proposed wireless facility must comply with special permit requirements set forth in Section 10-43 of the Ordinance, the Applicants submit that they have complied with said requirements, without waiving the argument that such relief is not required.

4. Nuisance or hazard would not 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 for the following reasons:

The operations of the proposed telecommunications facility will not adversely impact the health, safety, and the welfare of the residents of the City of Cambridge. On the contrary, the proposed use 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. Further, the site 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 Proposed Facility will comply with all federal, state and local safety requirements including the standards established by the FCC, Federal Aviation Administration (FAA), the American Standards Institute (ANSI), and the Massachusetts Department of Public Health (MDPH).

Accordingly, the Proposed Facility will not adversely impact the health, safety and/or welfare of the neighborhood or the residents of the City of Cambridge.

# 5. For other reasons, the proposed installation will not impair the integrity of the district or adjoining district or otherwise derogate from the intent or purpose of this ordinance for the following reasons:

The Proposed Facility is designed to blend with the existing characteristics of the Property, reducing any visual impacts to the surrounding area. Accordingly, the Proposed Facility's design results in a minimal impact on the underlying and adjacent zoning district and is consistent with the Ordinance's intention to allow for less intrusive wireless telecommunications facilities in all districts (other than Open Space), including the O-2 zoning districts.

As mentioned above, the proposed modifications to the existing installation will not generate any traffic, smoke, dust, heat, glare, discharge or noxious substances, nor will it pollute waterways or groundwater.

# 6. The new use of the building construction is consistent with the Urban Design Objective set for tin Section 19.30 of the Ordinance:

Not Applicable. The Applicant is not proposing to construct a new building or structure.

## IV. Summary

The Applicant hereby requests that the Board determine that the City of Cambridge has the right to authorize the construction of the Proposed Facility through the issuance of a Building Permit, pursuant to Section 6409(a) of the Spectrum Act. Or, in the alternative, its proposed modifications to the existing telecommunications facility will not have any adverse effect on the neighborhood within which the Property is located in particular, and the City of Cambridge as a whole. The findings are made in view of the particular characteristics of the Property and of the Applicant's proposed siting and equipment, as detailed above. This Property is the most appropriate location for the installation and operation of the wireless communications facility.

For the foregoing reasons the Applicant respectfully requests that the Board grant the foregoing relief pursuant to Section 6409(a) of the Spectrum Act or, in the alternative, zoning relief in the form of a Special Permit and such other relief as the Board deems necessary to allow the installation and operation of the Applicant's Proposed Facility.

Sincerety,

Ricardo M. Sousa

Direct: 617-456-8123 Email: rsousa@princelobel.com

Prince Lobel Tye LLP One International Place Suite 3700 Boston, MA 02110 TEL: 617 456 8000 FAX: 617 456 8100

www.princelobel.com

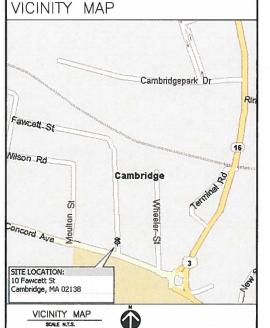
# T-MOBILE NORTHEAST LLC

## T-MOBILE SITE #: 4DE7174A SITE NAME: BO174/10 FAWCETT STREET 10 FAWCETT STREET CAMBRIDGE, MA 02138

## GENERAL NOTES

- 1. THE CONTRACTOR SHALL GIVE ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY, MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS, AND LOCAL AND STATE JURISDICTIONAL CODES BEARING ON THE PERFORMANCE OF THE WORK. THE WORK PERFORMED ON THE PROJECT AND THE MATERIALS INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS, AND ORDINANCES.
- 2. THE ARCHITECT/ENGINEER HAVE MADE EVERY EFFORT TO SET FORTH IN THE CONSTRUCTION AND CONTRACT DOCUMENTS THE COMPLETE SCOPE OF WORK. THE CONTRACTOR BIDING THE JOB IS NEVERTHELESS CAUTIONED THAT MINOR OMISSIONS OR ERRORS IN THE DRAWINGS AND OR SPECIFICATIONS SHALL NOT EXCUSE SAID CONTRACTOR FROM COMPLETING THE PROJECT AND IMPROVEMENTS IN ACCORDANCE WITH THE INTENT OF THESE DOCUMENTS.
- 3. THE CONTRACTOR OR BIDDER SHALL BEAR THE RESPONSIBILITY OF NOTIFYING (IN WRITING) THE LESSEE REPRESENTATIVE OF ANY CONFLICTS, ERRORS, OR OMISSIONS PRIOR TO THE SUBMISSION OF CONTRACTOR'S PROPOSAL OR PERFORMANCE OF WORK, IN THE EVENT OF DISCREPANCIES THE CONTRACTOR SHALL PRICE THE MORE COSTLY OR EXTENSIVE WORK, UNLESS DIRECTED IN WRITING OTHERWISE.
- THE SCOPE OF WORK SHALL INCLUDE FURNISHING ALL MATERIALS, EQUIPMENT, LABOR AND ALL OTHER MATERIALS AND LABOR DEEMED NECESSARY TO COMPLETE THE WORK/PROJECT AS DESCRIED HEREIN.
- 5. THE CONTRACTOR SHALL VISIT THE JOB SITE PRIOR TO THE SUBMISSION OF BIDS OR PERFORMING WORK TO FAMILLARIZE HIMSELF WITH THE FIELD CONDITIONS AND TO VERIFY THAT THE PROJECT CAN BE CONSTRUCTED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
- THE CONTRACTOR SHALL OBTAIN AUTHORIZATION TO PROCEED WITH CONSTRUCTION PRIOR TO STARTING WORK ON ANY ITEM NOT CLEARLY DEFINED BY THE CONSTRUCTION DRAWINGS / CONTRACT DOCUMENTS.
- THE CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS ACCORDING TO THE MANUFACTURER'S / VENDOR'S SPECIFICATIONS UNLESS NOTED OTHERWISE OR WHERE LOCAL CODES OR ORDINANCES TAKE PRECEDENCE.
- 8. THE CONTRACTOR SHALL PROVIDE A FULL SET OF CONSTRUCTION DOCUMENTS AT THE SITE UPDATED WITH THE LATEST REVISIONS AND ADDENDUMS OR CLARIFICATIONS AVAILABLE FOR THE USE BY ALL PERSONNEL INVOLVED WITH THE PROJECT.
- THE CONTRACTOR SHALL SUPERVISE AND DIRECT THE PROJECT DESCRIBED HEREIN. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES AND FOR COORDINATING ALL PORTIONS OF THE WORK UNDER THE CONTRACT.

- 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ALL NECESSARY CONSTRUCTION CONTROL SURVEYS, ESTABLISHING AND MAINTAINING ALL LINES AND GRADES REQUIRED TO CONSTRUCT ALL IMPROVEMENTS AS SHOWN HEREIN.
- 11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS AND INSPECTIONS WHICH MAY BE REQUIRED FOR THE WORK BY THE ARCHITECT/ENGINEER, THE STATE, COUNTY OR LOCAL GOVERNMENT AUTHORITY.
- 12. THE CONTRACTOR SHALL MAKE NECESSARY PROVISIONS TO PROTECT EXISTING IMPROVEMENTS, EASEMENTS, PAVING, CURBING, ETC. DURING CONSTRUCTION. UPON COMPLETION OF WORK, THE CONTRACTOR SHALL REPAIR ANY DAMAGE THAT MAY HAVE OCCURRED DUE TO CONSTRUCTION ON OR ABOUT THE PROPERTY.
- 13. THE CONTRACTOR SHALL KEEP THE GENERAL WORK AREA CLEAN AND HAZARD FREE DURING CONSTRUCTION AND DISPOSE OF ALL DIRT, DEBRIS, RUBBISH AND REMOVE EQUIPMENT NOT SPECIFIED AS REMAINING ON THE PROPERTY. PREMISES SHALL BE LEFT IN CLEAN CONDITION AND FREE FROM PAINT SPOTS, DUST, OR SMUDGES OF ANY NATURE.
- 14. THE CONTRACTOR SHALL COMPLY WITH ALL OSHA REQUIREMENTS AS THEY APPLY TO THIS PROJECT.
- 15. THE CONTRACTOR SHALL NOTIFY THE LESSEE REPRESENTATIVE WHERE A CONFLICT OCCURS ON ANY OF THE CONTRACT DOCUMENTS. THE CONTRACTOR IS NOT TO ORDER MATERIAL OR CONSTRUCT ANY PORTION OF THE WORK THAT IS IN CONFLICT UNTIL CONFLICT IS RESOLVED BY THE LESSEE REPRESENTATIVE.
- 16. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, ELEVATIONS, PROPERTY LINES, ETC. ON THE JOB.
- ALL UNDERGROUND UTILITY INFORMATION WAS DETERMINED FROM SURFACE INVESTIGATIONS AND EXISTING PLANS OF RECORD. THE CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES IN THE FIELD PRIOR TO ANY SITE WORK. CALL THE FOLLOWING FOR ALL PRE-CONSTRUCTION NOTFICATION 72-HOURS PRIOR TO ANY EXCANTION ACTIVITY: DIG SAFE SYSTEM (MA, ME, NH, RI, VT): 1-888-344-7233 CALL BEFORE YOU DIG
- 18. PER FCC MANDATE, ENHANCED EMERGENCY (E911) SERVICE IS REQUIRED TO MEET NATIONWIDE STANDARDS FOR WIRELESS COMMUNICATIONS SYSTEMS. PROJECT OWNER IMPLEMENTATION REQUIRES DEPLOYOMENT OF EQUIPMENT AND ANTENNAS GENERALLY DEPICTED ON THIS PLAN, ATTACHED TO ON MOUNTED IN CLOSE PROXIMITY TO THE BTS RADIO CABINETS. THE PROJECT OWNER RESERVES THE RIGHT TO MAKE REASONABLE MODIFICATIONS TO E911 EQUIPMENT AND LOCATION AS TECHNOLOGY EVOLVES TO MEET REQUIRED SPECIFICATIONS.



DO NOT SCALE DRAWINGS CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE T-MOBILE NORTHEAST LLC, REPRESENTATIVE IN WRITING OF DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

THIS DOCUMENT IS THE CREATION, DESIGN, PROPERTY AND COPYRIGHTED WORK OF T-MOBILE NORTHEAST LLC. ANY DUPLICATION OR USE WITHOUT EXPRESS WRITTEN CONSENT IS STRICTLY PROHIBITED. DUPLICATION AND USE BY GOVERNMENT AGENCIES FOR THE PURPOSES OF CONDUCTING THEIR LAWFULLY AUTHORIZED REGULATORY AND ADMINISTRATIVE FUNCTIONS IS SPECIFICALLY ALLOWED.

