

# DOARD OF ZONING APPEAL BOARD OF ZONING APPEAL 831 Massachusetts Avenue, Cambridge MA 02139CALSED 617-349-6100 BOARD OF ZONING APPEAL Cambridge MA 02139CALSED BOARD OF ZONING APPEAL CALSED CAL **CITY OF CAMBRIDGE**

BZA Number: 140275

#### **General Information**

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

Special Permit: X

Variance:

Appeal: \_\_\_\_

**PETITIONER:** Cellco Partnership d/b/a Verizon Wireless C/O Daniel D. Klasnick, Esquire P.O. Box 254

PETITIONER'S ADDRESS: c/o Duval & Klasnick LLC, Boxford, MA 01921

LOCATION OF PROPERTY: 198 Broadway, Cambridge, MA

TYPE OF OCCUPANCY: Mobile Communications Facility

**ZONING DISTRICT:** Industry B (IB) Zone

#### **REASON FOR PETITION:**

/Telecommunication Facility (antenna)/

#### DESCRIPTION OF PETITIONER'S PROPOSAL:

Modify the existing rooftop mobile communications facility by removing 2 antennas, installing 4 new antennas on existing mast pipes while maintaining 10 existing antennas for a total of 14 antennas all at the same location mounted to existing ballast mounts at top heights to match the existing antennas.

#### SECTIONS OF ZONING ORDINANCE CITED:

Section: 4.32.G.1 (Telecommunication Facility). Article: 4.000 Article: 4.000 Section: 4.40 (Footnote 49 - Telecommunications Facility) Article: 10.00 Section: 10.40-10.46 (Special Permit) Section: Middle Class Tax Relief and Job Creation Act (aka Spectrum Act) Article: 6409(a)

> Original Signature(s):

(Petitioner (s) / Owner)

Daniel D. Klasnick (Print Name)

Address:

P.O. Box 254, Boxford, MA 01921

Tel. No.

(781) 873-0021

Date: <u>August 30, 2021</u>

E

ail Address: dklasnick@dkt-legal.com

#### BZA APPLICATION FORM - OWNERSHIP INFORMATION

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

I/	We	KENDALL	SQUARE	ENTITY,	INC

(OWNER)

Address: 1270 Soldiers Field Road, Boston, MA

State that I/We own the property located at <u>141 Portland Street, Cambridge, MA</u> which is the subject of this zoning application.

The record title of this property is in the name of UST Financial Planning

Company, Inc. n/k/a Kendall Square Entity Inc. see certificate of name change registered in the Middlesex Registry District of Land Court, Document No. 737647

\*Pursuant to a deed of duly recorded in the date <u>12/17/1985</u>, Middlesex South County Registry of Deeds at Book <u>16682</u>, Page <u>565</u>; and Middlesex Registry District of Land Court, Certificate No. <u>175562</u>, as Document No.697444

URE 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 $Sufful \in$
The above-name Peter Palandijian personally appeared before me,
The above-name $\frac{Peter Pqlundjiqn}{Peter pqlundjiqn}$ personally appeared before me, this $\underline{q^{H}}$ of $\underline{August}$ , 20, 21, and made oath that the above statement is true.
My commission expires 12/26/25 (Notary Seeb) Andrea D. Salvi NOTARY PUBLIC
• If ownership is not shown in recorded deed e g if NOTARY PUBLIC Oommonwealth of Massachusetts My Commission Expires December 26, 2025

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

#### **BZA Application Form**

#### 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>198 Broadway , Cambridge, MA</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:

As demonstrated by the documents provided with this application and will be further discussed at the hearing on this matter, the modification satisfies the standards for an Eligible Facilities Request pursuant to Section 6409(a) of the Federal Spectrum Act. The proposed modification also satisfies the

standards for the grant of a special permit. (For further details, please see attached narrative and supporting documents)

B) 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 modification of the unmanned facility will not change existing traffic demand or impact ingress or egress. The modified facility will continue to generate only about one to two vehicles trips per month in a standard passenger vehicle. (For further details, please see attached narrative and supporting documents)

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:

The modified facility will have no adverse effects on the operation or development of adjacent uses. The

modified facility will emit no light, odor, dust or glare and generates no unusual noise or other adverse

impacts. (For further details, please see attached narrative and supporting documents)

**D**) 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 modified facility will generate no additional traffic or other negative impacts on surrounding properties

or within the City of Cambridge. The facility requires no water or sewer services and emits no light, odor,

dust or glare and generates no unusual noise or other adverse impacts. The facility will be unoccupied with

no employees or customers. The availability of wireless services enhances the health, safety and welfare of

the community. (For further details, please see attached narrative and supporting documents)

E) For other reasons, the proposed use would 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 facility has been designed to minimize its visual impact and is in harmony with the general purpose of the zoning ordinance for this use and in accordance with the requirements for an Eligible Facilities Request under Section 6409(a). (Please see attached narrative and supporting documents)

\*If you have any questions as to whether you can establish all of the applicable legal requirements, you should consult with an attorney.

#### **BZA Application Form**

#### DIMENSIONAL INFORMATION

Applicant: <u>Cellco Pa</u>	artnership d/b/a Verizon Wireless	Present Use/Occupancy:	<u>Mobile Communications</u> Facility
Location: c/o Duva	& Klasnick LLC 198 Broadway	Zone:	Industry B (IB) Zone
Phone: (781) 873	-0021 aka 141 Britand Stree	Requested Use/Occupancy:	Mobile Communications Facility

		Existing Conditions	<u>Requested</u> <u>Conditions</u>	<u>Ordinance</u> <u>Requirements</u>	
TOTAL GROSS FLOOR AREA:		N/A	N/A	N/A	(max.)
LOT AREA:		N/A	N/A	N/A	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: <sup>2</sup>		N/A	N/A	N/A	
LOT AREA OF EACH DWELLING UNIT		N/A	N/A	N/A	
SIZE OF LOT:	WIDTH	N/A	N/A	N/A	
	DEPTH	N/A	N/A	N/A	
SETBACKS IN FEET	FRONT	N/A	N/A	N/A	
	REAR	N/A	N/A	N/A	
	LEFT SIDE	N/A	N/A	N/A	
	RIGHT SIDE	N/A	N/A	N/A	
SIZE OF BUILDING:	HEIGHT	N/A	N/A	N/A	
	WIDTH	N/A	N/A	N/A	
<u>RATIO OF USABLE</u> <u>OPEN SPACE TO</u> <u>LOT AREA:</u>		N/A	N/A	N/A	
<u>NO. OF DWELLING</u> <u>UNITS:</u>		N/A	N/A	N/A	
NO. OF PARKING SPACES:		N/A	N/A	N/A	
<u>NO. OF LOADING</u> AREAS:		N/A	N/A	N/A	
<u>DISTANCE TO</u> <u>NEAREST BLDG.</u> <u>ON SAME LOT</u>		N/A	N/A	N/A	

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

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



HUNON TIAL JUNIXOUNDED TO BROADDRAW WISHING TO BROA	ENGINEER DEWBERRY ENGINEERS INC. 99 SUMMER ST. SUITE 700 BOSTON, MA 02110 PHONE # (617) 531–0800 CONTACT: BENJAMIN REVETTE, PE <u>CONSTRUCTION</u> VERIZON WIRELESS 118 FLANDERS ROAD WESTBOROUGH, MA 01581–3956 <u>COORDINATES*:</u> LATITUDE: 42' 21' 55.35'' N LONGITUDE: 42' 21' 55.35'' N	SMART TOOL VENDOR PROJECT NUMBER: N/A 2. REMOVE (2) NHH-65A-R2B ANTENNAS ON BETA SECTOR. NO.   VZW LOCATION CODE (PSLC): 137421 3. INSTALL (1) NNH4-65A-R6-V1 ON BETA SECTOR. T-1   FUZE NUMBER: 16273332 4. INSTALL ADDITIONAL CMU BALLAST ON EXISTING ANTENNA BALLAST SLEDS. C-1	DESC TITLE S GENER ROOF ELEVAT CONST FINAL
115;117:119 • 113 Р VICINITY MAP N.T.S.	*PER RFDS <u>GROUND ELEVATION*:</u> 9.0'± *PER GOOGLE EARTH CONSULTANT TEAM	CONTRACTOR PMI REQUIREMENTS     THIS DOCUMENT WAS DEVELOPED TO REFLECT A SPECIFIC SITE AND ITS SITE CONDITIONS AND IS NOT TO BE USED FOR ANOTHER SITE OR WHEN OTHER CONDITIONS PERIAR. REUSE OF THIS DOCUMENT IS AT THE SOLE RISK OF THE USER.     A.D.A. COMPLIANCE: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION.	

		W	400 FRIE	WIRELESS WIRELESS WIRELESS WIRELESS WIRELESS WIRELESS WIRELESS WIRELESS WIRELESS WIRELESS WIRELESS WIRELESS WIRELESS WIRELESS WIRELESS WIRELESS	<b>7</b> 56
			М	IT MA	
			ANTMO	DRAWINGS	
		2 1 0	07/19/21 04/14/21 04/09/21	FOR SUBMITTAL FOR SUBMITTAL FOR SUBMITTAL	-
		-		Aberry agineers Inc. 99 SUMMER STREE SUITE 700 BOSTON, MA 02110 PHONE: 617.695.3310 FAX: 617.695.3310	ET .
PTION		NAAAAA.	S REV	AMIN B. TETTE IVIL 402201	P P B B B B B B B B B B B B B B B B B B
NOTES	1 (1	Q	CON THE	AN	
AN			RAWN BY:	SC	A
N CTION DETAILS			EVIEWED BY:	MF	
UIPMENT CONFIGURATION		С	HECKED BY:	BE	IR
		P	ROJECT NUMBE	R: 5012148	37
		J	DB NUMBER:	5012197	0
		SI	TE NUMBER		
		·		37421	
		SI	TE ADDRESS:	DOADWAY	
		(Ał	(A 141 PC	ROADWAY DRTLAND STRE	ET
		5	CAMBRIDO	SE, MA 02139	
SHEET INDEX				SHEET	
		SH	IEET NUMBER		
				— 1	