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C-1	EXISTING & PROPOSED ANTENNA	0	CONSTRUCTION 1
C-2	ANTENNA MOUNTING & RF SCHEDULE	0	PROPERTY OWNE
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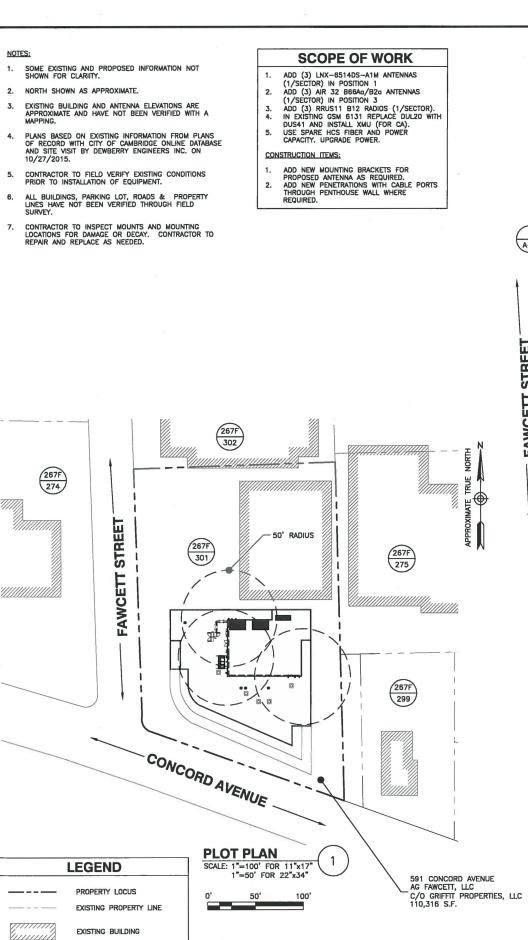
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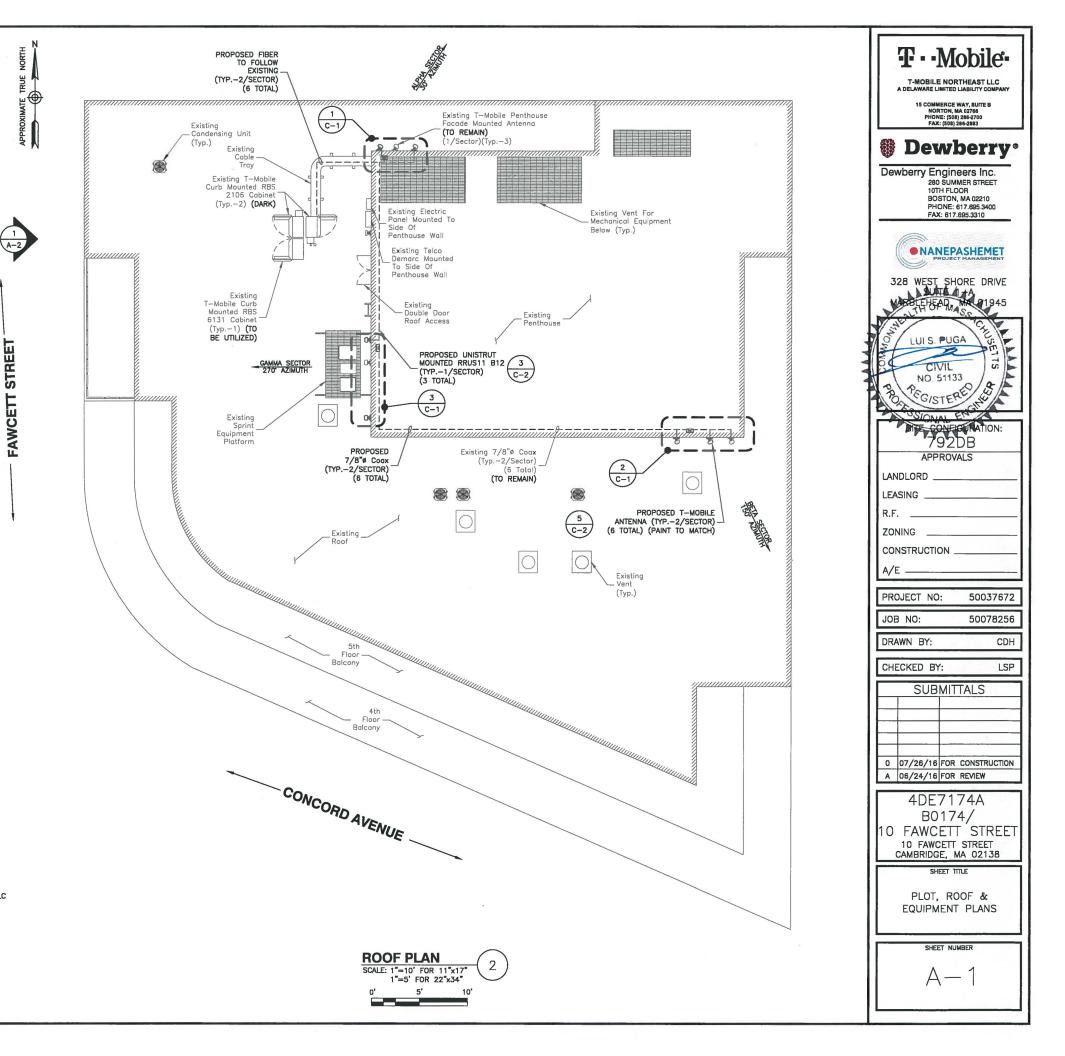
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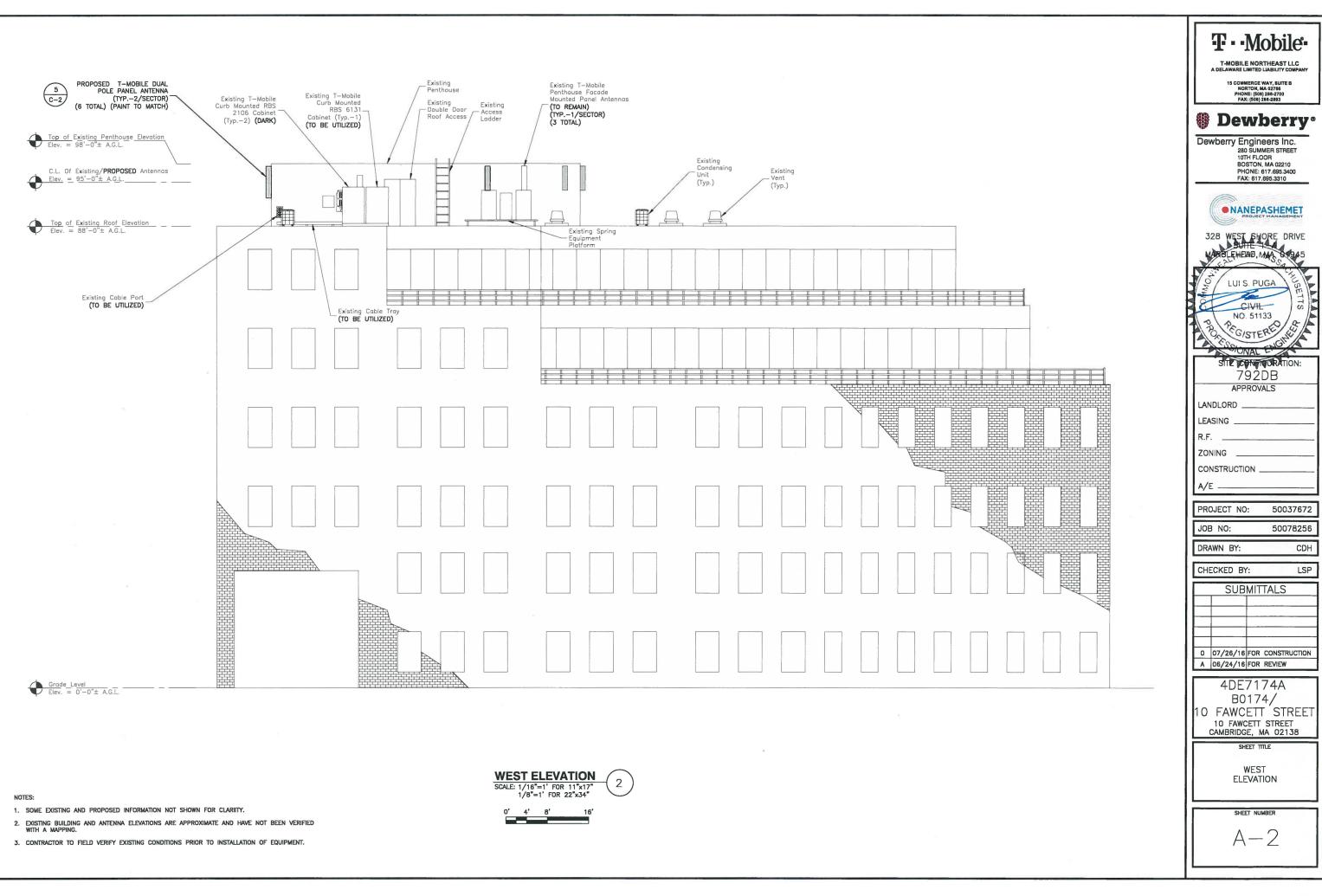
MAP

50' ANTENNA RADIUS

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- 5. CONTRACTOR TO FIELD VERIFY EXISTING CONDITIONS PRIOR TO INSTALLATION OF EQUIPMENT.
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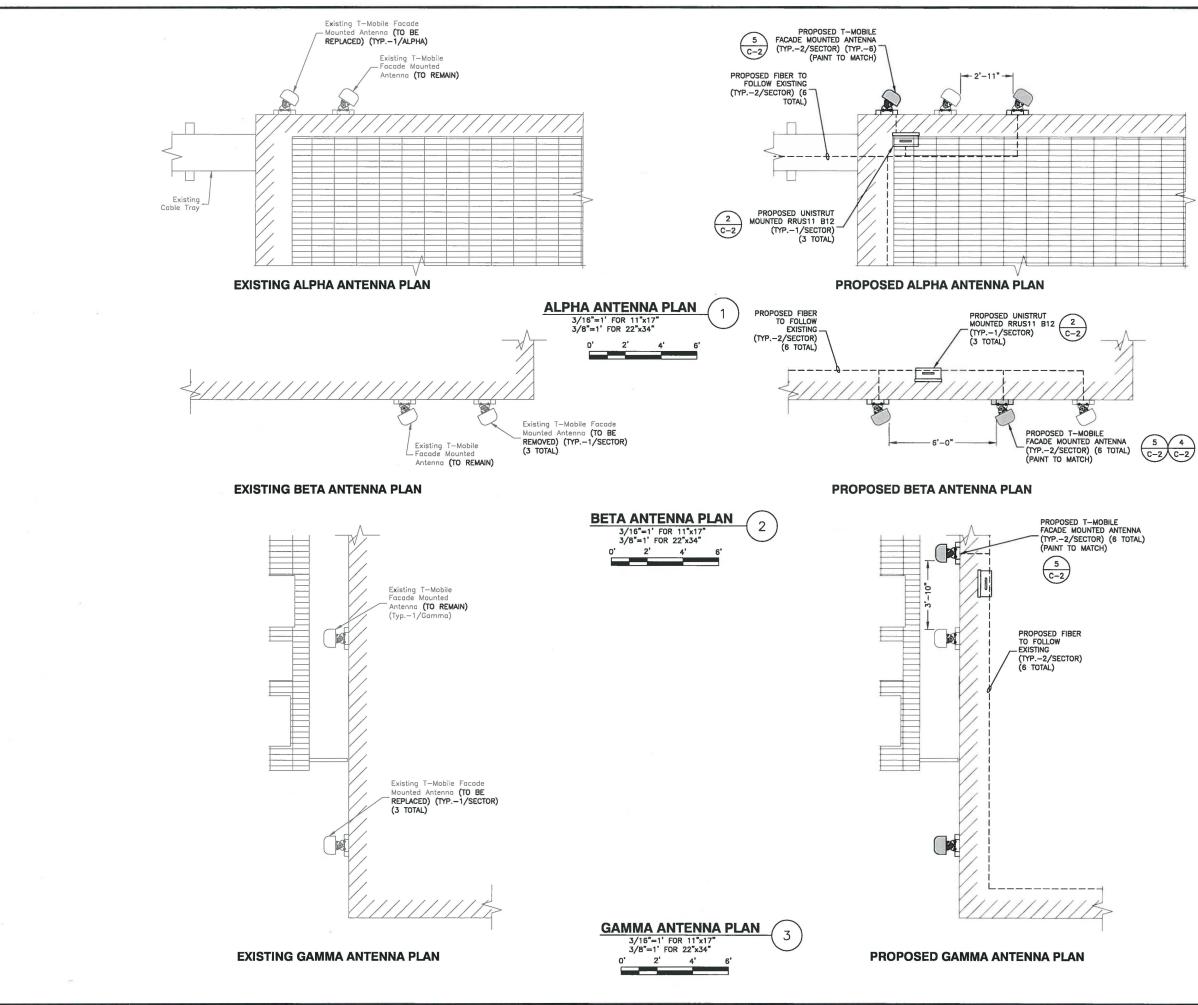