#### GENERAL CONSTRUCTION NOTES

- ALL WORK SHALL CONFORM TO ALL CURRENT APPLICABLE FEDERAL, STATE, AND LOCAL CODES, AND COMPLY WITH VERIZON WIRELESS SPECIFICATIONS.
- CONTRACTOR SHALL CONTACT "DIG SAFE" (888-344-7233) FOR IDENTIFICATION OF UNDERGROUND UTILITIES PRIOR TO START OF CONSTRUCTION. 2.
- 3. CONTRACTOR IS RESPONSIBLE FOR COORDINATING ALL REQUIRED INSPECTIONS.
- ALL DIMENSIONS TO, OF, AND ON EXISTING BUILDINGS, DRAINAGE STRUCTURES, AND SITE IMPROVEMENTS SHALL BE VERIFIED IN FIELD BY CONTRACTOR WITH ALL DISCREPANCIES REPORTED TO THE ENGINEER.
- 5. DO NOT CHANGE SIZE OR SPACING OF STRUCTURAL ELEMENTS.
- 6. DETAILS SHOWN ARE TYPICAL; SIMILAR DETAILS APPLY TO SIMILAR CONDITIONS UNLESS OTHERWISE NOTED.
- THESE DRAWINGS DO NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY WHICH IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR, 7.
- 8. CONTRACTOR SHALL BRACE STRUCTURES UNTIL ALL STRUCTURAL ELEMENTS NEEDED FOR STABILITY ARE INSTALLED. THESE ELEMENTS ARE AS FOLLOWS: LATERAL BRACING, ANCHOR BOLTS, ETC.
- 9. CONTRACTOR SHALL DETERMINE EXACT LOCATION OF EXISTING UTILITIES, DRAIN PIPES, VENTS, ETC. BEFORE COMMENCING
- 10. INCORRECTLY FABRICATED, DAMAGED, OR OTHERWISE MISFITTING OR NONCONFORMING MATERIALS OR CONDITIONS SHALL BE REPORTED TO THE OWNER PRIOR TO REMEDIAL OR CORRECTIVE ACTION. ANY SUCH REMEDIAL ACTION SHALL REQUIRE WRITTEN APPROVAL BY THE OWNER'S REPRESENTATIVE PRIOR TO PROCEEDING.
- 11. EACH CONTRACTOR SHALL COOPERATE WITH THE OWNER'S REPRESENTATIVE, AND COORDINATE HIS WORK WITH THE WORK OF OTHERS
- 12. CONTRACTOR SHALL REPAIR ANY DAMAGE CAUSED BY CONSTRUCTION OF THIS PROJECT TO MATCH EXISTING PRE-CONSTRUCTION CONDITIONS TO THE SATISFACTION OF THE VERIZON WIRELESS CONSTRUCTION MANAGER.
- 13. ALL CABLE/CONDUIT ENTRY/EXIT PORTS SHALL BE WEATHERPROOFED DURING INSTALLATION USING A SILICONE SEALANT.
- 14. WHERE EXISTING CONDITIONS DO NOT MATCH THOSE SHOWN IN THIS PLAN SET, CONTRACTOR WILL NOTIFY ENGINEER, VERIZON WIRELESS PROJECT CONSTRUCTION MANAGER, AND LANDLORD IMMEDIATELY.
- 15. CONTRACTOR SHALL ENSURE ALL SUBCONTRACTORS ARE PROVIDED WITH A CURRENT SET OF DRAWINGS AND SPECIFICATIONS FOR THIS PROJECT
- 16. ALL ROOF WORK SHALL BE DONE BY A QUALIFIED AND EXPERIENCED ROOFING CONTRACTOR IN COORDINATION WITH ANY CONTRACTOR WARRANTING THE ROOF TO ENSURE THAT THE WARRANTY IS MAINTAINED.
- 17. CONTRACTOR SHALL REMOVE ALL RUBBISH AND DEBRIS FROM THE SITE AT THE END OF EACH DAY.
- 18. CONTRACTOR SHALL COORDINATE WORK SCHEDULE WITH LANDLORD AND TAKE PRECAUTIONS TO MINIMIZE IMPACT AND DISRUPTION OF OTHER OCCUPANTS OF THE FACILITY.
- 19. CONTRACTOR SHALL FURNISH VERIZON WIRELESS WITH THREE AS-BUILT SETS OF DRAWINGS UPON COMPLETION OF WORK.
- 20. ANTENNAS AND CABLES ARE TYPICALLY PROVIDED BY VERIZON WIRELESS. PRIOR TO SUBMISSION OF BID, CONTRACTOR SHALL COORDINATE WITH PROJECT MANAGER TO DETERMINE WHAT, IF ANY, ITEMS WILL BE PROVIDED BY VERIZON WIRELESS. ALL ITEMS NOT PROVIDED BY VERIZON WIRELESS SHALL BE PROVIDED AND INSTALLED BY THE CONTRACTOR. CONTRACTOR WILL INSTALL ALL ITEMS PROVIDED BY VERIZON WIRELESS.
- PRIOR TO SUBMISSION OF BID, CONTRACTOR WILL COORDINATE WITH VERIZON WIRELESS PROJECT MANAGER TO DETERMINE IF ANY PERMITS WILL BE OBTAINED BY VERIZON WIRELESS. ALL REQUIRED PERMITS NOT OBTAINED BY VERIZON WIRELESS MUST BE OBTAINED, AND PAID FOR, BY THE CONTRACTOR. 21.
- 22. GENERAL CONTRACTOR SHALL HAVE A LICENSED HVAC CONTRACTOR START THE HVAC UNITS, SYNCHRONIZE THE THERMOSTATS, ADJUST ALL SETTINGS ON EACH UNIT ACCORDING TO VERIZON WIRELESS CONSTRUCTION MANAGER'S SPECIFICATIONS, AND THOROUGHLY TEST AND BALANCE EACH UNIT TO ENSURE PROPER OPERATION PRIOR TO TURNING THE SITE OVER TO OWNER.
- 23. CONTRACTOR SHALL INSTALL ALL SITE SIGNAGE IN ACCORDANCE WITH VERIZON WIRELESS SPECIFICATIONS AND REQUIREMENTS
- 24. CONTRACTOR SHALL SUBMIT ALL SHOP DRAWINGS TO ENGINEER FOR REVIEW AND APPROVAL PRIOR TO FABRICATION.
- 25. UNLESS OTHERWISE NOTED VERIZON WIRELESS SHALL PROVIDE ALL REQUIRED RF MATERIAL FOR CONTRACTOR TO INSTALL, INCLUDING ANTENNAS, TMA'S, BIAS-T'S, COMBINERS, PDU, DC BLOCKS, SURGE ARRESTORS, GPS ANTENNA, GPS SURGE ARRESTOR, COAXUAL CABLE.
- 26. PRIOR TO SUBMISSION OF BID, CONTRACTOR SHALL VERIFY ALL EQUIPMENT TO BE PROVIDED BY VERIZON WIRELESS FOR INSTALLATION BY CONTRACTOR
- 27. ALL EQUIPMENT SHALL BE INSTALLED ACCORDING TO MANUFACTURER'S SPECIFICATIONS AND LOCATED ACCORDING TO VERIZON WIRELESS SPECIFICATIONS, AND AS SHOWN IN THESE PLANS.
- 28. DETAILS SHOWN ARE TYPICAL; SIMILAR DETAILS APPLY TO SIMILAR CONDITIONS UNLESS OTHERWISE NOTED.
- THE CONTRACTOR SHALL SUPERVISE AND DIRECT THE PROJECT DESCRIBED HEREIN. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL THE CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES AND FOR COORDINATING ALL PORTIONS OF THE WORK UNDER THE CONTRACT. 29.
- 30. CONTRACTOR SHALL NOTIFY THE ENGINEER A MINIMUM OF 48 HOURS IN ADVANCE PRIOR TO CONSTRUCTION START, MORE SPECIFICALLY BEFORE; SEALING ANY FLOOR, WALL OR ROOF PENETRATION, FINAL UTILITY CONNECTIONS, POURING CONCRETE, BACKFILLING UTILITY TRENCHES AND STRUCTURAL POST OR MOUNTING CONNECTIONS, FOR ENGINEERING REVIEW AND INSPECTION.
- 31. SEAL PENETRATIONS THROUGH FIRE RATED AREAS WITH UL LISTED D FIRE CODE APPROVED MATERIALS.
- 32. REPAIR ANY DAMAGE DURING CONSTRUCTION TO MATCH EXISTING PRE-CONSTRUCTION CONDITIONS TO THE SATISFACTION OF THE CONSTRUCTION MANAGER AND LANDLORD.
- 33. ALL DISRUPTIVE WORK AND WORK WITHIN TENANT SPACES TO BE COORDINATED WITH BUILDING REPRESENTATIVE

#### CODE SPECIFICATIONS:

- ALL WORK SHALL COMPLY WITH THE FOLLOWING APPLICABLE CODES: 1.
- MASSACHUSETTS STATE BUILDING CODE, 9TH EDITION, CONSISTENT WITH THE FOLLOWING CODES:
- 2015 INTERNATIONAL RESIDENTIAL CODE (IRC) 2015 INTERNATIONAL BUILDING CODE (IBC)
- 2015 INTERNATIONAL EXISTING BUILDING CODE (IBC)
- 2020 NATIONAL ELECTRICAL CODE (NEC)
- IN THE EVENT OF CONFLICT, THE MOST RESTRICTIVE CODE SHALL PREVAIL.
- ALL STRUCTURAL WORK TO BE DONE IN ACCORDANCE WITH THE AMERICAN INSTITUTE OF STEEL CONSTRUCTION MANUAL, 2. 13TH EDITION (AISC 13TH ED.)
- ALL CONCRETE WORK TO BE DONE IN ACCORDANCE WITH THE AMERICAN CONCRETE INSTITUTE (ACI 301) SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS (ACI 318) AND BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE. 3.
- ALL REINFORCING STEEL WORK TO BE DONE IN ACCORDANCE WITH THE (ACI 315) MANUAL OF STANDARD PRACTICE FOR 4. DETAILING REINFORCED CONCRETE STRUCTURES

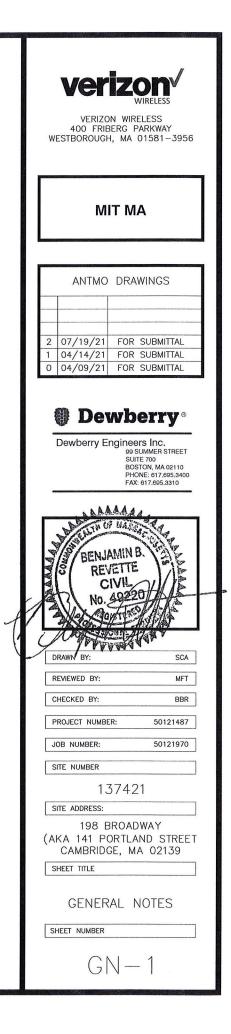
#### **GROUNDING NOTES:**

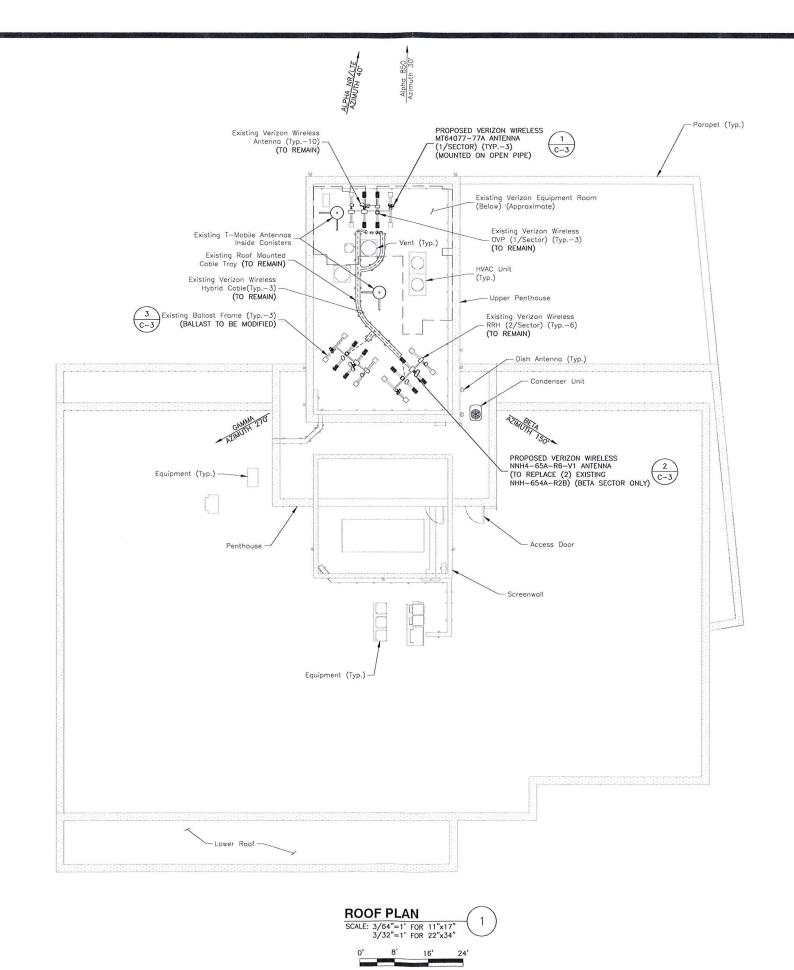
- 1. GROUNDING SHALL COMPLY WITH NEC ART. 250.
- 2. GROUNDING CONDUCTORS SHALL BE #6 COPPER STRANDED WIRE WITH GREEN COLOR INSULATION INDOOR USE
- ALL GROUND CONNECTIONS TO BE BURNDY HYGROUND COMPRESSION TYPE CONNECTORS OR CADWELD EXOTHERMIC WELD DO NOT ALLOW BARE COPPER WIRE TO BE IN CONTACT WITH 3. GALVANIZED STEEL.
- 4. ROUTE GROUNDING CONNECTORS ALONG THE SHORTEST AND STRAIGHTEST PATH POSSIBLE, EXCEPT AS OTHERWISE INDICATED. GROUNDING LEADS SHOULD NOT BE BENT AT RIGHT ANGLE. ALWAYS MAKE 12" RADIUS BENDS. #6 WIRE CAN BE BENT AT 6" RADIUS WHEN NECESSARY.
- CONNECTIONS TO GROUNDING BAR SHALL BE MADE WITH TWO HOLE COMPRESSION TYPE COPPER LUGS. APPLY OXIDE INHIBITING COMPOUND TO ALL LOCATIONS.
- TEST COMPLETED GROUNDING SYSTEM AND RECORD RESISTANCE VALUES FOR PROJECT CLOSE-OUT DOCUMENTATION. GROUND RESISTANCE SHALL NOT EXCEED 5 OHMS. 6.
- 7. GROUNDING CONDUCTORS BETWEEN MGB AND WATERMAIN SHALL BE #2/0, BONDING JUMPERS FROM METALLIC SURFACES SHALL BE #2 MINIMUM. ALL GROUND CODUCTORS AND BONDING JUMPERS SHALL BE SOFT DRAWN ANNEALED, TINNED, BARE STRANDED COPPER WIRE, COAXIAL CABLES SHALL BE GROUNDED AT A MINIMUM OF TWO LOCATIONS USING VERIZON PROVIDED GROUNDING KITS. EXACT LOCATIONS SHALL BE FINALIZED IN THE FIELD BY THE CONSTRUCTION MANAGER.

#### **STRUCTURAL STEEL NOTES:**

2

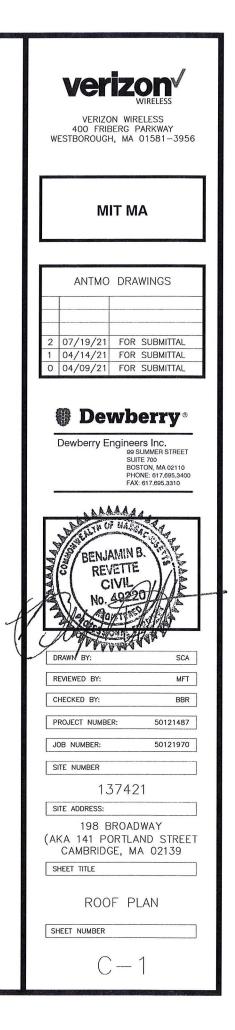
- STRUCTURAL STEEL SHALL CONFORM TO THE LATEST EDITION OF THE AISC "SPECIFICATION FOR THE DESIGN, ABRICATION AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS".
- STRUCTURAL STEEL ROLLED SHAPES, PLATES, AND BARS SHALL CONFORM TO THE FOLLOWING ASTM DESIGNATIONS
- ALL W SHAPES, UNLESS NOTED OR A992 OTHERWISE. ALL OTHER ROLLED SHAPES, PLATES AND BARS UNLESS NOTED OTHERWISE. ASTM A-992, GRADE 50 ASTM A-36 ALL UTICK KULLED STAFES, FUNCES AND BACS UNLE ASTM A-500, GRADE B ASTM A-325, TYPE SC OR N ALL BOLTS FOR CONNECTING STRUCTURAL MEMBERS. ALL BOLTS FOR CONNECTING STRUCTURAL MEMBERS. ALL ANCHORS BOLTS, UNLESS NOTED OTHERWISE.
- 3. ALL WELDING SHALL BE DONE USING E70XX ELECTRODES AND WELDING SHALL CONFORM TO AISC AND AWS D1.1 WHERE FILLET WELD SIZES ARE NOT SHOWN, PROVIDE THE MINIMUM SIZE PER TABLE J2.4 IN THE AISC "MANUAL OF STEEL CONSTRUCTION", 14TH EDITION, WHERE WELD LENGTH IS NOT INDICATED, USE FULL LENGTH WELD. AT THE COMPLETION OF ALL WELDING, ALL DAMAGE TO GALVANIZED COATING SHALL BE REPAIRED.
- BOLTED CONNECTIONS SHALL USE BEARING TYPE GALVANIZED ASTM A325 BOLTS (3/4" DIA.) SUPPLIED WITH A NUT AND WASHER UNDER TURNED END AND SHALL HAVE MINIMUM OF TWO BOLTS UNLESS NOTED OTHERWISE.
- 5. DO NOT DRILL HOLES THROUGH STRUCTURAL STEEL MEMBERS EXCEPT AS SHOWN AND DETAILED ON STRUCTURAL DRAWINGS
- NON-STRUCTURAL CONNECTIONS FOR STEEL GRATING MAY USE 5/8" DIA. GALVANIZED ASTM A 307 BOLTS UNLESS NOTED OTHERWISE. 6.
- 7. USE PRECAUTIONS & PROCEDURES PER AWS D1.1 WHEN WELDING GALVANIZED METALS.
- 8. ALL EXISTING BEAM AND COLUMN DIMENSIONS SHALL BE FIELD VERIFY BY CONTRACTOR PRIOR TO FABRICATION. ANY DISCREPANCIES BETWEEN EXISTING CONDITIONS AND THOSE SHOWN SHALL BE REPORTED TO DEWBERRY ENGINEER IMMEDIATELY
- 9. CONNECTION DESIGN BY FABRICATOR WILL BE SUBJECT TO REVIEW AND APPROVAL BY ENGINEER
- 10. ALL EXTERIOR STEEL WORK SHALL BE GALVANIZED IN ACCORDANCE WITH SPECIFICATION ASTM A123/A123M-00 HOT-DIP GALVANIZED FINISH UNLESS OTHERWISE NOTED. GALVANIZING SHALL BE PERFORMED AFTER SHOP FABRICATION TO THE GREATEST EXTENT POSSIBLE. ALL DINGS, SCRAPES, MARS, AND WELDS IN THE GALVANIZED AREAS SHALL BE REPAIRED. REPAIR DAMAGED GALVANIZED COATINGS ON GALVANIZED ITEMS WITH GALVANIZED REPAIR PAINT ACCORDING TO ASTM A780 AND MANUFACTURER'S WRITTEN INSTRUCTIONS, PRIOR TO COMPLETION OF WORK. TOUCHUP ALL DAMAGED GALVANIZED STEL WITH APPROVED COLD ZINC, "GALVANOX", "DRY GALV", "ZINC-IT", OR APPROVED EQUIVALENT, IN ACCORDANCE WITH MANUFACTURERS GUIDELINES. TOUCHUP DAMAGED NON GALVANIZED STEEL WITH SAME PAINT APPLIED IN SHOP OR FIELD.
- 11. ALL WELDED COMPONENTS TO BE SHOP WELDED PRIOR TO INSTALLATION. NO WELDING ACTIVITIES IS PERMITTED DURING INSTALLATION OF PROPOSED EQUIPMENTS AND/OR HARDWARE ON SITE



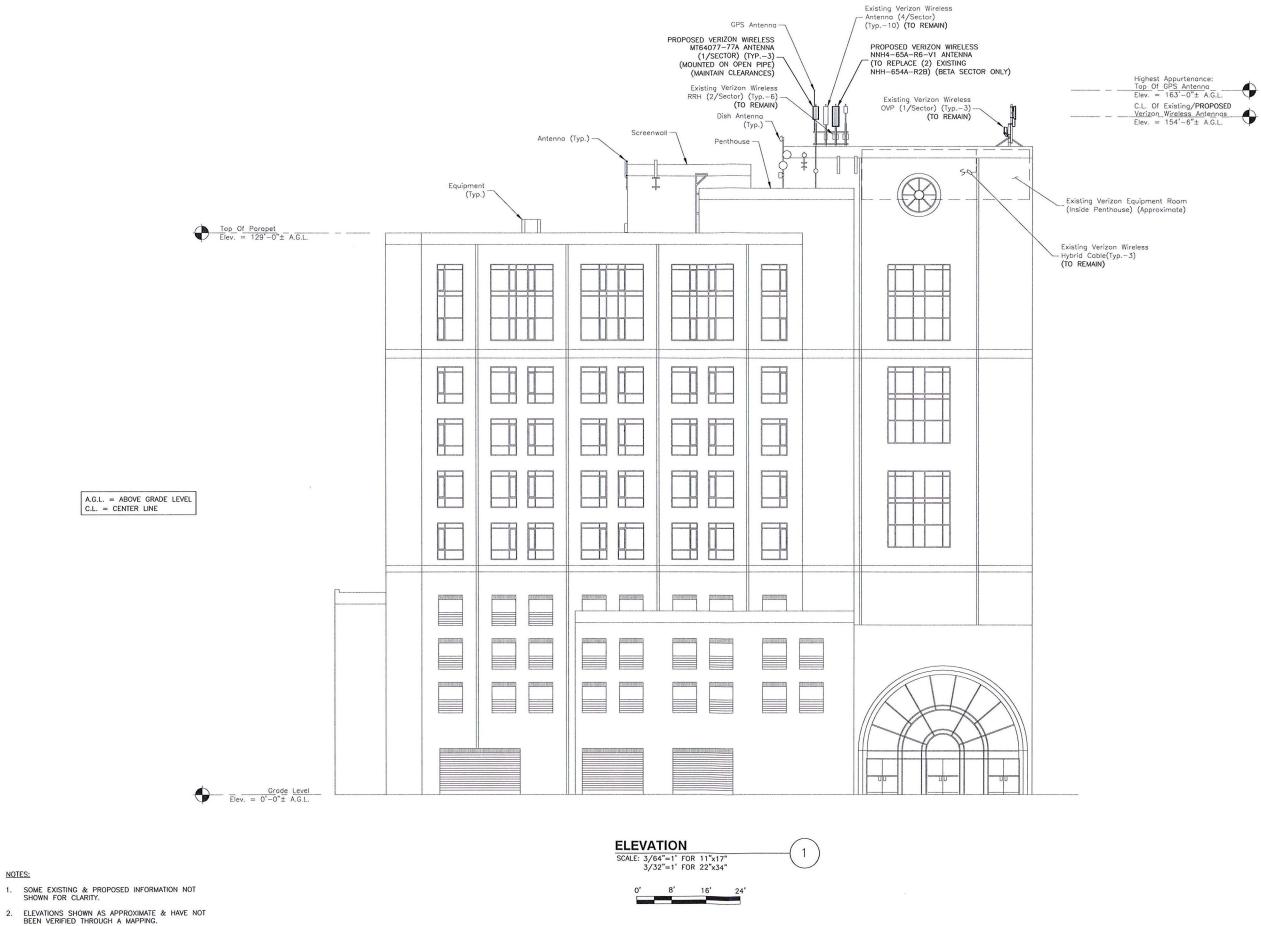


#### SITE NOTES:

- 1. SOME EXISTING AND PROPOSED INFORMATION NOT SHOWN FOR CLARITY.
- 2. NORTH SHOWN AS APPROXIMATE.
- EXISTING ANTENNAS SHOWN AS APPROXIMATE. ELEVATION BASED ON EXISTING INFORMATION AND VISUAL INSPECTION AND HAVE NOT BEEN VERIFIED THROUGH AN ANTENNA MAPPING.
- ALL EQUIPMENT TO BE INSTALLED PER MANUFACTURER'S RECOMMENDATIONS & IN ACCORDANCE WITH STRUCTURAL ASSESSMENT LETTER BY DEWBERRY ENGINEERS INC. DATED 07/19/21.