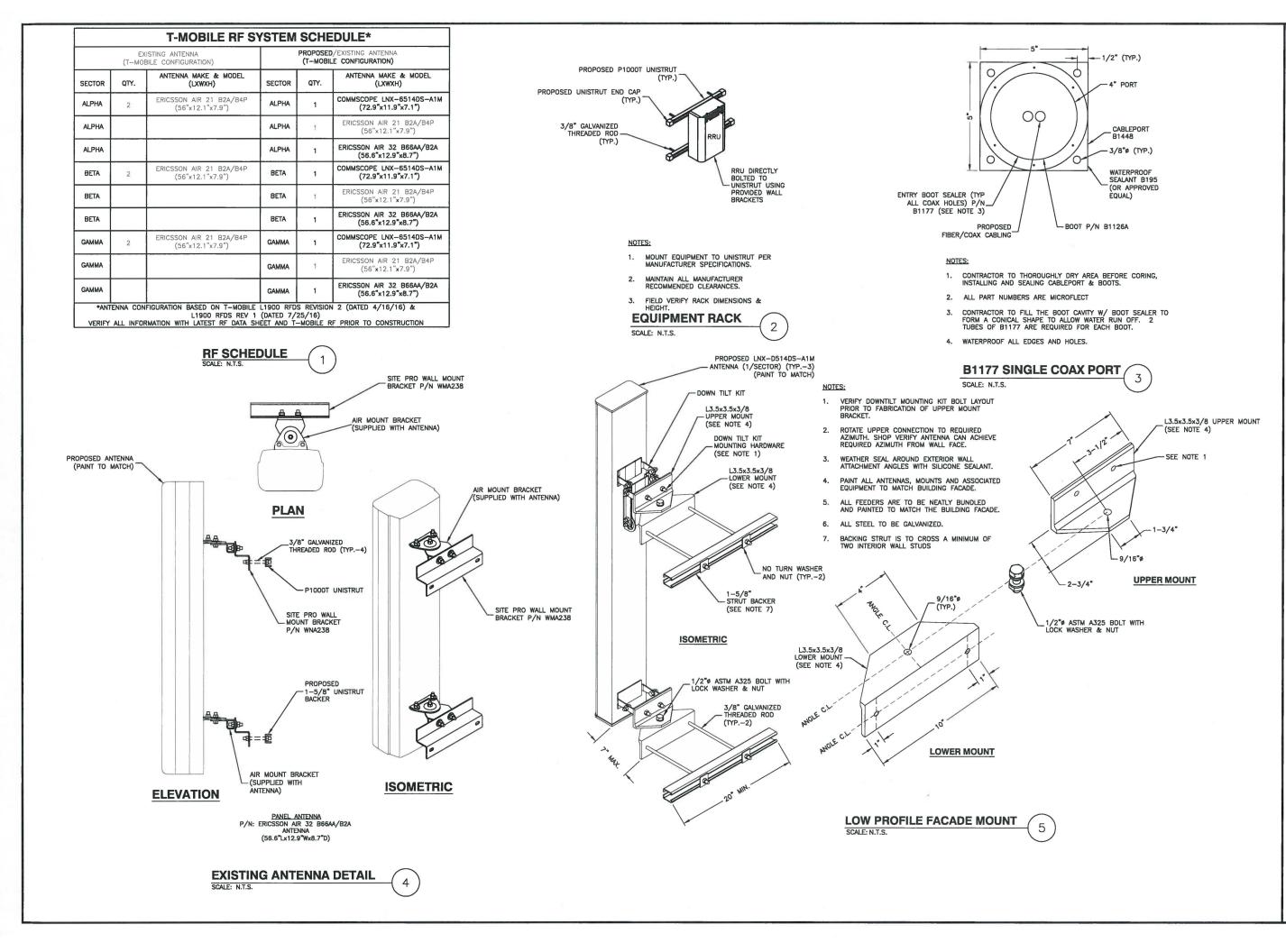








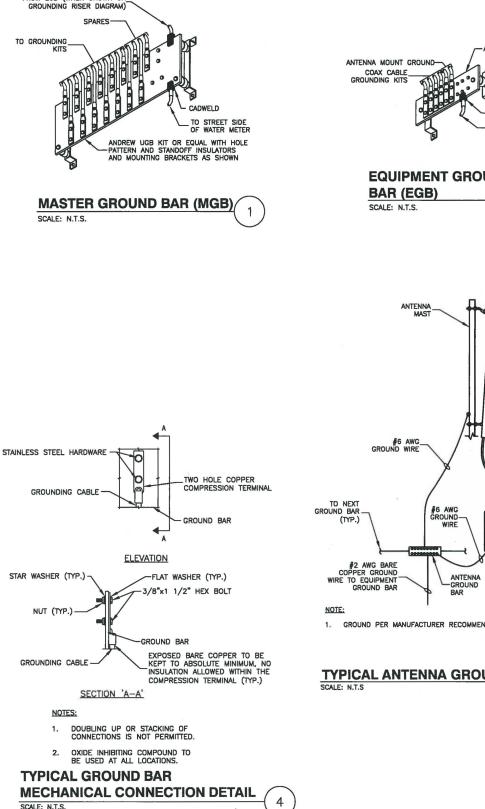
<b>T-MOBILE NORTHEAST LLC</b> A DELAWARE LIMITED LIABILITY COMPANY 15 COMMERCE WAY, SUITE B NORTON, MA 02765 PHONE: (509) 286-2700 FAX: (509) 286-2833
Dewberry ©     Dewberry Engineers Inc.     220 SUMMER STREET     10TH FLOOR     BOSTON, MA 02210     PHONE: 617.695.3400     FAX: 617.695.3310
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SHEET NUMBER



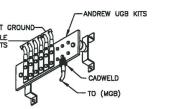
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Dewberry Engineers Inc. 280 SUMMER STREET	
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### **ELECTRICAL & GROUNDING NOTES**

- ALL ELECTRICAL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE NATIONAL ELECTRICAL CODE (NEC) AS WELL AS APPLICABLE STATE AND LOCAL CODES.
- ALL ELECTRICAL ITEMS SHALL BE U.L. APPROVED OR LISTED AND PROCURED PER SPECIFICATION REQUIREMENTS. 2.
- THE ELECTRICAL WORK INCLUDES ALL LABOR AND MATERIAL 3. DESCRIBED BY DRAWINGS AND SPECIFICATION INCLUDING INCIDENTAL WORK TO PROVIDE COMPLETE OPERATING AND APPROVED ELECTRICAL SYSTEM.
- GENERAL CONTRACTOR SHALL PAY FEES FOR PERMITS, AND IS RESPONSIBLE FOR OBTAINING SAID PERMITS AND COORDINATION OF INSPECTIONS.
- 5. ELECTRICAL AND TELCO WIRING OUTSIDE A BUILDING AND EXPOSED TO WEATHER SHALL BE IN WATER TIGHT GALVANIZED RIGID STEEL CONDUITS OR SCHEDULE 80 PVC (AS PERMITTED BY CODE) AND WHERE REQUIRED IN LIQUID TIGHT FLEXIBLE METAL OR NONMETALLIC CONDUITS.
- 6. RIGID STEEL CONDUITS SHALL BE GROUNDED AT BOTH ENDS.
- ELECTRICAL WIRING SHALL BE COPPER WITH TYPE XHHW, THWN, OR THIN INSULATION. 7.
- RUN ELECTRICAL CONDUIT OR CABLE BETWEEN ELECTRICAL UTILITY DEMARCATION POINT AND LESSEE/LICENSEE CELL SITE PPC AS INDICATED ON THIS DRAWING, PROVIDE FULL LENGTH PULL ROPE, COORDINATE INSTALLATION WITH LITTLY COMPANY. 8. WITH LITH ITY COMPANY
- RUN TELCO CONDUIT OR CABLE BETWEEN TELEPHONE UTILITY DEMARCATION POINT AND LESSEE/LICENSEE CELL SITE TELCO CABINET AND BTS CABINET AS INDICATED ON THIS DRAWING PROVIDE FULL LENGTH PULL ROPE IN INSTALLED TELCO CONDUIT. PROVIDE GREENLEE CONDUIT MEASURING TAPE AT 9. EACH END
- 10. ALL EQUIPMENT LOCATED OUTSIDE SHALL HAVE NEMA 3R ENCLOSURE.
- 11. GROUNDING SHALL COMPLY WITH NEC ART. 250.
- 12. GROUND COAXIAL CABLE SHIELDS MINIMUM AT BOTH ENDS USING MANUFACTURER'S COAX CABLE GROUNDING KITS SUPPLIED BY LESSEE/LICENSEE.
- 13. USE #5 COPPER STRANDED WIRE WITH GREEN COLOR INSULATION FOR GROUNDING (UNLESS OTHERWISE SPECIFIED) AND #2 SOLID TINNED BARE COPPER WIRE FOR BELOW GRADE GROUNDING AS INDICATED ON THE DRAWING
- 14. ALL GROUND CONNECTIONS TO BE BURNDY HYGROUND COMPRESSION TYPE CONNECTORS OR CADWELD EXOTHERMIC WELD. DO NOT ALLOW BARE COPPER WIRE TO BE IN CONTACT WITH GALVANIZED STEEL.
- 15. ROUTE CROUNDING CONDUCTORS ALONG THE SHORTEST AND STRAIGHTEST PATH POSSIBLE, EXCEPT AS OTHERWISE INDICATED. GROUNDING LEADS SHOULD NEVER BE BENT AT RIGHT ANGLE. ALWAYS MAKE AT LEAST 12" RADIUS BENDS. ∯6 WIRE CAN BE BENT AT 6" RADIUS WHEN NECESSARY. BOND ANY METAL OBJECTS WITHIN 6 FEET OF LESSEF/LICENSEE EQUIPMENT OR CABINET TO MASTER GROUND BAR OR GROUNDING RING.
- CONNECTIONS TO GROUND BARS SHALL BE MADE WITH TWO HOLE COMPRESSION TYPE COPPER LUGS. APPLY OXIDE INHIBITING COMPOUND TO ALL LOCATIONS.
- 17. APPLY OXIDE INHIBITING COMPOUND TO ALL COMPRESSION TYPE GROUND CONNECTIONS
- 18. BOND ANTENNA MOUNTING BRACKETS, COAXIAL CABLE GROUND KITS, AND ALNA TO EGB PLACED NEAR THE ANTENNA LOCATION.
- 19. BOND ANTENNA EGBS AND MGB TO GROUND RING.
- 20. TEST COMPLETED GROUND SYSTEM AND RECORD RESULTS FOR PROJECT CLOSE-OUT DOCUMENTATION. 5 OHMS MINIMUM RESISTANCE REQUIRED.
- 21. BOND ANY METAL OBJECT WITHIN 7 FEET OF THE PROPOSED EQUIPMENT OR CABINET TO MASTER GROUND BAR.
- 22. VERIFY PROPOSED SERVICE UPGRADE WITH LOCAL UTILITY COMPANY PRIOR TO CONSTRUCTION
- 23. VERIFY POWER DIAGRAM WITH EXISTING SERVICE PANEL BREAKER CONFIGURATION PRIOR TO EQUIPMENT INSTALLATION. ANY DISCREPANCIES NOTED SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER.

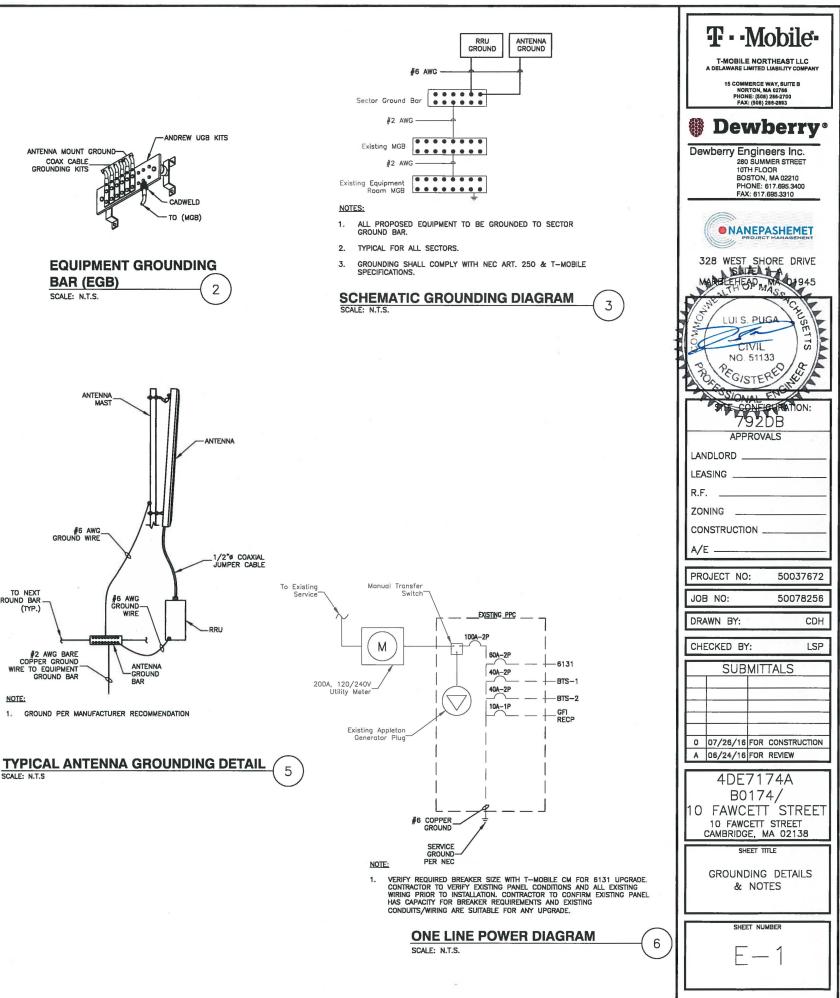


FROM EGB (WHEN SHOWN ON



#2 AWG -Existing Equipment NOTES:

- GROUND BAR.
- SPECIFICATIONS.



# T - Mobile - -

15 Commerce Way Norton, MA 02766

## **PHOTO SIMULATION**

4DE7174A

Address: 10 Fawcett St Cambridge, MA Date: 22 July 2016

Prepared by Nanepashemet Project Management, Inc. 328 West Shore Drive Marblehead, MA 01945

# PHOTO LOCATION MAP



## PHOTO LOCATION 1 - EXISTING



10 Fawcett St, Cambridge, MA 02138

**T** · · Mobile · · ·



## **PHOTO LOCATION 1 - PROPOSED**



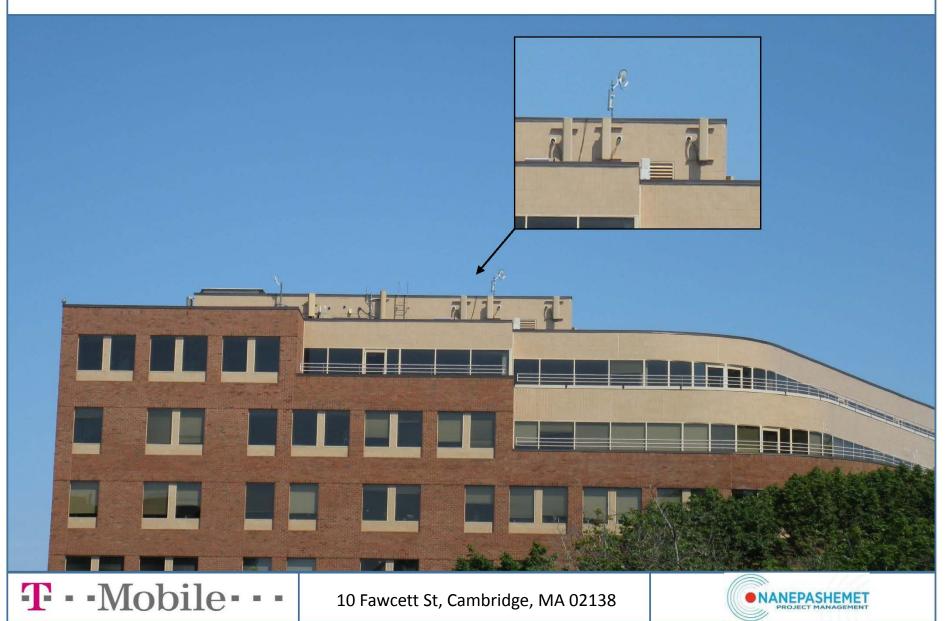
10 Fawcett St, Cambridge, MA 02138



# PHOTO LOCATION 2 - EXISTING



## **PHOTO LOCATION 2 - PROPOSED**





# PHOTO LOCATION 3 - PROPOSED



## Federal Communications Commission Wireless Telecommunications Bureau

### Radio Station Authorization (Reference Copy Only)

This is not an official FCC license. It is a record of public information contained in the FCC's licensing database on the date that this reference copy was generated. In cases where FCC rules require the presentation, posting, or display of an FCC license, this document may not be used in place of an official FCC license.

Licensee: T-Mobile License LLC

ATTN Dan Menser T-Mobile License LLC 12920 SE 38th St. Bellevue, WA 98006

•

(FI	ration Number RN): 565449
Call Sign." KNLF954	File Number: 0002991471
	Service: Broadband

Market Number: BTA051 Channel Block: D	Sub-Market Designator: 0
Market Name: Boston, MA	

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

...

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.

### Conditions

06/27/2002

Pursuant to Section 309(h) of the Communications Act of 1934, as amended, 47 U.S.C. Section 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. Section 310(d). This license is subject in terms to the right of use or control conferred by Section 706 of the Communications Act of 1934, as amended.

To view the geographic areas associated with the license, go to the Universal Licensing System (ULS) homepage at <a href="http://wireless.fcc.gov/uls/">http://wireless.fcc.gov/uls/</a> and select "License Search". Follow the instruction on how to search for license information

FCC 601 - MB

http://wireless2.fcc.gov/UlsApp/UlsSearch/printAuth\_market.jsp?licKey=9543

9/6/2007

#x28013m355

CAMBRIDGE.

# **FANNING BOARD**

MASSACHUSETTS

g

LL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139 NOTICE OF DECISION

Case No: PB#27, Major Amendment #2

Address: 617 Concord Avenue/10 Fawcett Street

Owner: New Boston Fawcett, Limited Partnership, One Longfeliow Place, Suite 3612, Boston, MA 02114 Book 25932 Poge 503

Original Application Date: August 9, 1982

Original Planning Board Decision: November 16, 1982

Applicant: Omnipoint Communications, Inc., 705 Myles Standish Blvd, Taunton, MA 02780, (508) 884-2700

Application Date: September 16, 1997

Date of the Public Hearing: October 14, 1997

Date of Decision: October 14, 1997

Date of Filing the Decision: December 1, 1997

Application: Major Amendment for a special permit use (telecommunication antenna) in the Office 2 district (section 4.32.g), a Parkway Overlay District Planning Board Special Permit.

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.

Eleptath M. Paden

Authorized Representative to the Planning Board

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

## BK 28013 PG 356

Case No.: PB#27, Major Amendment #2

Address: 617 Concord Avenue/10 Fawcett Street

Owner: New Boston Fawcett, Limited Partnership, One Longfellow Place, Suite 3612, Boston, MA 02114

Original Application Date: August 9, 1982

Original Planning Board Decision: November 16, 1982

Applicant: Omnipoint Communications, Inc., 705 Myles Standish Blvd, Taunton, MA 02780, (508) 884-2700

Application Date: September 16, 1997

Date of the Public Hearing: October 14, 1997

Date of Decision: October 14, 1997

Date of Filing the Decision: December 1, 1997

## **Application**

1. The special permit application, Section 4.32.g.1. Telephone exchange, (including, switching, relay and transmission facilities serving mobile communications systems) and any towers or antennas accessory thereto<sup>49</sup>, for a major amendment to install cellular antenna to the existing building at 10 Fawcett Street/617 Concord Avenue, dated September 16, 1997. It included a narrative describing the company, Omnipoint Communications, the installation and the design of the structures, a discussion of the criteria for issuing the permit, photographs of the location of the proposed installation, plans showing the vicinity of the installation, the roof plan and elevations, dated September 16, 1997.

## Other Documents

Submittal for Omnipoint Communications, Inc., by Donald L. Haes, Jr., MS, CHP, Consulting Health Physicist, dated 10/14/97.

## **Public Hearing**

The Planning Board held a public hearing on October 14, 1997. where Phil Hammond, consultant to Omnipoint, presented the application along

## BK 28013PG 357

with the consultants: Mohamed Noii; Bill Hogan, engineer; and Don Haes, the health consultant.

The installation consists of antennas 7' tall by 6 inches deep, and 3 inches wide, mounted on the building at 91 feet. There was a discussion of the existing antenna installation.

The Base Transmitting Station will be installed, set back from the parapet and near the antenna, it will be set back more than originally proposed.

There were no statements in support or in opposition to the application.

## Findings

The Planning Board reviewed the application documents, the site plan and information presented by the applicant and his attorney at the public hearing and found the following.

## 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, the Massachusetts Department of Public Health and the Federal Communications Commission for radio emissions.

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

The applicant proposes to utilize the existing building and rooflop 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 with the background surfaces. The Base Transmitting Station is to be located on the roof and set back from the parapet as much as possible to minimize the visibility from the parkway.

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

## BK 28013PG 358

The site is located in the Parkway Overlay District and Office 2 base district, where and telecommunication use 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 on other office buildings in the district. The visual impact will be minimized from the parkway.

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.

4

## BK 28013PC 359

The proposed use would not impair the integrity of the Office 2 or Parkway Overlay Districts, which are a office and business district; the use would generally enhance their operations; any potential negative visual aspects have been mitigated.

## Decision

After review of the application documents, and discussions at the public hearing and based on the above findings, the Planning Board **GRANTS** the Major Amendment #2, for Special Permit #27 for the construction of a telecommunication tower in the Office 2 district with the following conditions.

- 1. That the facility be install in conformance with plans as revised and submitted and reviewed by the Board, dated 7/7/97 (plans labeled as Title sheet, vicinity map, general info, sheets T-1, C-1, A-1, and A-2)
- 2. That the antennas be removed within 30 days of the termination of its 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 in favor to GRANT the major amendment to the special permit and to grant the special permit use were: H. Salemme, C. Mieth, S. Lewis, F. Darwin, H. Russell and A. Cohn constituting more than two thirds of the Board.

For the Planning Board

Carolyn Muth, Comp

Carolyn Mieth, Vice Chair

ex 28013 PG 360

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 **December 1, 1997** 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.

6

Twenty (20) days have elapsed since the filing of this decision.

No appeal has been filed. VDATE: ec. 24 City Clerk City of Cambridg





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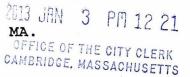
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## City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

831 Mass Avenue, Cambridge, (617) 349-6100



CASE NO:

10333

LOCATION:

10 Fawcett Street Cambridge, MA

PETITIONER:

T-Mobile Northeast, LLC C/o Jackie Slaga, Agent

PETITION:

Special Permit: In-kind replacement of existing 6 antennas with new antennas; add 1 small cabinet adjacent to existing cabinets. All antennas will be mounted in the same location and painted to match façade of building.

VIOLATION:

Art. 4.000, Sec. 4.32.G.1 & 4.10 (Footnote 49) (Telecommunication Facility). Art. 10.000, Sec. 10.40 (Special Permit).

DATE OF PUBLIC NOTICE:

September 27, 2012 & October 4, 2012

DATE OF PUBLIC HEARING:

MEMBERS OF THE BOARD:

BRENDAN SULLIVAN - CHAIR CONSTANTINE ALEXANDER – VICE-CHAIR TIMOTHY HUGHES THOMAS SCOTT JANET GREEN

ASSOCIATE MEMBERS:

MAHMOOD R. FIROUZBAKHT DOUGLAS MYERS SLATER W. ANDERSON TAD HEUER ANDREA A. HICKEY KEVIN C. McAVEY

October 11, 2012

Members of the Board of Zoning Appeal heard testimony and viewed materials submitted regarding the above request for relief from the requirements of the Cambridge Zoning Ordinance. The Board is familiar with the location of the petitioner's property, the layout and other characteristics as well as the surrounding district.

Office 2 Zone

- 1. that the work proceed as per the drawings and photo simulations in the application,
- 2. that the Petitioner may replace defective equipment with exact, identical equipment, but any change in size or location of the equipment would require a new special permit,
- 3. that should any of the proposed equipment be abandoned or become obsolete, it be removed within 60 days, and the surface to which it was attached be restored back to its condition prior to the installation of the equipment.

The five member Board voted unanimously in favor of granting the special permit (Sullivan, Alexander, Hughes, Scott, and Green) with the above conditions. Therefore, the special permit is granted.

The Board based its decision upon all the information presented, the above findings and upon the following:

- 1) The meeting of the requirements of the Ordinance;
- 2) Traffic generated or patterns of access or egress would not cause congestion, hazard, or substantial change in the established neighborhood character;
- 3) The continued operation of or the development of adjacent uses as permitted in the Ordinance would not be adversely affected by the nature of the proposed uses;
- 4) Nuisance or hazard would not be created to the detriment of the health, safety and /or welfare of the occupants of the proposed use;
- 5) The proposed use would not impair the integrity of the district or adjoining district or otherwise derogate from the Ordinance, and in fact would be a significant improvement to the structure and benefit the neighborhood, and;
- 6) The new use or building construction is not inconsistent with the Urban Design Objectives set forth in Section 19.30 of the Cambridge Zoning Ordinance.

The Board of Zoning Appeal is empowered to waive local zoning regulations only. This decision therefore does not relieve the petitioner in any way from the duty to comply with local ordinances and regulations of the other local agencies, including, but not limited to the Historical Commission, License Commission and/or compliance with requirements pursuant to the Building Code and other applicable codes.

Brendan Sullivan, Chair

Attest: A true and correct copy of decision-filed with the offices of the City Clerk and Planning Board on 1-3-13 by 1000 by 1000

Twenty days have elapsed since the filing of this decision.

No appeal has been filed

Appeal has been filed and dismissed or denied.

Donna P. Kops Dellary 4, 2013 City Clerk. Date:

July 29, 2016

## VIA HAND DELIVERY

Ranjit Singanayagam Commissioner of Inspectional Services/Building Commissioner City of Cambridge 831 Massachusetts Avenue Cambridge, MA 02139

Re: Eligible Facilities Request to Modify Transmission Equipment at an Existing Base Station located at **10 Fawcett Street, Cambridge, MA 02138.** 

Dear Mr. Singanayagam:

## A. T-Mobile is Filing an Eligible Facilities Request

Prince Lobel Tye LLP, on behalf of T-Mobile Northeast LLC is submitting the attached Eligible Facilities Request application to add, remove, modify, or replace Transmission Equipment at an Existing Base Station located at 10 Fawcett Street, Cambridge, MA 02138.

Because this jurisdiction has not yet developed an Eligible Facilities Request permit application form that complies with Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012, commonly known as the "Spectrum Act" (Pub. Law No. 112-96, 126 Stat 156) (codified at 47 U.S.C. § 1455), this Eligible Facilities Request is attached to the Building Permit Application form which was customarily used by this jurisdiction when reviewing requests to collocate or modify wireless telecommunications facilities. Because federal law now preempts many of the permit application requirements that this jurisdiction would previously have required from an applicant, this Eligible Facilities Request application provides only the information that federal law allows this jurisdiction to consider when reviewing an Eligible Facilities Request.

Section 6409(a) of the Spectrum Act mandates that state and local governments "*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*." Under Section 6409(a)(2)(A)-(C) an Eligible Facilities Request is any request to modify a Tower or Base Station that involves "collocations of new Transmission Equipment," "removal," or "replacement" of Transmission Equipment.

Prince Lobel Tye LLP One International Place Suite 3700 Boston, MA 02110 TEL: 617 456 8000 FAX: 617 456 8100

WWW.princelobel.com 2015.3 National Development

B. Why this Eligible Facilities Request Must Be Granted

This Eligible Facilities Request involves an effort to collocate, remove, modify, or replace Transmission Equipment at an existing Base Station operated by an FCC licensed wireless carrier. The FCC has defined Base Station as "the equipment and non-tower supporting structure at a fixed location that enable Commission-licensed or authorized wireless communications between user equipment and a communications network . . . the term includes equipment associated with wireless communications service including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supply, and comparable equipment." The term existing base station also includes a structure that currently houses or supports an antenna, transceiver or other associated equipment that constitutes part of a Base Station at the time the application is filed even if the structure was not built solely or primarily to provide such support. The existing Base Station in this application is approximately ninety-eight feet (98') high and presently contains wireless facilities. The existing Base Station meets the Federal Communications Commission ("FCC") definition of a Base Station.