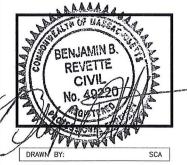
VERIZON WIRELESS 400 FRIBERG PARKWAY WESTBOROUGH, MA 01581-3956

#### MIT MA

	ANTMO	DRAWINGS
2	07/19/21	FOR SUBMITTAL
1	04/14/21	FOR SUBMITTAL
0	04/09/21	FOR SUBMITTAL



Dewberry Engineers Inc. 99 SUMMER STREET SUITE 700 BOSTON, MA 02110 PHONE: 617.695.3400 FAX: 617.695.3310



REVIEWED BY: MFT CHECKED BY: BBR

PROJECT NUMBER: 50121487

50121970

JOB NUMBER: SITE NUMBER

137421

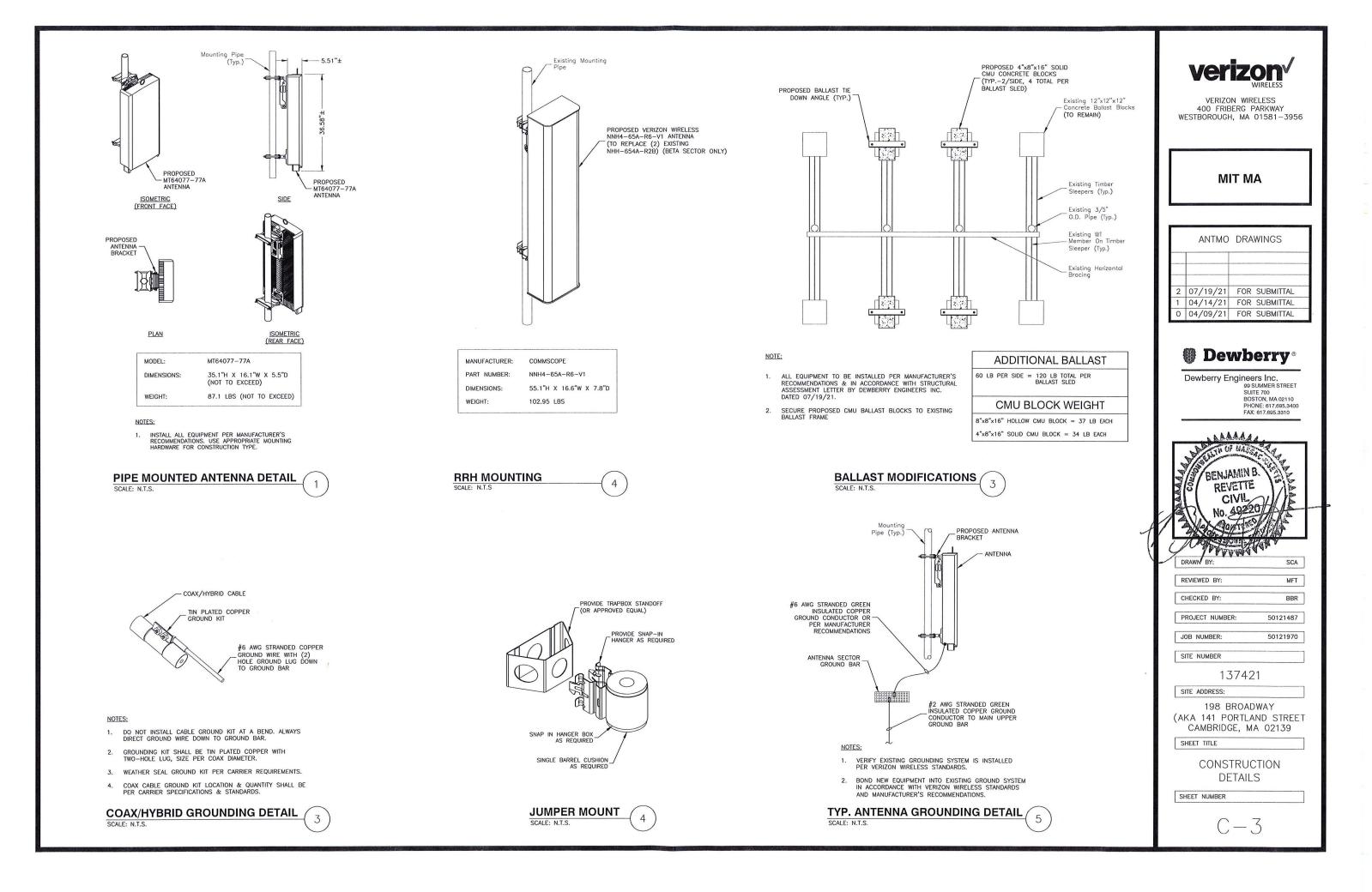
SITE ADDRESS: 198 BROADWAY (AKA 141 PORTLAND STREET CAMBRIDGE, MA 02139

ELEVATION

SHEET NUMBER

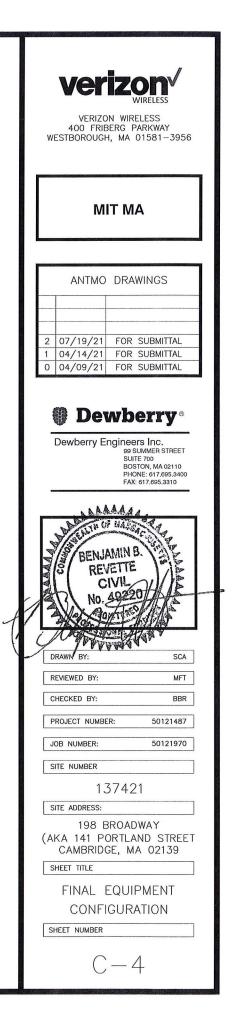
SHEET TITLE

C - 2



SECTOR	POSITION	TECHNOLOGY	ANTENNA MODEL	VENDOR	RRH (QTY./MODEL)	CENTERLINE	AZIMUTH	OVP	HYBRID CABLE TYPE	FEED LINE LENGTH
SECTOR						CENTENLINE	ALMOTT			
	A1	5G	(E) VZ-AT1K01	SAMSUNG	(P) VZ-AT1K01	155.5'±	40°			
	A2	LTE 1900/AWS	(E) NHH-65A-R2B	COMMSCOPE	(1) (P) B2/B66A RFV01U-D1A	154.0'±	40°			
ALPHA	A3	LTE 700/850	(E) NHH-65A-R2B	COMMSCOPE	(1) (P) B5/B13 RFV01U-D2A	154.0'±	40°	(1) (E) 6-OVP BOX	(1) (E) 6X12 LI HYBRID	50'±
	A4	850	(E) X7C-465-6	CSS		154.8'±	40°		9. 	
	A5	5G	(P) MT6407-77A	SAMSUNG	(1) (P) MT6407-77A	154.7'±	40°			
	B1	5G	(E) VZ-AT1K01	SAMSUNG	(P) VZ-AT1K01	155.5 <b>'</b> ±	150°	-		
	82	LTE 1900/AWS/700/850	(P) NNH-65A-R6-V1	COMMSCOPE	(1) (P) B2/B66A RFV01U-D1A	154.0'±	150°			0014
BETA	ВЗ	5G	(P) MT6407-77A	SAMSUNG	(1) (P) MT6407-77A	154.7'±	150°	(1) (E) 6-OVP BOX	(1) (E) 6X12 LI HYBRID	90'±
	B4	5G	(E) VZ-AT1K01	SAMSUNG	(P) VZ-AT1K01	155.5'±	150°			
	G1	5G	(E) VZ-AT1K01	SAMSUNG	(P) VZ-AT1K01	155.5'±	270°			
	G2	LTE 1900/AWS	(E) NHH-65A-R2B	COMMSCOPE	(1) (P) B2/B66A RFV01U-D1A	154.0'±	270°			
GAMMA	G3	LTE 700/850	(E) NHH-65A-R2B	COMMSCOPE	(1) (P) B5/B13 RFV01U-D2A	154.0'±	270°	(1) (E) 6-OVP BOX	(1) (E) 6X12 LI HYBRID	85'±
	G4	850	(E) X7C-465-6	CSS		154.8'±	270°			
	G5	5G	(P) MT6407-77A	SAMSUNG	(1) (P) MT6407-77A	154.7'±	270°			
CONTRACTOR	TO FIELD VERIFY H	YBRID CABLE LENGTHS	PRIOR TO CONSTRUCTION	DN. LENGTH IS ESTIM	ATED FROM THE BASE E	QUIPMENT OV	P TO SECTOR	R OVP WITH 15% BUFFE	R.	1

FINAL EQUIPMENT CONFIGURATION



Prepared For: Verizon Wireless Site Name: MIT MA 198 Broadway (AKA 141 Portland Street) Cambridge, MA 02139



MIT MA 198 Broadway (AKA 141 Portland Street) Cambridge, MA 02139 (Page 1 of 8)

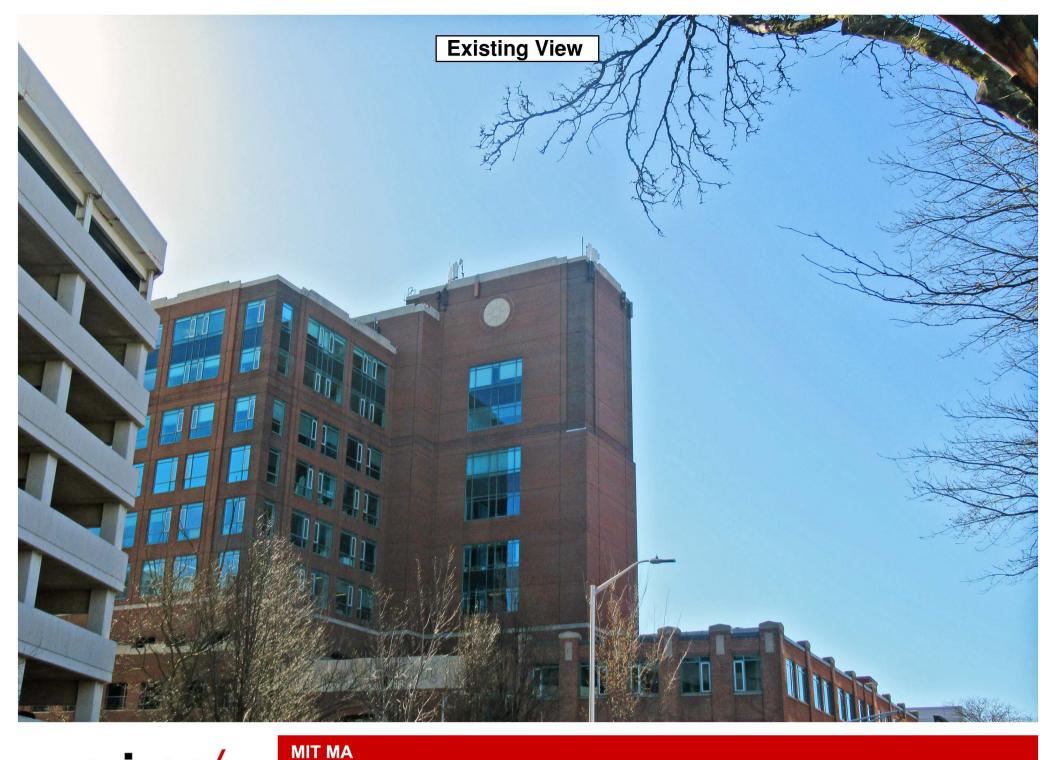
**Dewberry**\*





MIT MA 198 Broadway (AKA 141 Portland Street) Cambridge, MA 02139 (Page 2 of 8)