The list of equipment identified in the Eligible Facilities Request application that will be collocated, removed, or replaced at the Base Station also is Transmission Equipment as determined by the FCC. The FCC has defined Transmission Equipment as "any equipment that facilitates transmission for any Commission-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas and other relevant equipment associated with and necessary to their operation, including coaxial or fiber-optic cable, and regular and back-up power supply. This definition includes equipment used in any technological configuration associated with any Commission-authorized wireless transmission, licensed or unlicensed, terrestrial or satellite, including commercial mobile, private mobile, broadcast and public safety services, as well as fixed wireless services such as microwave backhaul or fixed broadband."

The FCC, in a Report and Order adopted on October 17, 2014, determined that any modification to an existing telecommunications Base Station that meets the following six criteria does not substantially change the physical dimensions of the existing Base Station and therefore is an Eligible Facilities Request which must be granted:

- 1. The modifications to the Transmission Equipment do not increase the height of the Base Station by more than 10 percent (10%) or ten (10) feet, whichever is greater.
  - a. The height of the Base Station is approximately ninety-eight feet (98') high. The proposed addition of three (3) new panel antennas will not affect the height of the Base Station.
- 2. The modifications to the Transmission Equipment do not protrude from the edge of the support structure by more than six (6) feet.
  - a. The three (3) proposed antennas will not protrude from the edge of the building and therefore will not exceed the six (6) foot limitation. All of the proposed antennas will be façade mounted and together with the mounting



equipment will extend no more than one (1) foot from the existing penthouse. As such, the proposed modification will not protrude from the edge of the building by more than six (6) feet.

- 3. The modifications to the Transmission Equipment do not involve the installation of more than the standard number of equipment cabinets for the technology involved, not to exceed four.
  - a. There are currently three (3) equipment cabinets existing at the Base Station. The Applicant does not propose to install any additional equipment cabinets.
- 4. The modifications to the Transmission Equipment do not entail any excavation or deployment outside of the Base Station site.
  - a. The Applicant is proposing to install three (3) new antennas consistent with its existing antennas. There will be no excavation or deployment outside of the Base Station site.
- 5. The modifications to the Transmission Equipment do not defeat any existing concealed or stealth-design.
  - a. Pursuant to the original decision by the Planning Board for the City of Cambridge (the "Planning Board") for this facility, dated December 1, 1997 (Case No. PB #27, Major Amendment #2) (the "Original Decision") and a second decision by the Board of Zoning Appeal for the City of Cambridge (the "Board") dated January 3, 2013 (Case No. 10333) (the "Previous Decision") (together, the Original Decision and the Previous Decision shall hereafter be referred to as the "Decisions"), both of which are attached hereto, the existing antennas are located in the preferred location on the building and comply with the required conditions for a stealth design. The addition of the three (3) new antennas will not defeat the existing stealth design all antennas will be painted to match the existing building, and the existing building and rooftop mechanical elements are used as support and background to minimize the visual impact of the antennas. All equipment will be designed to blend into the existing building. As such, the proposed modification will not defeat any existing concealed or stealth design.
- 6. The modifications to the Transmission Equipment comply with prior conditions of approval of the Base Station, unless the non-compliance is due to an increase in height, increase in width, addition of equipment cabinets, or new excavation that does not exceed the corresponding "substantial change" thresholds in numbers 1-4.
  - a. Based on the foregoing, the proposed modifications to the Base Station fully conform to Section 6409(a) of the Spectrum Act and comply with the prior conditions of approval of the Base Station.

# PRINCE LOBEL

There is a certification attached to the accompanying Eligible Facilities Request that identifies how each of the six review criteria identified by the FCC is met. The modifications to the Transmission Equipment at the Base Station located at 10 Fawcett Street, Cambridge, MA 02138 contained in this Eligible Facilities Request fully conform to Section 6409(a) as enacted by Congress and as interpreted by the FCC. Accordingly, this Eligible Facilities Request must be approved within 60 days, as required by federal law and FCC implementing regulations.

C. Notice of Federal Law Expedited Permit Processing and Deemed Granted

Under federal law, an Eligible Facilities Request is deemed granted sixty (60) days after a complete application is filed with a local jurisdiction. If sixty days pass after the submission of T-Mobile's accompanying Eligible Facilities Request and the City of Cambridge has not acted to grant or deny the request, it will be deemed granted. At that time, the applicant may advise the City of Cambridge that the application has been deemed granted. If the City of Cambridge wishes to contest whether the Eligible Facilities Request has been deemed granted, the burden is on the City of Cambridge to file a lawsuit in a court of competent jurisdiction within 30 days after receipt of a written communication notifying it that the Eligible Facilities Request has been deemed granted. Failure to file a lawsuit in a timely manner may forever bar this jurisdiction from contesting that this Eligible Facilities Request has been deemed granted.

T-Mobile is committed to working cooperatively with you, and all jurisdictions around the country, to secure expeditious approval of requests to modify existing personal wireless service facilities. Please do not hesitate to contact me if you have questions.

Sincerely Ricardo M. Solasa

Direct: 617-456-8123 Email: rsousa@princelobel.com

Prince Lobel Tye LLP One International Place Suite 3700 Boston, MA 02110 TEL: 617 456 8000 FAX: 617 456 8100

WWW.princelobel.com 2015.3 National Development

### ELIGIBLE FACILITIES REQUEST CERTIFCATION FOR NON-SUBSTANTIAL CHANGES TO AN EXISTING BASE STATION

"Base Station" means the equipment and non-tower supporting structure at a fixed location that allow Commission-licensed or authorized wireless communications between user equipment and a communications network. The term base station includes any equipment associated with wireless communications services including but not limited to radio transceivers, antennas, coaxial or fiber-optic cables, regular or back up power supply, and comparable equipment. The term existing base station also includes a structure that currently houses or supports an antenna, transceiver or other associated equipment that constitutes part of a base station at the time the application is filed even if the structure was not built solely or primarily to provide such support. "Base Station" includes the relevant equipment in any technological configuration, including small cells and DAS. Remember "Base Station" has two separate meanings: (1) the supporting structure that houses FCC licensed or authorized wireless equipment and (2) the wireless equipment itself. Keep this distinction in mind when calculating a substantial change in physical dimensions.

"Transmission Equipment" means any equipment that facilitates transmission for any FCC licensed or authorized wireless communication service, including but not limited to, radio transceivers, antennas and other relevant equipment associated with and necessary to their operation, including coaxial or fiber-optic cable, and regular and back-up power supply. This definition includes equipment used in any technological configuration associated with any Commission-authorized wireless transmission, licensed or unlicensed, terrestrial or satellite, including commercial mobile, private mobile, broadcast and public safety services, as well as fixed wireless services such as microwave backhaul or fixed broadband.

"Collocation" means the addition, removal or replacement of Transmission Equipment to an existing tower or a base station. This means that the existing support structure, be it a tower or a building or some other structure, must presently support FCC licensed or authorized wireless facilities. The FCC further requires that the site (tower, building, or other structure) was previously approved by the appropriate agency of government to house wireless facilities. Illegal wireless installations cannot be the basis for an eligible facilities request. However, if a communications Tower was erected at a time when it was exempt from zoning, the Tower can be modified through the Eligible Facilities Request process even if the Tower is no longer exempt from zoning.

### Site Address: <u>1221 Cambridge Street</u> Existing Facilities

The Existing Facility is comprised of six (6) panel antennas all mounted to the façade of the existing building, together with supporting equipment.

### **Height of Base Station**

Height above ground level of the tallest point on the existing base station: <u>98</u>' (feet)

Height above ground level of the tallest point of the existing base station after the installation of the *proposed* equipment: 98'(feet)

1) Does the height above ground level of the proposed equipment exceed the height of the tallest point on the existing base station by more than 10 percent (10%) or ten (10) feet, whichever is greater?

🗌 Yes 🖾 No

### Width of Base Station

2) Will any of the proposed equipment protrude from the edge of the support structure by more than six (6) feet?

🗌 Yes 🖾 No

### **Excavation or Equipment Placement**

Will the proposed changes in Transmission Equipment involve excavation or placement of new equipment outside the existing Base Station site or outside any access or utility easements currently related to the site?
 ☐ Yes No

### **Equipment Cabinets**

4) Will the proposed modification in Transmission Equipment involve installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four?
 ☐ Yes No

### **Concealed or Stealth-Designed Wireless Facilities**

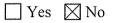
5)

- a) Is the existing wireless facility concealed or stealth- designed? ⊠ Yes □ No
- b) If the answer to 5a) is "Yes," will the proposed modification in Transmission Equipment defeat the existing concealed or stealth-design?
  ☐ Yes No

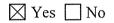
### Compliance with Preexisting Conditions of Approval for the Base Station

6)

- a) Were there any conditions of approval stated in the original government approval of the Base Station?
  - Yes No
- b) Will the proposed modification in Transmission Equipment comply with conditions of approval imposed on the Base Station prior to February 22, 2012?



c) If the answer to 6b) is "No," is the non-compliance due solely to any of the conditions addressed in Questions 1-5 above?



If the answers to questions 1-4 are "No," the answer to either 5a) or b) is "No," and the answers to 6a) is "No" or the answers to either 6b) or 6c) are "Yes," then the proposed modifications do not substantially change the physical dimensions of the existing Base Station.

**Explanatory Comments:** 

Question No.<u>5 (b)</u>

Comment: Pursuant to the previous decisions by the Planning Board for the City of Cambridge (the "Planning Board") for this facility, dated December 1, 1997 (Case No. PB #27, Major Amendment #2) (the "Original Decision") and a second decision by the Board of Zoning Appeal for the City of Cambridge (the "Board") dated January 3, 2013 (Case No. 10333) (the "Previous Decision") (together, the Original Decision and the Previous Decision shall hereafter be referred to as the "Decisions"), both of which are attached hereto, the existing antennas are located in the preferred location on the building and comply with the required conditions for a stealth design. The addition of the three (3) new antennas will not defeat the existing stealth design all antennas will be painted to match the existing building, and the existing building to the extent possible. As such, the three (3) new antennas will be in conformity with the Decision and do not defeat the existing stealth design. The proposed installations will not substantially increase the facility and as such the proposed visual impact will be de minimus for many of the same reasons stated in the Decisions attached hereto.

### Question No.<u>6 (c)</u>

Comment: Notwithstanding the aforementioned showing that the proposed modification to this site does not substantially change the physical dimensions of the existing Base Station and is subject to the Spectrum Act, this site is the proper location for a wireless installation pursuant to the Decisions. Furthermore, in the Decisions the Board stated that continued operation of adjacent uses would not be adversely affected by the previously proposed equipment addition, and no nuisance or hazard would be created to the detriment of the health, safety or welfare of the occupant or the citizens of the City of Cambridge. The proposed modification to this site is very similar to the previous modification approved by this board and as such, we submit will have the same de minimis impact. Morevoer, the proposed installation is necessary to accommodate the existing and future customer base as demand for data and cell service has steadily increased and continues to do so.

This certification is dated this 29th day of July, 2016.

Signature

<u>Ricardo M. Sousa, Esq., Attorney for Applicant</u> Name & Title

### Eligible Facilities Request (EFR) Application Form

[Attach this EFR form to the local jurisdiction form used to process cell site modifications.]
Date of Submittal:
Submitted by:
Name:
Title:
Contact information:
Name of Jurisdiction:
Address of Jurisdiction:
Contact Name for Jurisdiction:
Name of Local Government Permit Application:
Local Government File #:
Street Address of Site:
Tax Parcel # of Site:
Latitude/Longitude of Site:
List Each Piece of Transmission Equipment that will be Collocated or Added:
List Each Piece of Transmission Equipment that will be Removed:

List Cabinets that will be Collocated or Added at the Site:

List Cabinets that will be Removed at the Site:
Permit Application Deposit Amount:
Municipal Consultant Review Fee Deposit (if applicable):

## INSPECTIONAL SERVICES DEPARTMENT

Ranjit Singanayagam - Commissioner

City of Cambridge • 831 Massachusetts Avenue • Cambridge, Massachusetts 02139 617-349-6100 • TTY 617-349-6112 • Fax 617-349-6132

### Application for a PERMIT to Build, Alter, or Repair ANY BUILDING (other than a 1 or 2 family Dwelling) in accordance with Massachusetts State Building Code 780 CMR (MSBC). Application must be filled out COMPLETELY in ink.

D 11 A Hunger 10 Equatt Street	
Building Address 10 Fawcett Street	
Building Owner AG Fawcett, LLCPhone#_Owner Address c/o Griffith Properties, 260 Franklin St., 5/F, Boston, MA	
Owner Address c/o Griffith Properties, 260 Franklin St., 5/F, Boston, MA	
Contractor John Nestor Phone # (781) 727-6516	
Contractor Address 328 West Shore Drive, Marblehead, MA 01945	
Architect/Engineer Lui Puga Phone # (617) 695-3400	
Architect/EngineerLuiPugaPhone # (617)695-3400Address280SummerSt., 10/Fl, Boston, MA 02210	
TYPE OF WORK: New Construction Addition Change of Occupancy	
Repair   Alteration Level 1   Alter Level 2   Alter Level 3   Roof X	
EXISTING BUILDING INFORMATION (Required - MSBC Ch. 34 Sec 101.5.4.0 Amende	ed)
Current Use Office Bldg. wireless on roof Proposed Use Same	
	12
For Residential Use: Current number of dwelling units N/A Proposed number of dwelling units N	/ 4
Building Construction type:	
Non-Combustible (Type I/II ) Masonry/Wood ( III ) Wood (IV,V )	
Building Equipped with : Sprinkler System: Yes / No Fire Alarm: Yes / No Smoke Detection: Yes / N	No
Provide a description of the building:	
Description of Proposed Work: Include effects of the proposed work on the structural, egress, fire protection, energy	
conservation, light, and ventilation systems of the space or building. Include any changes as listed in Zoning Information (p Replace 3 existing antennas with 3 new in-kind antennas. Add 3 new antennas (1 for	)g 2). each
of 3 sectors) flush-mounted on existing penthouse adjacent to existing antennas. To	
of new antennas will not exceed top of existing antennas. Add 3 radio units ( 1 per	eac
of 3 sectors) behind existing penthouse wall behind antennas. Antennas will be	
painted to match.	
Note: 2 sets of construction documents, plus 1 set in digital format, required to be submitted for review.	
DOTAL MED COOT OF CONCEPTON	
ESTIMATED COST OF CONSTRUCTION:	
Building \$20,000 HVAC	
Electric Sprinklers	
Plumbing/Gas Fire Detection	
Gas Fitting Fire Suppression	
Total Estimated Cost of Construction \$20,000	
Total Estimated Cost of Construction\$20,000Total Construction costs include all work done concurrently with the work contemplated by the Building Permit including	
demolition, plumbing, heating, electrical, air conditioning, painting, wall to wall carpeting, landscaping, site improvements,	. etc.
	· · · · · ·
Furnishings and portable equipment are not part of the total construction cost. A signed copy of contractor/client contract n	
Furnishings and portable equipment are not part of the total construction cost. A signed copy of contractor/client contract n included with Application. A final cost affidavit completed by the owner will be required at construction completion for al projects (affidavit required for final sign-off).	

ZONING INFORMATION (REQUIRED) The Applicant is responsible for proving Zoning compliance.
Office Bldg w/       Current Use wireless on roof       Proposed Use same       Zone       O-2       BZA/PB Case #
For residential: Current number of dwelling units $N/A$ Proposed number of dwelling units $N/A$
□ Proposed work includes – reconstruction of an existing exterior building element (porch, deck, etc.). Provide recent photos of existing conditions, and fully dimensioned plans and elevations.
□ Proposed work includes - enclose a covered porch, build uncovered exterior stairs, build decks at the 1 <sup>st</sup> floor level, build roof decks over existing 1 <sup>st</sup> or 2 <sup>nd</sup> floors, create new windows (including moving existing windows), doors, or skylights. Provide a stamped and scalable surveyor's plot plan, the height of the highest point of the roof, recent photos of existing conditions, and fully dimensioned plans and elevations. If Zoning Appeal case, include copy of registered decision.
Proposed work includes – new construction, additions, dormers, bays, balconies, covered stairs/landings and/or porches, decks at the 2 <sup>nd</sup> floor level or higher, roof decks over the 3 <sup>rd</sup> floor or higher, or to excavate a basement, change any floor or ceiling height, change the use or increase the number of dwelling units of a building, creet an outbuilding, or to do any similar work. Provide all previously listed documents, plus a comprehensive Zoning Analysis showing compliance with all aspects of the Cambridge Zoning Ordinances. If BZA or Planning Board case, include copy of registered decision.
□ None of the above. The proposed work is not of the types listed above and is not regulated by the Zoning Ordinance.
Certified Plot Plan: For new structures and additions, a certified plot plan shall be submitted after the foundation is poured and before further work commences.
<b>Energy Conservation:</b> Effective July 1, 2010, the City of Cambridge has adopted the Stretch Energy Code, 780 CMR115AA. The Stretch Code requirements are in addition to the requirements of the most recently published version of the ICC International Energy Conservation Code (IECC). Check all applicable:
<ul> <li>The proposed project is subject to Stretch Code and/or IECC provisions and documentation indicating compliance has been included with this application.</li> <li>The proposed work involves changes to the building lighting system and a Lighting Power Density Report habeen included with this application.</li> <li>The proposed work does not access or affect the building energy envelop.</li> </ul>
All Residential work requires a completed <u>Energy Star Qualified Homes Thermal Bypass Inspection Checklist</u> at final inspection. This form is available at <u>www.energystar.gov</u> or from the Building Official.
Fire Protection:
For proposed work that may include any fire protection work as regulated by MSBC Ch. 9 Fire Protection Systems, review and approval of the construction documents by the Cambridge Fire Department is required before submittal. Camb. Fire Dept. has reviewed this application Yes / No
A Narrative Report describing all fire protection systems and their operation is required to be submitted with this application (Sec 902.1 #1a, MSBC Amended). This report has been submitted Yes / No
All Fire Protection design documents and calculations are required to be submitted as part of the Building Permit Application.
Noise Ordinance Affidavit The undersigned as the Architect/Construction Supervisor for this proposed construction, do hereby certify knowledge of Chap 8.16 of the Cambridge Municipal Code concerning noise control.
I certify that necessary actions will be taken concerning the design, specification of, and location of noise producing equipment e.g., transformers, air handling units, etc., to insure that this project will not result in noise levels that exceed that allowed by the Municipal Code.

Name	John	Nest	r
Signature_	to	hil	loty_

Title	onia	suct	in	Super	nison
Registrat	ion/License	#	470	636	

Please note that additional Mechanical Permits and Sheet Metal permits may be required for installation of any mechanical system. New rooftop units (including solar panels) require an existing building analysis by a Registered Structural Engineer for suitability of the installation.

### **CONSTRUCTION SERVICES (REQUIRED)**

Any project proposed for any building over 35000 ft<sup>3</sup> must meet the requirements of Sec. 107.6 & Chapter 17, MSBC.

#### Architect / Registered Design Professional (Construction Control Sec 107, MSBC Amended)

Name	Lui	Puga Pl	hone #	(617)	695-340	0
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Firm Dewberry Engineers Inc.

L

Cell Phone#

Address 280 Summer Street, 10/F, Boston, MA 02210

MA Registration Number 51133 Email Address:

Application shall include signed and stamped letter from Registered Design Professional attesting to duties and obligations required by Sections 107.6 (Construction Control) and Chapter 17 (Structural Tests and Special Inspections) MSBC Amended. Application shall also include schedule of tests, inspections and observations as required by Section 1701.1.1 MSBC Amended.

Structural Peer Review (MSBC 780 CMR 105.9 Amended):	
Is Independent Structural Engineering Peer Review required Yes No X	
If Yes, review must be submitted with application. Peer Review is required for high rise construction or buildings of unusu	lal
complexity as determined by the BBRS.	

**Read Before Signing**: The undersigned hereby certifies that he/she has read and examined this application and that the proposed work subject to the provisions of the Massachusetts State Building Code and other applicable laws and ordinances is accurately represented in the statements made in this application and that the work shall be carried out in accordance with the foregoing statements and in compliance with the provisions of law and ordinance in force on the date of this application to the best of his/her ability.

Licensed Construction Supervisor			
Name John Nestor	_Phone #	(781)	727-6516
Address 328 West Shore Drive, Marblehead, MA 01945	_Cell Phone	e#	
License Number 47636 Expiration Date 12/06/20 Signature four liet	)17	_Class	CS
Signaturefounfleitn	Date	7/24	116
Email Address jnestor@nanepashemet.com	······································		
Registered Home Improvement Contractor (required only for 3 or 4 fa	amily own	er-occupie	ed dwellings)
Name	_Phone # _		
Address	Cell Phon	e#	
Registration Number Expiration Date	• • • • • • • • • • • • • • • • • • •		
Signature	_ Date		
Building Owner of Record (application must be signed by OWNER of	f Building)		
Name	_Phone # _		
Address			
Signature	_Date		
Email Address			

Hold Harmless Clause: The Permitee(s) by acceptance of this permit agree(s) to indemnify and hold harmless the City of Cambridge, and its employees, from and against any and all claims, demands and actions for damages resulting from operations under this permit, regardless of negligence of the City of Cambridge, and its employees, are to assume the defense of the City of Cambridge, and its employees, against all claims, demands and actions.

### FEE

### MASSACHUSETTS GENERAL LAW REQUIREMENTS

#### Workers Compensation Insurance Affidavit (MGL c. 152 §25C96)

A Certificate of Insurance indicating Worker's Compensation coverage or a completed Workers Compensation Insurance Affidavit must be submitted with this application. Failure to provide this affidavit will result in the denial of the issuance of the Building Permit. Failure to secure coverage as required under Section 25A of MGL c.152 can lead to imposition of a fine of up to \$1500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator.

Signed Affidavit Attached Yes X No

#### **Construction Debris Affidavit** (MGL c 40 §54)

As result of the provisions of MGL c 40 §54, I acknowledge that as a condition of the Building Permit, all debris resulting from the construction activity governed by this Building Permit shall be disposed of in a properly licensed waste disposal facility, as defined by MGL c 111 §150A.

The debris will be disposed at/by \_\_\_\_\_

Roll-Off Dumpster or Container? Yes / No / Specify\_\_\_\_\_ Dumpster Permit #\_\_\_\_\_

Signature

I certify that I will notify the Building Official by \_\_\_\_\_\_(two months maximum) of the location of the solid waste disposal facility where the debris resulting from said construction activity shall be disposed of, and I shall submit he appropriate form for attachment to the Building Permit

Date

Date

Signature

OFFICIAL USE ONLY

Department Approvals				
BZA	Date	Electrical	Date	
Planning Board	Date	Plumbing	Date	
Historic	Date	D.P.W	Date	
Fire Dept	Date	Parking	Date	
Application Approval(Subject to Application and Plans Accepte Zoning Approved By: Plan Review Approved By: Permit Approved/Granted By:	ed By: Date	etts State Building Code 780 CMR and the 2 Bin	Zoning Laws of the City of Cambridge Date Date Date Date	2.)

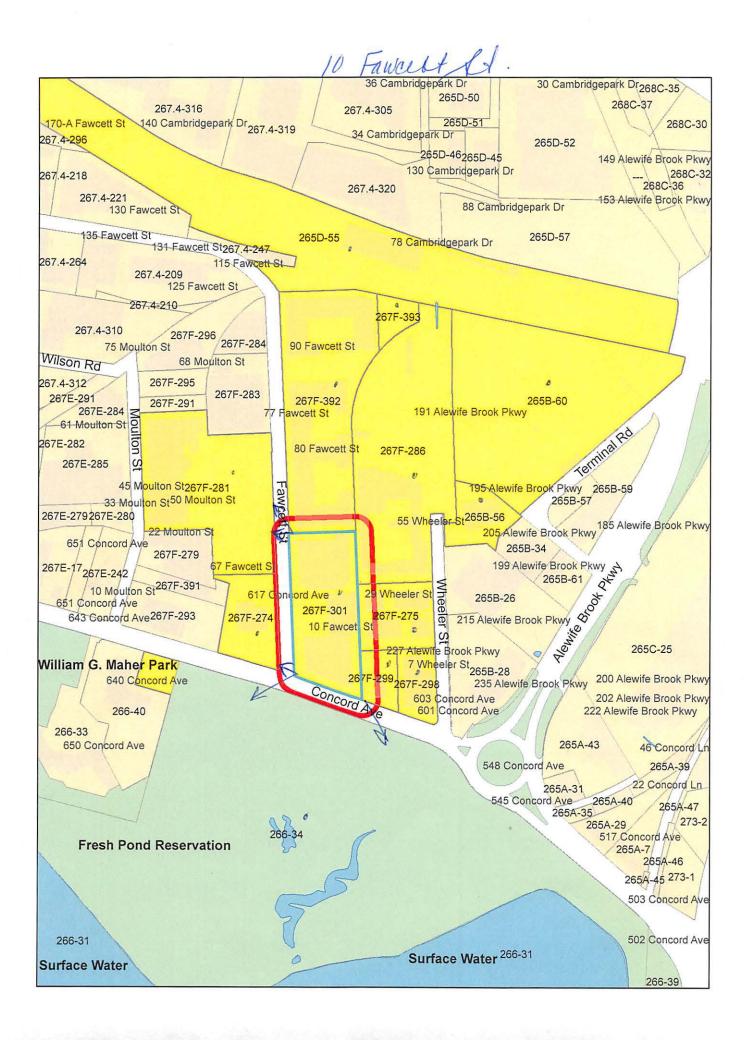
Inspection Record	
	Final Inspection Made
	Date By:
Certified Foundation Plan submitted: Yes No	Certificate of Occupancy issued: Yes No
Final Cost Affidavit: Yes No	General Contractor Final Affidavit: Yes No
Architect Final Affidavit: Yes No	Structural Engineer Final Affidavit: Yes No
Final as-built drawings submitted in digital format?	Yes <u>No</u>