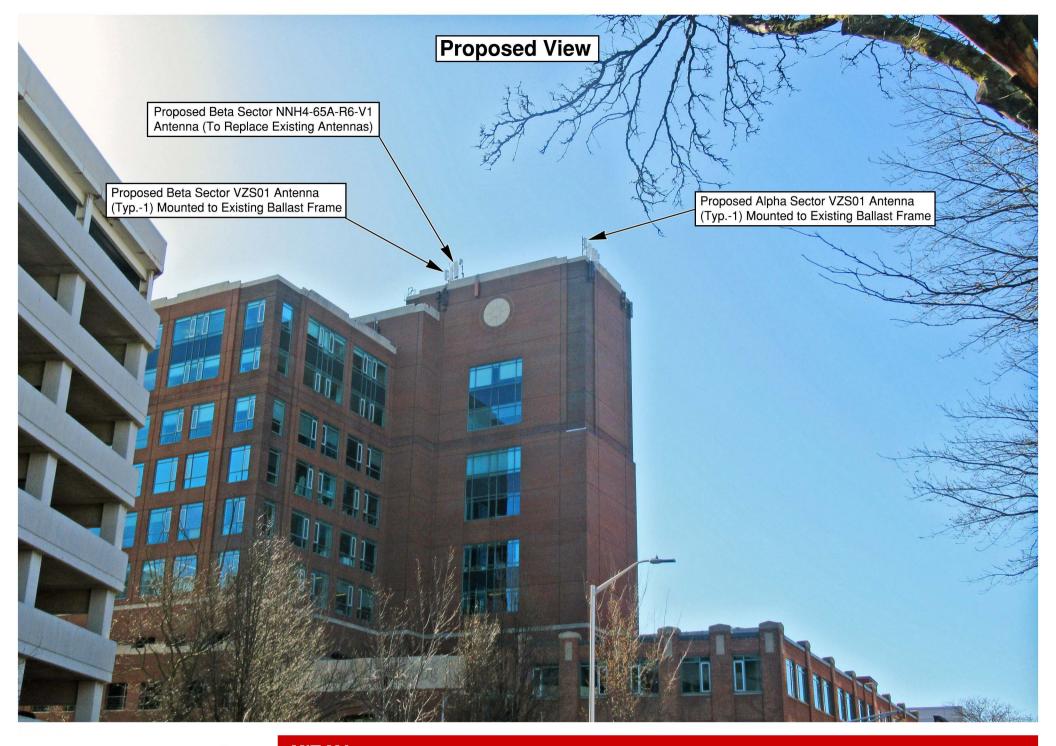
Dewberry





View Facing West From Broadway PHOTO 1A (Page 3 of 8)

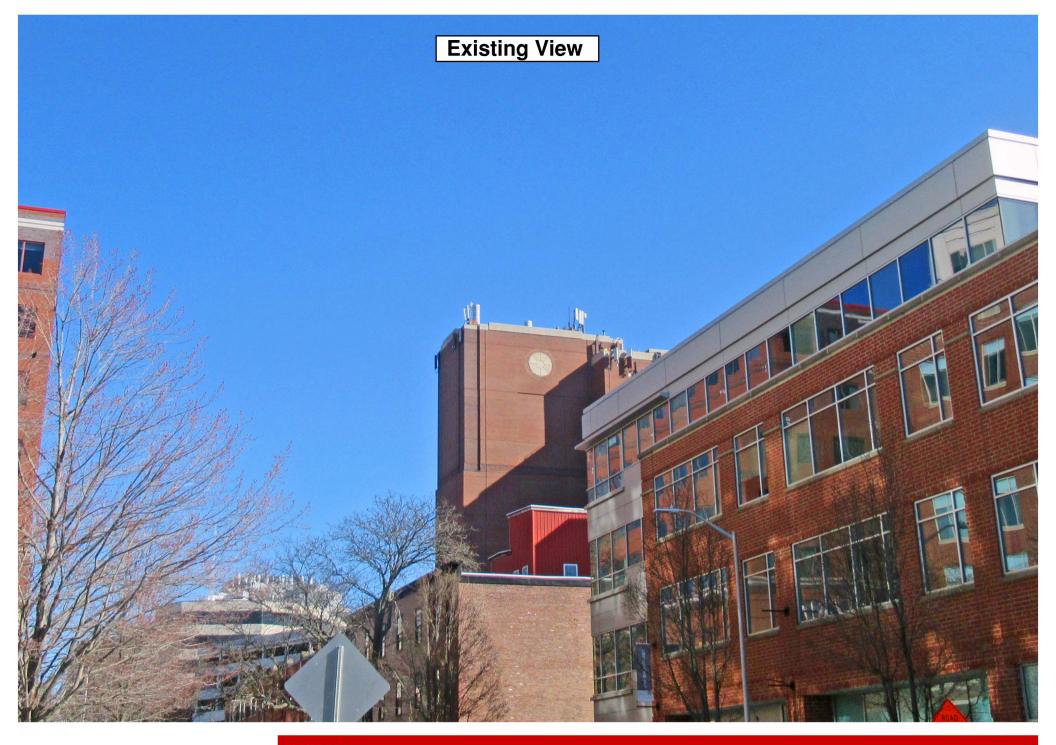
Dewberry





MIT MA View Facing West From Broadway PHOTO 1B (Page 4 of 8)

Dewberry\*

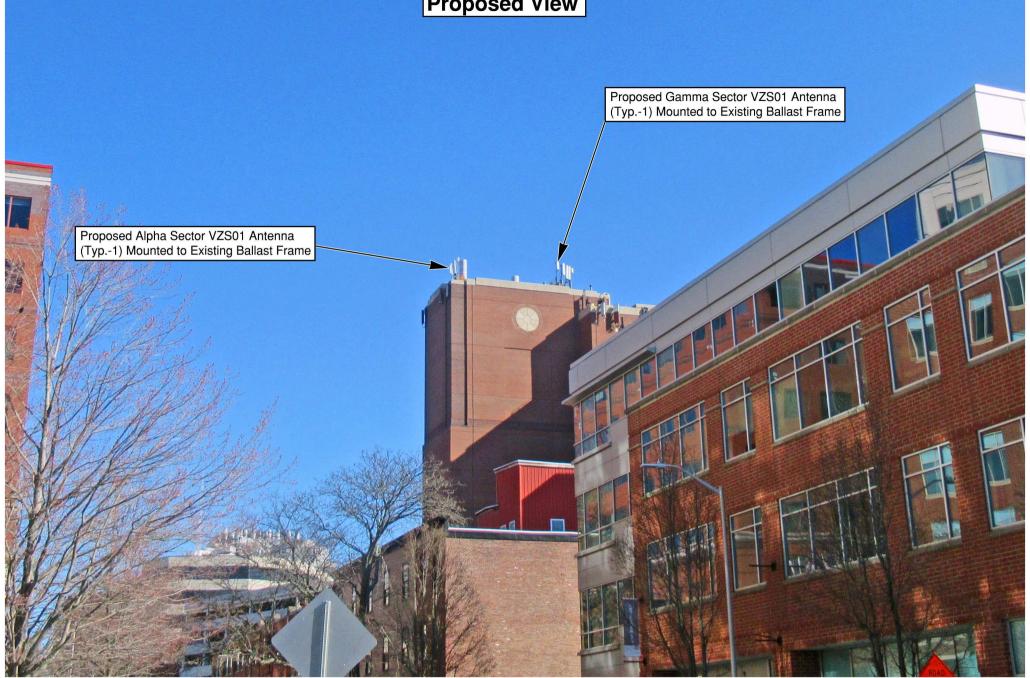




MIT MA View Facing Southeast From Market Street PHOTO 2A (Page 5 of 8)

Dewberry

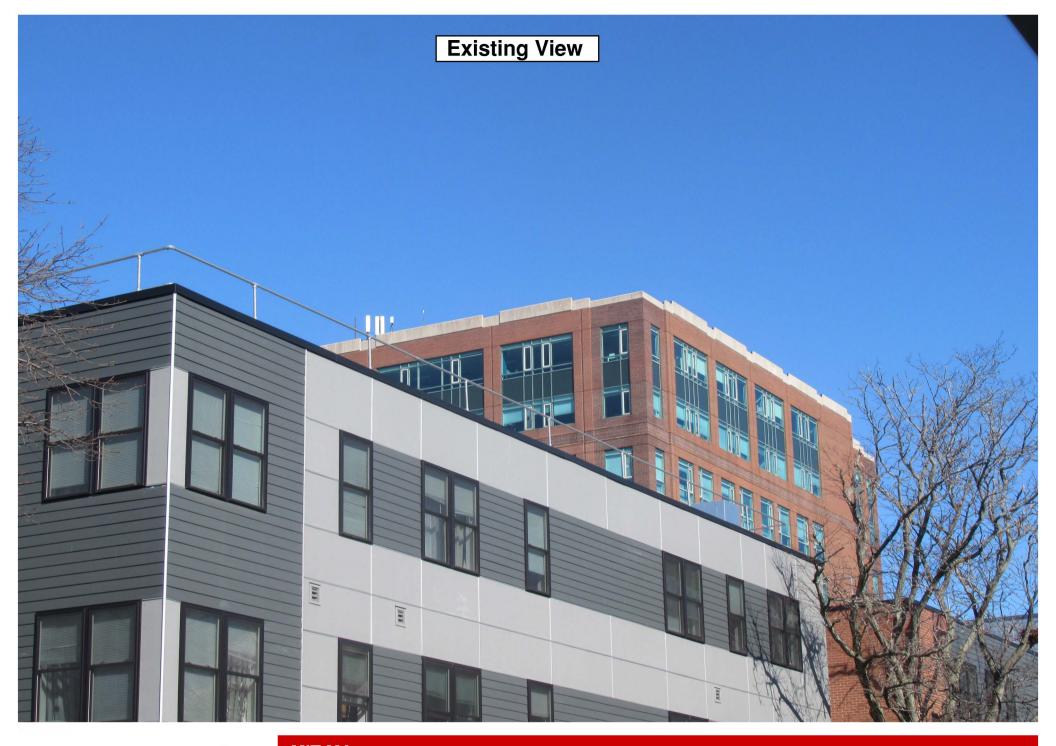






**MIT MA** View Facing Southeast From Market Street PHOTO 2B (Page 6 of 8)

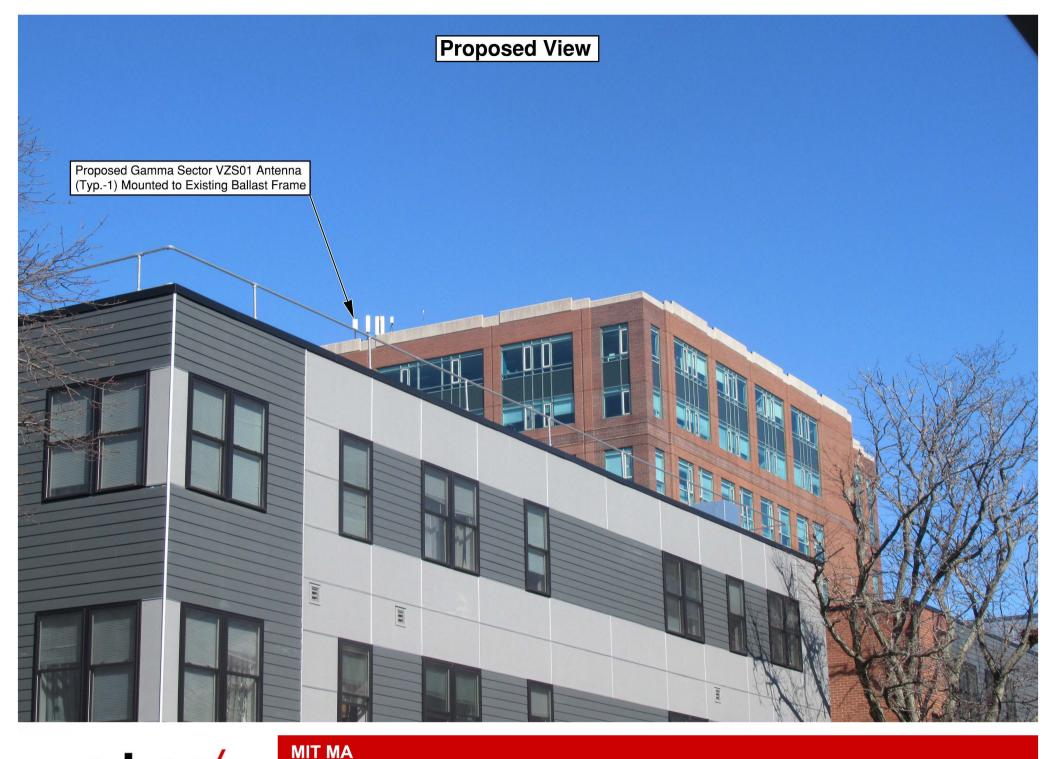
Dewberry\*





MIT MA View Facing East From Harvard Street PHOTO 3A (Page 7 of 8)

Dewberry





View Facing East From Harvard Street PHOTO 3B (Page 8 of 8)

Dewberry\*

# verizon

# Application For Modification to Special Permit

198 Broadway aka 141 Portland Street Cambridge, MA



Daniel D. Klasnick

Licensed in Massachusetts, New Hampshire and New York Desk: (781) 873-0021 - Mobile: (774) 249-2814 dklasnick@dkt-legal.com

August 21, 2021

City of Cambridge Board of Zoning Appeal 831 Massachusetts Avenue Cambridge, Massachusetts 02139

#### Re: Application for Modification to Special Permit Building Mounted Mobile Communications Facility Located at 198 Broadway aka 141 Portland Street, Cambridge, Massachusetts

Dear Board Members:

Enclosed please find an Application to the Board of Zoning Appeal for a special permit for the modification of an existing building mounted mobile communications facility submitted on behalf of Cellco Partnership d/b/a Verizon Wireless.

In accordance with the Application requirements, please find enclosed the following:

- Application with \$500.00 Application Fee;
- Supporting Statement;
- Assessors GIS Block Map;
- Dimensional Form;
- Ownership Certificate, Notarized;
- Stamped Project Plans; and
- Photo Simulations

The Applicant would be happy to provide any additional information that you may require and would appreciate reasonable notice of any additional information you require in time to provide such information for the public hearing.

Our Expertise. Your Future. Succeeding Together.<sup>®</sup>

Should you require any additional information, please don't hesitate to contact me. Thank you very much for your cooperation.

Very truly yours, DUVAL & KLASNICK LLC

D. Klonik mil

By: Daniel D. Klasnick Attorney at Law

torney at Law

#### GENERAL INFORMATION

The under	signed	d hereby	petitions the Board	of Zoning Appea	al for the following:
Special F	Permit	<u> </u>	Variance:	Apj	peal:
			ership d/b/a Verizon Wir		
PETITIONE	R'S AI	DDRESS:	o Duval & Klasnick LLC,	P.O. Box 254, Box	ord, MA 01921
LOCATION	OF PRO	OPERTY: 19	98 Broadway (aka 141 Po	rtland Street)	
TYPE OF C		Facil	ile Communications	ZONING DISTRICT	Industry B (IB)
	Ao	dditions			New Structure
	Cł	nange in	Use/Occupancy		Parking
	Co	onversion	to Addi'l Dwelling	Unit's	Sign
	Do	ormer			Subdivision
X	01		bile Communications Fa ler Section 6409(a) of the		(Eligible Facilities Request Act)
DESCRIPTI	ON OF	PETITION	ER'S PROPOSAL:		
Modify the	e existin	g rooftop 1	nobile communications f	acility by removing	2 antennas, installing 4 new
antennas o	on existi	ing mast pi	pes while maintaining 10	existing antennas f	or a total 14 antennas
all at the sa	ame loc	ation mour	nted to existing ballast mo	ounts at top heights	to match the existing
antennas.					
SECTIONS	of zon	NING ORDI	NANCE CITED:		
Article _	4.000	Section	4.32.G.1 & 4.40 (Footno	te 49 - Telecommur	lications Facility )
Article	10.00	Section	10.40 - 10.46 (Special Pe	rmit)	
Article	5409(a)	Section	Middle Class Tax Relief	and Job Creation A	ct (aka Spectrum Act)
Applicants for a <b>Variance</b> must complete Pages 1-5 Applicants for a <b>Special Permit</b> must complete Pages 1-4 and 6 Applicants for an <b>Appeal</b> to the BZA of a Zoning determination by the Inspectional Services Department must attach a statement concerning the reasons for the appeal					
		Origi	nal Signature(s):	/s/ Daniel D. Klass	
				d/b/a Verizon Wireless	ner (s) /Owner) ney for Cellco Partnership Int Name)
			Address:	P.O. Box 254	
				Boxford, MA 019	21
			Tel. No.:	(781) 873-0021	
			E-Mail Addre	ss: <u>dklasnick@d</u>	kt-legal.com
Date: Au	igust 23	, 2021			

#### 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 198 Broadway aka 141 Portland Street (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:

As demonstrated by the documents provided with this application and will be further discussed at the hearing on this matter, the modification satisfies the standards for an Eligible Facilities Request pursuant to Section 6409(a) of the Federal Spectrum Act. The proposed modification also satisfies the standards for the grant of a special permit. (*For further details, please see attached narrative and supporting documents*)

B) 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 modification of the unmanned facility will not change existing traffic demand or impact ingress or egress. The modified facility will continue to generate only about one to two vehicles trips per month in a standard passenger vehicle. (*For further details, please see attached narrative and supporting documents*)

C) 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:

The modified facility will have no adverse effects on the operation or development of adjacent uses. The modified facility will emit no light, odor, dust or glare and generates no unusual noise or other adverse impacts. (For further details, please see attached narrative and supporting documents)

D) 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 modified facility will generate no additional traffic or other negative impacts on surrounding properties or within the City of Cambridge. The facility requires no water or sewer services and emits no light, odor, dust or glare and generates no unusual noise or other adverse impacts. The facility will be unoccupied with no employees or customers. The availability of wireless services enhances the health, safety and welfare of the community. (*For further details, please see attached narrative and supporting documents*)

E) For other reasons, the proposed use would 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 facility has been designed to minimize its visual impact and is in harmony with the general purpose of the zoning ordinance for this use and in accordance with the requirements for an Eligible Facilities Request under Section 6409(a). (Please see attached narrative and supporting documents) (ATTACHMENT B - PAGE 6)

#### DIMENSIONAL INFORMATION

APPLICANT: Cellco Par	rtnership d/b/a Ve	erizon Wireless P	RESENT USE/OCCUPANO	CY: Mobile Com	munications Fa
LOCATION: 198 Broad	lway aka 141 Port	land Street	ZONE: Ind	lustry B	
PHONE: (781) 873-002	1	REQUESTED USE	OCCUPANCY: Mobile	Communication	ns Facility
		EXISTING CONDITIONS	<u>REQUESTED</u> CONDITIONS	ORDINANCE REQUIREMEN	<b>TS</b> <sup>1</sup>
TOTAL GROSS FLOOR A	AREA:	N/A	No Change	N/A	(max.)
LOT AREA:		N/A		N/A	(min.)
RATIO OF GROSS FLOO TO LOT AREA: <sup>2</sup>	DR AREA	N/A	No Change	N/A	(max.)
LOT AREA FOR EACH I	WELLING 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.)
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 OPE TO LOT AREA: <sup>3</sup> )	IN SPACE	N/A	No Change	N/A	(min.)
NO. OF DWELLING UNITS:		N/A	No Change	N/A	(max.)
NO. OF PARKING SPACES:		N/A	No Change	N/A (	min./max)
NO. OF LOADING AREAS:		N/A	No Change	N/A	(min.)
DISTANCE TO NEAREST		N/A	No Change	N/A	(min.)
ON SAME LOT:					

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 the modification of an existing Mobile Communications Facility

#### that satisifies the standards for an eligible facilities request under Section 6409(a) of the Federal

Spectrum Act.

<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.

<sup>3.</sup> OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.

#### CHECK LIST

PROPERTY LOCATION: 198 Broadway aka 141 Portland Street DATE: August 23, 2021

PETITIONER OR REPRESENTATIVE: Cellco Partnership d/b/a Verizon Wireless c/o Duval & Klasnick LLC, P.O. Box 254, Boxford, MA 01921 ADDRESS & PHONE: (781) 873-0021 - Daniel D. Klasnick

BLOCK: 42 LOT: 70

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.

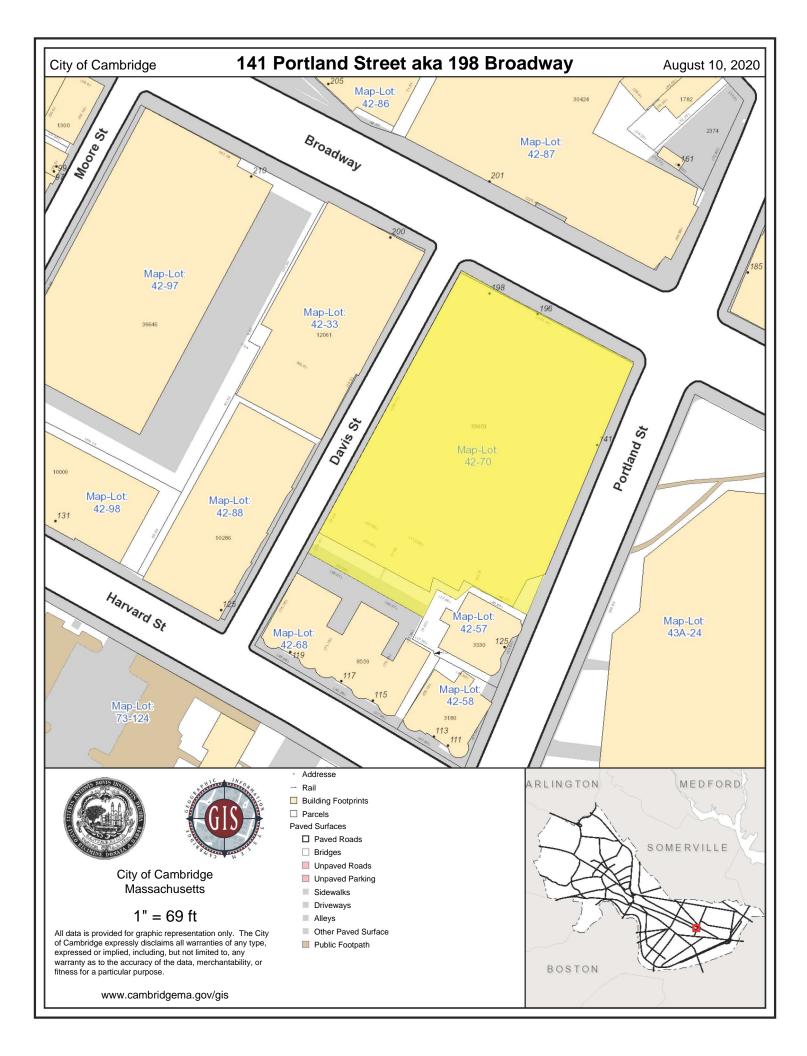
PLEASE INCLUDE THIS CHECKLIST WITH YOUR APPLICATION. ALL DOCUMENTS ARE TO BE TYPED OR WRITTEN LEGIBLY.