If yes, describe under       I								9NANE01	OP ID: DC
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X       POLICY       PEC       LOC       PRODUCTS - COMPIOP AGG       \$       4,000,000         AUTOMOREL LABLITY       RXQ120       03/01/2016       03/01/2017       COMMENT       \$       250,000         B       ANY AUTO ALLOWNED       X       SCHEDULED MONOWNED       RXQ120       03/01/2016       03/01/2017       BOOLY MURKY (Per period)       \$         A       MURKY PER PERIOD       X       SCHEDULED MONOWNED       RXQ120       03/01/2016       03/01/2017       BOOLY MURKY (Per period)       \$         A       MURKY PER PERIOD       X       SCHEDULED MONOWNED       NO       BOOLY MURKY (Per period)       \$         A       MURKY PER PERIOD       X       SCHEDULED MONOWNED       SCHEDULED       SCHEDULED       SCHEDULED       SCHEDULED         AUTOS       X       UMBRELLA LIAB       X       OCCUR       SCHEDULED       SCHEDU	E	X Perform Bond			CE11659000006	07/01/201	5 07/01/2016		
Automodelle Luaellary       Bond Amt.       \$ 250,000         Automodelle Luaellary       Commercial Science       1,000,000         B       Automodelle Luaellary       RXQ120       03/01/2016       03/01/2017       Bond Amt.       \$ 250,000         ALLOWNED       X       ScheduleD       X       ScheduleD       1,000,000       Bond Amt.       \$ 250,000         ALLOWNED       X       ScheduleD       X       ScheduleD       \$ 1,000,000       Bond Amt.       \$ 250,000         ALLOWNED       X       ScheduleD       X       ScheduleD       \$ 1,000,000       Bond Amt.       \$ 250,000         A       Automation       X       ScheduleD       X       Bond Amt.       \$ 250,000         A       Marco ScheduleD       X       ScheduleD       X       Bond Amt.       \$ 250,000,000         A       Automation S       10,000       ScheduleD       3/01/2016       03/01/2017       CachocculeRescheduleD       ScheduleD         Workerse Comerestone       X       Retention S       10,000,000       EL.OCHACCURENCE       S 1,000,000         Very Environ ScheduleD       N/A       X       BeWECDO7725       01/04/2016       03/01/2017       OccLacet ScheduleD       1,000,000 <t< td=""><td></td><td>GEN'L AGGREGATE LIMIT APPLIES PER:</td><td></td><td></td><td></td><td></td><td></td><td></td><td>4,000,000</td></t<>		GEN'L AGGREGATE LIMIT APPLIES PER:							4,000,000
Automodelle Luaellary       Bond Amt.       \$ 250,000         Automodelle Luaellary       Commercial Science       1,000,000         B       Automodelle Luaellary       RXQ120       03/01/2016       03/01/2017       Bond Amt.       \$ 250,000         ALLOWNED       X       ScheduleD       X       ScheduleD       1,000,000       Bond Amt.       \$ 250,000         ALLOWNED       X       ScheduleD       X       ScheduleD       \$ 1,000,000       Bond Amt.       \$ 250,000         ALLOWNED       X       ScheduleD       X       ScheduleD       \$ 1,000,000       Bond Amt.       \$ 250,000         A       Automation       X       ScheduleD       X       Bond Amt.       \$ 250,000         A       Marco ScheduleD       X       ScheduleD       X       Bond Amt.       \$ 250,000,000         A       Automation S       10,000       ScheduleD       3/01/2016       03/01/2017       CachocculeRescheduleD       ScheduleD         Workerse Comerestone       X       Retention S       10,000,000       EL.OCHACCURENCE       S 1,000,000         Very Environ ScheduleD       N/A       X       BeWECDO7725       01/04/2016       03/01/2017       OccLacet ScheduleD       1,000,000 <t< td=""><td></td><td>X POLICY PRO- JECT LOC</td><td></td><td></td><td></td><td></td><td></td><td>PRODUCTS - COMP/OP AGG \$</td><td>4,000,000</td></t<>		X POLICY PRO- JECT LOC						PRODUCTS - COMP/OP AGG \$	4,000,000
B       AV VATO ALLOWNED A									250,000
ALL OWNED       ALTOS       ScheDulleD         AUTOS       AUTOS       X         AUTOS       X       ScheDulleD         AUTOS       X       MOROWNED         ALTOS       X       MOROWNED         AUTOS       X       OCCUR         EXCESS LIAB       X       OCCUR         CLAMS-MADE       X       08SBAUQ3098         03/01/2016       03/01/2017       AGREGATE         AW PERCENCE COMPENSATION       AMORE EXCLUSEOF         AND EMPLOYERS LIABILITY       N/A         ALL STATES       01/04/2016       01/04/2017         ELL COLACACCURE       1,000,000         DESCRIPTION OF OPERATIONS / LECATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)         ATT&T and its Affiliates, Directors, Officers and Employees on workers comp and general liability. Primary and non contributory.         CERTIFICATE HOLDER       CANCELLATION<		AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	1,000,000
AUTOS       AUTOS       AUTOS       AUTOS       AUTOS       Processional       Proces	В				RXQ120	03/01/201	6 03/01/2017	BODILY INJURY (Per person) \$	
A       HIRED AUTOS       AUTOS       Image: Concurrence of the second		AUTOS AUTOS							
A       UMBRELLA LIAB       X       OCCUR       EACH OCCURRENCE       \$       5,000,000         A       EXCESS LIAB       CLAIMS-MADE       X       08SBAUQ3098       03/01/2016       03/01/2017       EACH OCCURRENCE       \$       5,000,000         MORENES COMPENSATION       10,000       X       08SBAUQ3098       03/01/2016       03/01/2016       03/01/2017       EACH OCCURRENCE       \$       5,000,000         MORENES COMPENSATION       AND EMPLOYERS' LIABILITY       Y/N       X       08WECDO7725       01/04/2016       01/04/2017       EL EACH ACCHACCUDENT       \$       1,000,000         C       PFRCENMEMBER EXCLUDEO?       N/A       X       08WECDO7725       01/04/2016       01/04/2017       EL EACH ACCHACCUDENT       \$       1,000,000         C       Professional       LHR71664       03/01/2016       03/01/2017       Occ/Aggr       1,000,000         A Installation       08MSR02589       03/01/2016       03/01/2017       Occ/Aggr       1,000,000         DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)       AT&T       AT&T       Thit is affiliates, directors, officers and employees on workers comp and general liability.       Primary and non contributory.         CERTIFICATE HOLDER								(Per accident)	
A       Excess LIAB       CLAIMS-MADE       X       08SBAUQ3098       03/01/2016       03/01/2017       AGGREGATE       \$       5,000,000         A       DED       X       RETENTION S       10,000       X       08SBAUQ3098       03/01/2016       03/01/2017       AGGREGATE       \$       5,000,000         MORKERS COMPENSATION AND EMPLOYERS' LIABILITY AND POPRIETOR/PARTNER/EXCOUTIVE COFFICEMENDERE EXCLUBEO?       Y/N       X       08WECD07725       01/04/2016       01/04/2017       EL EACH ACCIDENT       \$       1,000,000         CPROFESSIONAL Mandatory in NH) If yes, discribe under Mandatory in NH)       N / A       X       08WECD07725       01/04/2016       01/04/2017       EL EACH ACCIDENT       \$       1,000,000         C       Professional DESCRIPTION OF OPERATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)       AT&T       1,000,000         AT&T and its Affiliates, Directors, Officers and Employees are listed as additionally insured. Waiver of subrogation in favor of AT &T, is affiliates, directors, officers and employees on workers comp and general liability. Primary and non contributory.       SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.         AT&T Services, Inc. 4119 Broadway Room 650A16       AUTHORIZED PERPENATIVE       SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td><u>_</u></td>									<u>_</u>
DED       X       RETENTION \$       10,000         MORKERS COMPENSATION       AND EMPLOYERS LIABILITY       \$         ANY PROPRIETOR/PARTNER/PERSECUTIVE       Y/N       X       08WECD07725         AIL STATES       01/04/2016       01/04/2017       E.L. EACH ACCIDENT       \$         C Professional       LHR71664       03/01/2016       03/01/2017       Ccc/Aggr       1,000,000         A Installation       08MSR02589       03/01/2016       03/01/2017       Ccc/Aggr       1,000,000         AT&T and its Affiliates, Directors, Officers and Employees are listed as additionally insured. Waiver of Subrogation in favor of AT&T, its affiliates, directors, officers and employees on workers comp and general liability. Primary and non contributory.       CANCELLATION         CERTIFICATE HOLDER       CANCELLATION       SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREFOR, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.			v		000000000	02/01/201	02/01/2017		
WORKERS COMPENSATION       WORKERS COMPENSATION       Y/N       X       08WECD07725         AND DEMPLOYERS LIABILITY       Y/N       N/A       X       08WECD07725       01/04/2016       01/04/2017       E.L. EACH ACCIDENT       \$       1,000,000         Hundlessende       E.L. DISEASE - EA EMPLOYEE       \$       1,000,000       E.L. DISEASE - EA EMPLOYEE       \$       1,000,000         C       Professional       LHR71664       03/01/2016       03/01/2017       Occ/Aggr       1,000,000         A       Installation       08MSR02589       03/01/2016       03/01/2017       Occ/Aggr       1,000,000         DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)       Limit       100,000         DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)       Limit       100,000         DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)       Limit       100,000         DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)       Statistical as additionally insured.       Statistical as additionally insured.         Waiver of subrogation in favor of AT&T, its affiliates, directors, officers and employees on	<b>A</b>	V 10.000			003DAUQ3090	03/01/201	03/01/2017		5,000,000
A       AND LINE OF DETAIL AND									
OFFICERMEMBER EXCLUDED?       N/A       ALL STATES         (Mandatory in Ni)       MYA       ALL STATES         (Mandatory in Ni)       DESCRIPTION OF OPERATIONS below       E.L. DISEASE - EA EMPLOYEE \$ 1,000,000         C       Professional       LHR71664       03/01/2016       03/01/2017       Occ/Aggr       1,000,000         A       Installation       08MSR02589       03/01/2016       03/01/2017       Occ/Aggr       1,000,000         DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)       AT&T and its Affiliates, Directors, Officers and Employees are listed as additionally insured.       Market and the additional remarks schedule, may be attached if more space is required)         AT&T and its Affiliates, Directors, Officers comp and general liability. Primary and non contributory.       CANCELLATION       Exclusion of the above DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.         AT&T Services, Inc.       AT&T Services, Inc.       Attropized peppesentative         ATAT Services, Inc.       Attropized peppesentative       Attropized peppesentative	A			x	08WECD07725	01/04/201	6 01/04/2017		1.000.000
If yes, describe under       I	<sup>•</sup>	OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	N / A						1,000,000
C       Professional Installation       LHR71664       03/01/2016       03/01/2017       Occ/Aggr       1,000,000         DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES       (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)       Limit       100,000         AT&T and its Affiliates, Directors, Officers and Employees are listed as additionally insured. Waiver of subrogation in favor of AT&T, its affiliates, directors, officers and employees on workers comp and general liability. Primary and non contributory.       CANCELLATION         CERTIFICATE HOLDER       CANCELLATION       SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.         AT&T Services, Inc. 4119 Broadway Room 650A16       Althopt/ZED REPRESENTATIVE		If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - POLICY LIMIT \$	1,000,000
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)         AT&T and its Affiliates, Directors, Officers and         Employees are listed as additionally insured.         Waiver of subrogation in favor of AT&T, its affiliates, directors, officers and employees on workers comp and general liability. Primary and non contributory.         CERTIFICATE HOLDER       CANCELLATION         AT&T Services, Inc.       SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.         AT119 Broadway       Room 650A16	С				LHR71664	03/01/201	6 03/01/2017	Occ/Aggr	1,000,000
AT&T and its Affiliates, Directors, Officers and Employees are listed as additionally insured. Waiver of subrogation in favor of AT&T, its affiliates, directors, officers and employees on workers comp and general liability. Primary and non contributory. CERTIFICATE HOLDER CANCELLATION CERTIFICATE HOLDER SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AITHORIZED REDRESENTATIVE	A	Installation			08MSRO2589	03/01/201	6 03/01/2017	Limit	100,000
AT&T and its Affiliates, Directors, Officers and Employees are listed as additionally insured. Waiver of subrogation in favor of AT&T, its affiliates, directors, officers and employees on workers comp and general liability. Primary and non contributory. CERTIFICATE HOLDER CANCELLATION CERTIFICATE HOLDER CANCELLED BEFORE AT&T Services, Inc. 4119 Broadway Room 650A16									
Employees are listed as additionally insured. Waiver of subrogation in favor of AT&T, its affiliates, directors, officers and employees on workers comp and general liability. Primary and non contributory. CERTIFICATE HOLDER CANCELLATION AT&T Services, Inc. 4119 Broadway Room 650A16 SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.			•			lle, may be attached if m	ore space is requi	red)	
Waiver of subrogation in favor of AT&T, its affiliates, directors, officers and employees on workers comp and general liability. Primary and non contributory.         CERTIFICATE HOLDER       CANCELLATION         AT&T Services, Inc. 4119 Broadway Room 650A16       SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.	Em	blovees are listed as additionally	insu	s an ired.	ia				
general liability.       Primary and non contributory.         CERTIFICATE HOLDER       CANCELLATION         AT&T Services, Inc.       SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.         AT&T Services, Inc.       AI119 Broadway Room 650A16	lWa	iver of subrogation in favor of AT	&T. i	its a	ffiliates.				
AT&T Services, Inc. 4119 Broadway Room 650A16 SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE	ger	eral liability. Primary and non co	ontrib	outo	ry.				
AT&T Services, Inc. 4119 Broadway Room 650A16 SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE									
AT&T Services, Inc. 4119 Broadway Room 650A16 SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE									
AT&T Services, Inc. 4119 Broadway Room 650A16 SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE									]
AT&T Services, Inc. 4119 Broadway Room 650A16 THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.							<b>V</b>		]
AT&T Services, Inc. 4119 Broadway Room 650A16 ACCORDANCE WITH THE POLICY PROVISIONS.									
4119 Broadway Room 650A16		AT&T Services, Inc.							DELIVERED IN
		Room 650A16 San Antonio, TX 78209				AUTHORIZED REPRES	SENTATIVE		