DOCUMENTS	REQUIRED	ENCLOSED
Application Form <b>3 Forms with Original Signatures</b>	X	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	<u> </u>
Ownership Certificate, Notarized - Scanned & 1 set to Zoning		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)	X	X
Photographs of Property - Scanned & 1 set to Zoning	X	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 Zonin	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.



#### **CITY OF CAMBRIDGE**

#### NARRATIVE IN SUPPORT OF APPLICATION FOR MODIFICATION TO SPECIAL PERMIT

APPLICANT:	Cellco Partnership d/b/a Verizon Wireless
SITE ADDRESS:	198 Broadway (aka 141 Portland Street) Cambridge, Massachusetts
ASSESSOR'S LOT I.D.:	Map 42, Lot 70
ZONING DISTRICT:	Industry B (IB)

#### BACKGROUND

This Narrative in Support of an Application for Modification to Special Permit, *while reserving all rights*, to modify an existing building mounted mobile communications facility ("Facility") is respectfully submitted by Cellco Partnership d/b/a Verizon Wireless ("Verizon Wireless") to the City of Cambridge, Board of Zoning Appeal ("Board"). Verizon Wireless seeks approval to further modify its existing Facility on the existing building at 198 Broadway aka 141 Portland Street (the "Property").

This application is submitted with full reservation of Verizon Wireless' rights including without limitation Section 6409(a) of the federal Middle Class Tax Relief and Job Creation Act of 2012 also referred to as the "Spectrum Act." The Spectrum Act was passed to "advance wireless broadband service" for both public safety and commercial purposes. The modification to the existing Facility satisfies the standards for the modification of an eligible facility under the Spectrum Act.

#### **APPLICANT'S INTEREST IN THE PROPERTY**

Kendall Square Entity, Inc. ("Owner") and Cellco Partnership d/b/a Verizon Wireless entered into a certain Lease Agreement by which Owner leased to Verizon Wireless building space and access/utility easement rights on a portion of the Owner's property located at 198 Broadway aka 141 Portland Street being shown on Tax Map of the City of Cambridge at Map 42, Lot 70 for the location of Verizon Wireless' antennas and space for its equipment.

#### See Exhibit 1, ZBA Application Form - Ownership Information.

#### **PROJECT DESCRIPTION**

As noted on the attached plans and described in this application, the building owned by Kendall Square Entity, Inc. is a 10-story brick building used for office purposes (the "Building"). Verizon Wireless has installed and operates an existing Facility consisting of 3 sectors of 4 antennas each (12 in total) and equipment room in the Building. The existing antennas are installed on 3 separate ballast mounts on the rooftop.

#### **Facility Modification Details**

#### **Total of Fourteen (14) Antennas with Remote Radio Heads**

Verizon Wireless proposes to mount a total of fourteen (14) antennas through installing 4 new antennas, removing 2 antennas while maintaining 10 existing antennas on the existing ballast mounts with remote radio heads as follows:

#### (a) Alpha Sector Ballast Mounted Equipment

Retain 4 antenna, install 1 new antenna with integrated remote radio head to the existing mast pipe at a height to match the existing antennas. Total: 5 antennas, 3 remote radio heads and 1 OVP. – *See Roof Plan Sheet C-1*.

#### (b) Beta Sector Ballast Mounted Equipment

Remove 2 antennas, retain 2 antennas, install 1 new antenna with integrated remote radio head and 1 new antenna to the existing mast pipes at a height to match the existing antennas. Total: 4 antennas, 3 remote radio heads and 1 OVP. – *See Roof Plan Sheet C-1*.

#### (c) Gamma Sector Ballast Mounted Equipment

Retain 4 antenna, install 1 new antenna with integrated remote radio head to the existing mast pipe at a height to match the existing antennas. Total: 5 antennas, 3 remote radio heads and 1 OVP. – *See Roof Plan Sheet C-1*.

#### See Exhibit 2, Plans. See Exhibit 3, Photo Simulations

#### SATISFACTION OF ELIGIBLE FACILITIES REQUEST STANDARDS

On February 22, 2012, President Obama signed into law H.R. 3630, known as the "Middle Class Tax Relief and Job Creation Act of 2012," which then became Public Law 112-96 ("P.L. 112-96").<sup>1</sup> Section 6409(a) of P.L. 112-96 adds new language to the existing body of laws, regulations, and decisions pertaining to wireless facility zoning.<sup>2</sup>

<sup>&</sup>lt;sup>1</sup> Middle Class Tax Relief and Job Creation Act of 2012, Pub L. No. 112-96, 126 Stat. 156 (2012).

<sup>&</sup>lt;sup>2</sup> Section 6409(a) states:

Verizon Wireless respectfully submits the proposed modifications satisfy the standards for an eligible facility request pursuant to <u>47 U.S.C. §1455 and 47 C.F.R.</u><u>§1.6100</u>. In an effort to advance Congress' goal of facilitating the rapid deployment of qualified modifications, the Federal Communications Commission adopted rules in 2014 that clarified many of the terms of Section 6409(a).<sup>3</sup> The Commission stated that the purpose of implementing the rules "will serve the public interest by providing guidance to all stakeholders on their rights and responsibilities under the provision, reducing the delays in the review process for wireless infrastructure modifications, and facilitating the rapid deployment of wireless infrastructure, thereby promoting the advanced wireless broadband services."<sup>4</sup>

47 U.S. Code §1455(a) and 47 C.F.R. §1.6100(b) builds on the existing legal framework for wireless facilities by requiring permitting authorities to approve an eligible facilities request in an effort to streamline "the process for siting of a wireless facility by preempting the ability of State and local authorities to delay collocation of, removal of, and replacement of wireless transmission equipment."<sup>5</sup> "Collocation" is defined as "the mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes." The term "eligible support structure" means any structure that is a "tower" or "base station." A "base station" is defined as a structure or equipment that enables Commission-licensed or authorized wireless communications and includes any structure other than a tower that supports or houses permitted equipment used for wireless communication of an existing wireless tower or base station that involves— (i) collocation of new transmission equipment; (ii) removal of transmission equipment; or (iii) replacement of transmission equipment.<sup>7</sup>

- (A) collocation of new transmission equipment;
- (B) removal of transmission equipment; or
- (C) replacement of transmission equipment.
- (3) APPLICABILITY OF ENVIRONMENTAL LAWS.—Nothing in paragraph (1) shall be construed to relieve the Commission from the requirements of the National Historic Preservation Act or the National Environmental Policy Act of 1969.

<sup>(</sup>a) FACILITY MODIFICATIONS.—

 <sup>(1)</sup> IN GENERAL.—Notwithstanding section 704 of the Telecommunications Act of 1996 (Public Law 104–104) or any other provision of law, a State or local government may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station.
(2) ELIGIBLE FACILITIES REQUEST.—For purposes of this subsection, the term "eligible facilities request" means any request for modification of an existing wireless tower or base station that involves—

<sup>&</sup>lt;sup>3</sup> See Accelerating of Broadband Deployment by Improving Wireless Facilities Siting Policies, Report and Order, 29 FCC Rcd 12865 (2014) ("2014 Order").

<sup>&</sup>lt;sup>4</sup> Id. At 12872.

<sup>&</sup>lt;sup>5</sup> 158 Cong. Rec. E237 (daily ed. Feb. 24, 2012) (statement of Rep. Upton).

<sup>&</sup>lt;sup>6</sup> 47 C.F.R. §1.6100(b)(1)

<sup>&</sup>lt;sup>7</sup> 47 U.S.C. § 1455(a)(2) and §1.6100(b)(3)

The Property constitutes a "base station" and an "eligible support structure" in that it currently exists and "supports and houses" wireless communication equipment that has been reviewed and approved under the City's zoning ordinance. The proposed replacement of the Verizon Wireless antennas and remote heads on the Property for the purpose of transmitting and receiving radio frequency signals for communication purposes constitutes a "replacement of transmission equipment" and the proposed addition of antennas is the "collocation of new transmission equipment."

Federal authorities clearly provide that an eligible facilities request must be approved if the installation does not result in a substantial change.<sup>8</sup> The proposed modifications to the existing Verizon Wireless facility is an "eligible facilities request." Through its statutory mandate and given the lack of statutory definitions, the Federal Communications Commission has defined a substantial change under Section 6409(a) as follows:

(i) For other eligible support structures (i.e., the "Building"), it increases the height of the structure by more than 10% or more than ten feet, whichever is greater - There will be no increase in height. The proposed ballast mounted antennas and remote radio heads will not be any higher.

(ii) For other eligible support structures (i.e., the "Building"), it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet – The proposed additional and replacement antennas will not protrude more than six feet from the ballasts.

(iii) For any eligible support structure (i.e., the "Building"), it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure – **The proposed modification does not involve the installation of new cabinets. All radio equipment will remain at the current location.** 

(iv) It does not entail any excavation or deployment outside the current site – The modification does not involve any excavation or deployment outside the current site.

(v) It would not defeat the concealment elements of the eligible support structure – Verizon Wireless' modifications do not defeat any concealment elements the additional and replacement antennas mounted to the ballasts at the same location and height as the replaced antennas.

(vi) It complies with conditions associated with the siting approval – The installation will remain compliant.

It is clear that state and local authorities have no power to deny a complying installation, and any attempt to do so would be in direct conflict with federal law. Having satisfied the standards for the modification of an eligible support structure that will not result in a substantial change, the Board may not deny the Section 6409(a) Modification.

<sup>&</sup>lt;sup>8</sup> See 47 U.S.C. §1455(a) and 47 C.F.R. §1.6100(b)

Consistent with that determination, the permitting is limited to non-discretionary permitting related to applicable building, structural and electrical codes. Additionally, when an applicant asserts in writing that a request for a modification is covered by this section, a State or local government may only require the applicant to provide documentation or information to the extent reasonably necessary to determining whether the request meets the requirements for an eligible facilities request. Further, the Federal Communications Commission also adopted rules that require local review subject to Section 6409(a) be completed within sixty (60) days. A Section 6409(a) request will be "deemed granted" if not approved within the sixty (60) day period.

#### SATISFACTION OF SPECIAL PERMIT REVIEW STANDARDS

Based on the description set forth herein, and as will be further demonstrated at the Public Hearing on this matter, the proposed modification of the Facility meets the location, height and site requirements of Section 4.32(g)(1), Section 4.40 (footnote 4) and Sections 10.40 - 10.46. Pursuant to Ordinance, the modification of the Facility is allowed upon the grant of a special permit from the Zoning Board of Appeals in the currently designated Industry B zoning district.

While reserving all rights, Verizon Wireless' modification satisfies the standards set forth in Section 4.40 (footnote 4) and Sections 10.40 - 10.46 of the City of Cambridge, Zoning Ordinance.

1. The scope of or limitations imposed by any license secured from any state or federal agency having jurisdiction over such matters – Verizon Wireless operates in compliance with all of the rules and regulations promulgated by the Federal Communications Commission as required by its licensing.

See Exhibit 4, FCC License to Operate.

2. 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 a building's roof or other features of the building as support and background, (2) Through the use of 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 from off the site - Verizon Wireless proposes to mount a total of fourteen (14) antennas to the 3 existing ballasts with remote radio heads.