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267F-275 COLE, ADAM J. 25 WHEELER ST., UNIT #213 CAMBRIDGE, MA 02138

265D-55 MASSACHUSETTS BAY TRANSPORTATION AUTHORITY 10 PARK PLAZA BOSTON, MA 02116

267F-275 GAVIN, JAMES 29-31 WHEELER ST. UNIT#112 CAMBRIDGE, MA 02138

267F-275 ARKUSZEWSKI, RICHARD L. & SUSAN C. ARKUSZEWSKI 4 SUSAN RD. SOUTH EASTON, MA 02375

267F-275 TABORN, DAVID K. & KRISTIN L. TABORN 29 WHEELER ST., #312 CAMBRIDGE, MA 02138

267F-275 GHIMIRE, RAMESH C. & MUNA DAWADI 25 WHEELER ST., #315 CAMBRIDGE, MA 02138

267F-275 ORTIZ, ADRIAN P.O. BOX 71 WESTFORD, MA 01886

267F-275 HELLMAN, DARYL A. & JESSICA BEATON-HELLMAN 29 WHEELER ST., #310 CAMBRIDGE, MA 02138

267F-275 RANKIN, SCOTT & JOY LISI RANKIN C/O LI, DAVID X. 4811 CADIZ CIRCLE PALM BEACH GARDENS, FL 33412

267F-275 SOSIN, WAYNE, AUDREY G. SOSIN & RANDI LYNN SOSIN 31 WHEELER ST. UNIT#103 CAMBRIDGE, MA 02138

10 Faucett St

265B-56 CAMBRIDGE LIGHT COMPANY C/O NSTAR ELECTRIC CO PROPERTY TAX DEPT., P.O. BOX 270 HARTFORD, CT 06141

267F-275 NARAYANASAMY, PAVITHRA 29-31 WHEELER ST., #215 CAMBRIDGE, MA 02138

267F-275 PARK, KENNETH 29-31 WHEELER ST. UNIT#319 CAMBRIDGE, MA 02138

267F-275 DELUCIA, ANGELA M. 25 WHEELER ST., UNIT #114 CAMBRIDGE, MA 02138

267F-275 DIEHL, LOIS MARY & JONATHAN E. DIEHL TRS THE DIEHL FAMILY TRUST 23 LEXINGTON AVE CAMBRIDGE, MA 02138

267F-275 WARADE, RITESH & SHIKA VOHRA 27 WHEELER ST. UNIT#321 CAMBRIDGE, MA 02138

267F-275 LINK, SUSAN 29 WHEELER ST. UNIT#305 CAMBRIDGE, MA 02138

267F-275 LO, HEIDI 60 COMMERFORD RD. CONCORD, MA 01742

267F-275 KLITENIK, EUGENE 29-31 WHEELER ST., #212 CAMBRIDGE, MA 02138

267F-275 DEA, CHRISTINA 29 WHEELER ST. UNIT#209 CAMBRIDGE, MA 02138

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PRINCE LOBEL TYE LLP C/O RICARDO M. SOUSA, ESQ. ONE INTERNATIONAL PL. – SUITE 3700 BOSTON, MA 02110

267F-275 KLITENIK, KOSTANTIN 27 WHEELER ST. UNIT#124 CAMBRIDGE, MA 02138

267F-275 BALDESSARI, JAMES D. +C/O HUANG, JIANHUA & LICHUN YANG 25 WHEELER ST., #214 CAMBRIDGE, MA 02138

267F-275 LU, JUH-HORNG & WENJUN XIE 7 FRANKLIN RD BEDFORD, MA 01730

267F-275 KAFASIS, PAUL 25 WHEELER ST., #314 CAMBRIDGE, MA 02138

267F-275 MOCHI, JENNIFER M. 27 WHEELER ST. UNIT#320 CAMBRIDGE, MA 02138

267F-275 GHORI, AHMER K. 29 WHEELER ST. UNIT#110 CAMBRIDGE, MA 02138

267F-275 BARRETT, DIANAH S. 29 WHEELER ST., #211 CAMBRIDGE, MA 02138

267F-275 STEWART ANN H. 31 WHEELER STREET, UNIT 101 CAMBRIDGE, MA 02138

267F-275 WIRTANEN, NANCY A. C/O ZHANG, YI 25 WHEELER ST, #115 CAMBRIDGE, MA 02138

10 fawcett 14.

267F-275 NOWLAND, IAN T. & ANNE L. NOWLAND 29 WHEELER ST., #31 CAMBRIDGE, MA 02138

267F-275 GERAGHTY, EDWARD T.& LAU, LENA LAI MING 43 LANGDON ST., #2 CAMBRIDGE, MA 02138

267F-275 TRAVERS, JOSEPH WILLIAM JR. C/O LEI, XIAOYU & JIAQI WEI 29-31 WHEELER ST., #203 CAMBRIDGE, MA 02138

267F-275 HOLMES, JUSTIN 25 WHEELER ST. UNIT#113 CAMBRIDGE, MA 02138

267F-301 AG FAWCETT, LLC C/O GRIFFITH PROPERTIES LLC 260 FRANKLIN ST. 5TH FL. BOSTON, MA 02110

267F-275 MINASIAN, EDWARD M. 31 WHEELER ST., #102 CAMBRIDGE, MA 02138

267F-275 PAIVA, CARLA S. 27 WHEELER ST. UNIT#121 CAMBRIDGE, MA 02138

267F-286-393 ONA II WHEELER LLC C/O O'CONNOR CAPITAL PARTNERS 535 MADISON AVE., 23RD FL NEW YORK, NY 10022

267F-275 CRAIG, PATRICIA & THOMAS BENNER 25 WHEELER ST., #316 CAMBRIDGE, MA 02138

267F-275 GRAFSTROEM, RIKARD 31 WHEELER ST., #301 CAMBRIDGE, MA 02138 267F-275 XIN LI, DAVID 27 WHEELER ST. UNIT123 CAMBRIDGE, MA 02138

267F-275 JEYARAJAH, SHANTHINI & ELIAS JEYARAJAH 29 WHEELER ST, UNIT #224 CAMBRIDGE, MA 02138

267F-275 LAURITSON-LADA, ALEXANDER E. & TOYYA A. PUJOL-MITCHELL 29 WHEELER ST. UNIT#308 CAMBRIDGE, MA 02138

267F-275 CAMERON, KIMBERLY O. & ROBERT M. GUINN 29 WHEELER ST., #306 CAMBRIDGE, MA 02138

267F-298 ABODEZ ACORN CW LLC 277 BROADWAY CAMBRIDGE, MA 02139

267F-275 ANGLIN, TRICIA T. 31 WHEELER ST., UNIT #304 CAMBRIDGE, MA 02138

267F-275 GUNGOR, TUNCH 29 WHEELER ST., #206 CAMBRIDGE, MA 02138

267F-275 GOPLANI, NEETA 27 WHEELER ST. #122 CAMBRIDGE, MA 02138

267F-275 SHARMA, RAHUL & VIBHA SHARMA 27 WHEELER ST., #318 CAMBRIDGE, MA 02138

267F-275 SCHWARZ, BENJAMIN A. 31 WHEELER ST., #204 CAMBRIDGE, MA 02138 267F-275 CERRETANI, MARISSA D. 29 WHEELER ST., UNIT #309 CAMBRIDGE, MA 02139

267F-299 ABODEZ ACORN CONCORD LLC 277 BROADWAY CAMBRIDGE, MA 02139

267F-275 NIAKOSARI, ALI R. 19 CARTER LANE ANDOVER, MA 01810

267F-275 RAJAGOPAL, RAGHAVAN & MALINI RAJAGOPAL C/O MS. MITHILA RAJAGOPAL 1200 MASS AVE #51W CAMBRIDGE, MA 02138

267F-275 SHAH, DEEPA 27 WHEELER ST., # 223 CAMBRIDGE, MA 02138

267F-275 DANIEL, GILLIAN M. 29 WHEELER ST., #307 CAMBRIDGE, MA 02138

267F-275 SUN, KAI-HUI & TE-CHEN TSAI 29-31 WHEELER ST., #210 CAMBRIDGE, MA 02138

267F-392 ONA II CAMBRIDGE, LLC. C/O FORT POINT INVESTMENTS, LLC C/O AEW CAPITAL MANAGEMENT, LP TWO SEAPORT LANE BOSTON, MA 02110

267F-275 SENGUPTA, TANYA 27 WHEELER ST., #322 CAMBRIDGE, MA 02138

267F-275 POWERS, WILLIAM J. 25 WHEELER ST. UNIT#116 CAMBRIDGE, MA 02138 dy3

10 fawcest st.

267F-275 TEMKIN, BENJAMIN & SYLVIA TEMKIN C/O ORIANA VAN DAELE P.O. BOX 380253 CAMBRIDGE, MA 02238

267F-275 CHIN, MARK 29 WHEELER ST., #108 CAMBRIDGE, MA 02138

267F-275 JAS HOMEOWNERSHIP LLC, C/O EDSALL, HANNAH JOY 31 WHEELER ST., #201 CAMBRIDGE, MA 02138

267F-275 PANTAZIS, DIMITROS 149 CHERRY ST., #2 CAMBRIDGE, MA 02139

267F-275 SHAO, LAN 168 DAVIS ROAD CARLISLE, MA 01741

267F-275 CHEN, XIAOYAN & CHENCHEN WANG 27 WHEELER ST., #219 CAMBRIDGE, MA 02138

267F-275 PANTAZIS, DIMITRIOS 149 CHERRT ST. UNIT 2 CAMBRIDGE, MA 02139

267F-275 O'CONNOR, MATTHEW & MARGO L. O'CONNOR 102 HOLMAN ST. SHREWSBURY, MA 01545

266-34 CAMBRIDGE CITY OF WATER DEPT 250 FRESH POND PKWY CAMBRIDGE, MA 02138 267F-275 OH, YOUN JOO 29-31 WHEELER ST., #317 CAMBRIDGE, MA 02138

267F-275 BUDIN, DAN & ALINA BUDIN C/O JAIN, SUNNY 29 WHEELER ST.,#107 CAMBRIDGE, MA 02138

267F-275 BEEH, ADAM 29 WHEELER ST., #205 CAMBRIDGE, MA 02138

267F-275 CLARK ROBIN D. 31 WHEELER ST. UNIT 303 CAMBRIDGE, MA 02138

267F-275 WHITEHILL, JACOB & VU PHONG HONG 29-31 WHEELER ST., # 324 CAMBRIDGE, MA 02138

267F-275 NIAKOSARI, ALI R. & MASOUMEH RAVASIZADEH 18 DALE ST., UNIT #3B ANDOVER, MA 01810

267F-274, 281 CV PORTFOLIO WEST CAMBRIDGE, LLC C/O RAYTHEON BBN TECHNOLOGIES 10 MOULTON STREET CAMBRIDGE, MA 02138

266-34 CITY OF CAMBRIDGE C/O RICHARD ROSSI CITY MANAGER 267F-275 BOLIO, GABE M. 29-31 WHEELER ST., #222 CAMBRIDGE, MA 02138

267F-275 KEONG, JOSEPH LEONG WENG & HENG WUN HUI LINDA 9 SIXTH CRESCENT SINGAPORE, -- --

267F-275 XU, PENG 29-31 WHEELER ST., #217 CAMBRIDGE, MA 02138

267F-275 FINKLSHTEIN, DOV & MORAN LEVY-FINKLSHTEI 8 BANKS ST. UNIT 1 SOMERVILLE, MA 02144

267F-275 LE NOACH, JORDAN EMERIC 29-31 WHEELER ST., #118 CAMBRIDGE, MA 02138

267F-275 LEDOUX, MICHAEL D., TR. THE MICHAEL D. LEDOUX REV TRUST 31 WHEELER ST., #302 CAMBRIDGE, MA 02138

265B-60 BOSTON EDISON COMPANY C/O NSTAR ELECTRIC COMPANY P.O. BOX 270, PROPERTY TAX DEPT HARTFORD, CT 06141

266-34 CITY OF CAMBRIDGE C/O NANCY GLOWA CITY SOLICITOR