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 telecommunication facility is not inconsistent with the character that does prevail in the surrounding neighborhood – **The** 

### wireless use and modification of the Facility is consistent with the purpose of the Industry B (IB) District.

The proposed modification also satisfies the standards of Section 10.43 of the Ordinance for the grant of special permits. As noted above, the proposed modification will allow Verizon Wireless to improve wireless signal coverage and is an integral part of Verizon Wireless' network design in the City of Cambridge. The modification of the equipment detailed herein will aid in reaching Verizon Wireless' goal to provide enhanced service and communications in the City of Cambridge. The proposed modification will generate no traffic or other negative impacts on surrounding properties or the City of Cambridge. The Facility requires no water or sewer services. The utilities will continue to be obtained from existing service. The Facility will continue to be unoccupied, with no employees or customers. The Facility will continue to be regularly maintained by qualified technicians to assure that the equipment operates at optimal condition so that no threat of explosion, fire or other danger to life or property occurs. Reliable wireless service also enhances community safety, because it is used by public safety officials as well as the public in times of crisis, natural disaster, inclement weather and similar circumstances.

It is a truism to state that it is absolutely essential that there is the necessary infrastructure to ensure access to reliable wireless services. The ability to utilize mobile devices has become so integral that the absence of reliable service certainly has a negative impact. The availability of reliable wireless service also provides greater access to 911 emergency services. Maintaining wireless service provides another tool for ensuring that emergencies can be reported as quickly as possible, which reduces the response times of public safety personnel.

Because the application is for the modification of equipment that provides wireless services, the proposal is subject to §704 of the federal Telecommunications Act of 1996 ("TCA"), codified at 47 U.S.C. §332(c)(7)(B). By way of background, the TCA is a federal law enacted in 1996 whose purpose is "[t]o promote competition and reduce regulation in order to secure lower prices and higher quality services for American telecommunications consumers and encourage the rapid deployment of new telecommunications technologies." To further this purpose, the TCA established national standards that apply to permitting for wireless facilities. These standards preempt inconsistent state and local laws, so they must be considered in making decisions related to wireless facilities.

The proposed modification of the existing Facility satisfies the criteria for granting a modification to the special permit, Verizon Wireless respectfully requests that the Board grant a special permit to modify the existing facility to allow for the proposed upgrade of this existing mobile communications system.

#### CONCLUSION

The availability of wireless communications service enhances community safety, and is increasingly relied upon by civil defense and other safety officers as well as the general public in times of crisis, natural disaster, bad storms or similar circumstances. Wireless communications service also provides a convenience to residents, and is an attractive feature and service to businesses. The proposed modification, by providing these services, will promote the health, safety, convenience and general welfare of the inhabitants of the City of Cambridge.

In compliance with Section 6409(a) of the federal Middle Class Tax Relief and Job Creation Act of 2012, the proposed modification constitutes an eligible facilities request entitled to approval. In the alternative, with all rights reserved, the proposed modification meets all the standards for a special permit pursuant to the City's Zoning Ordinance. Verizon Wireless respectfully requests that the Board vote to grant a special permit and any other relief pursuant to the City of Cambridge Zoning Ordinance, Massachusetts General Laws chapter 40A, and, the federal Telecommunications Act of 1996.

## Exhibit 1

# "ZBA Application Form – Ownership Information"

### BZA APPLICATION FORM - OWNERSHIP INFORMATION

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

I/We KENDALL SQUARE ENTITY, INC

(OWNER)

Address: 1270 Soldiers Field Road, Boston, MA

State that I/We own the property located at <u>141 Portland Street, Cambridge, MA</u> which is the subject of this zoning application.

The record title of this property is in the name of UST Financial Planning

Company, Inc. n/k/a Kendall Square Entity Inc. see certificate of name change registered in the Middlesex Registry District of Land Court, Document No. 737647

\*Pursuant to a deed of duly recorded in the date <u>12/17/1985</u>, Middlesex South County Registry of Deeds at Book <u>16682</u>, Page <u>565</u>; and Middlesex Registry District of Land Court, Certificate No. <u>175562</u> , as Document No.697444

NATURE 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 SUFFOILE
The above-name $\frac{\text{Peter Palandijan}}{\text{of August}}$ , 2021, and made oath that the above statement is true.
this $\underline{AM}$ of $\underline{AWWSF}$ , 20 $\underline{21}$ , and made oath that the above statement is true.
Notary
My commission expires 12/26/25 (Notary Seal)
Andrea D. Salvi NOTARY PUBLIC Commonwealth of Massachusetts My Commission Expires December 26, 2025

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

# Exhibit 2 "Plans"



HUNON TIAL JUNIXOUNDED TO BROADDRAW WISHING TO BROA	ENGINEER DEWBERRY ENGINEERS INC. 99 SUMMER ST. SUITE 700 BOSTON, MA 02110 PHONE # (617) 531–0800 CONTACT: BENJAMIN REVETTE, PE <u>CONSTRUCTION</u> VERIZON WIRELESS 118 FLANDERS ROAD WESTBOROUGH, MA 01581–3956 <u>COORDINATES*:</u> LATITUDE: 42' 21' 55.35'' N LONGITUDE: 42' 21' 55.35'' N	SMART TOOL VENDOR PROJECT NUMBER: N/A 2. REMOVE (2) NHH-65A-R2B ANTENNAS ON BETA SECTOR. NO.   VZW LOCATION CODE (PSLC): 137421 3. INSTALL (1) NNH4-65A-R6-V1 ON BETA SECTOR. T-1   FUZE NUMBER: 16273332 4. INSTALL ADDITIONAL CMU BALLAST ON EXISTING ANTENNA BALLAST SLEDS. C-1	DESC TITLE S GENER ROOF ELEVAT CONST FINAL
115;117:119 • 113 Р VICINITY MAP N.T.S.	*PER RFDS <u>GROUND ELEVATION*:</u> 9.0'± *PER GOOGLE EARTH CONSULTANT TEAM	CONTRACTOR PMI REQUIREMENTS     THIS DOCUMENT WAS DEVELOPED TO REFLECT A SPECIFIC SITE AND ITS SITE CONDITIONS AND IS NOT TO BE USED FOR ANOTHER SITE OR WHEN OTHER CONDITIONS PERTAIN. REUSE OF THIS DOCUMENT IS AT THE SOLE RISK OF THE USER.     A.D.A. COMPLIANCE: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION.	

		VERIZON WIRELESS 400 FRIBERG PARKWAY WESTBOROUGH, MA 01581–3956			
			M	ΙΤ ΜΑ	
			ANTMO	DRAWINGS	
		2 1 0	07/19/21 04/14/21 04/09/21	FOR SUBMITT FOR SUBMITT FOR SUBMITT	AL
		-		Aberry agineers Inc. 99 SUMMER STR SUITE 700 BOSTON, MA 02: PHONE: 617.695. FAX: 617.695.331	EET 110 3400
	-F	NAAAAAA	S REV	AMINB. TETTE IVIL 492201	NAAAAA
NOTES	(1	Ų	NAM	AN	
AN		D	RAWN BY:		SCA
n CTION DETAILS			EVIEWED BY:		MFT
UIPMENT CONFIGURATION		С	HECKED BY:		BBR
		P	ROJECT NUMBE	R: 50121	487
		J	DB NUMBER:	50121	970
		S	TE NUMBER		
				37421	
		S	TE ADDRESS:	DOADWAY	
		(Al	KA 141 PC	ROADWAY )RTLAND STF	REET
		5	CAMBRIDO	SE, MA 0213	9
SHEET INDEX				SHEET	
		SH	IEET NUMBER		
				— 1	

### GENERAL CONSTRUCTION NOTES

- ALL WORK SHALL CONFORM TO ALL CURRENT APPLICABLE FEDERAL, STATE, AND LOCAL CODES, AND COMPLY WITH VERIZON WIRELESS SPECIFICATIONS.
- CONTRACTOR SHALL CONTACT "DIG SAFE" (888-344-7233) FOR IDENTIFICATION OF UNDERGROUND UTILITIES PRIOR TO START OF CONSTRUCTION. 2.
- 3. CONTRACTOR IS RESPONSIBLE FOR COORDINATING ALL REQUIRED INSPECTIONS.
- ALL DIMENSIONS TO, OF, AND ON EXISTING BUILDINGS, DRAINAGE STRUCTURES, AND SITE IMPROVEMENTS SHALL BE VERIFIED IN FIELD BY CONTRACTOR WITH ALL DISCREPANCIES REPORTED TO THE ENGINEER.
- 5. DO NOT CHANGE SIZE OR SPACING OF STRUCTURAL ELEMENTS.
- 6. DETAILS SHOWN ARE TYPICAL; SIMILAR DETAILS APPLY TO SIMILAR CONDITIONS UNLESS OTHERWISE NOTED.
- THESE DRAWINGS DO NOT INCLUDE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY WHICH IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR, 7.
- 8. CONTRACTOR SHALL BRACE STRUCTURES UNTIL ALL STRUCTURAL ELEMENTS NEEDED FOR STABILITY ARE INSTALLED. THESE ELEMENTS ARE AS FOLLOWS: LATERAL BRACING, ANCHOR BOLTS, ETC.
- 9. CONTRACTOR SHALL DETERMINE EXACT LOCATION OF EXISTING UTILITIES, DRAIN PIPES, VENTS, ETC. BEFORE COMMENCING
- 10. INCORRECTLY FABRICATED, DAMAGED, OR OTHERWISE MISFITTING OR NONCONFORMING MATERIALS OR CONDITIONS SHALL BE REPORTED TO THE OWNER PRIOR TO REMEDIAL OR CORRECTIVE ACTION. ANY SUCH REMEDIAL ACTION SHALL REQUIRE WRITTEN APPROVAL BY THE OWNER'S REPRESENTATIVE PRIOR TO PROCEEDING.
- 11. EACH CONTRACTOR SHALL COOPERATE WITH THE OWNER'S REPRESENTATIVE, AND COORDINATE HIS WORK WITH THE WORK OF OTHERS
- 12. CONTRACTOR SHALL REPAIR ANY DAMAGE CAUSED BY CONSTRUCTION OF THIS PROJECT TO MATCH EXISTING PRE-CONSTRUCTION CONDITIONS TO THE SATISFACTION OF THE VERIZON WIRELESS CONSTRUCTION MANAGER.
- 13. ALL CABLE/CONDUIT ENTRY/EXIT PORTS SHALL BE WEATHERPROOFED DURING INSTALLATION USING A SILICONE SEALANT.
- 14. WHERE EXISTING CONDITIONS DO NOT MATCH THOSE SHOWN IN THIS PLAN SET, CONTRACTOR WILL NOTIFY ENGINEER, VERIZON WIRELESS PROJECT CONSTRUCTION MANAGER, AND LANDLORD IMMEDIATELY.
- 15. CONTRACTOR SHALL ENSURE ALL SUBCONTRACTORS ARE PROVIDED WITH A CURRENT SET OF DRAWINGS AND SPECIFICATIONS FOR THIS PROJECT
- 16. ALL ROOF WORK SHALL BE DONE BY A QUALIFIED AND EXPERIENCED ROOFING CONTRACTOR IN COORDINATION WITH ANY CONTRACTOR WARRANTING THE ROOF TO ENSURE THAT THE WARRANTY IS MAINTAINED.
- 17. CONTRACTOR SHALL REMOVE ALL RUBBISH AND DEBRIS FROM THE SITE AT THE END OF EACH DAY.
- 18. CONTRACTOR SHALL COORDINATE WORK SCHEDULE WITH LANDLORD AND TAKE PRECAUTIONS TO MINIMIZE IMPACT AND DISRUPTION OF OTHER OCCUPANTS OF THE FACILITY.
- 19. CONTRACTOR SHALL FURNISH VERIZON WIRELESS WITH THREE AS-BUILT SETS OF DRAWINGS UPON COMPLETION OF WORK.
- 20. ANTENNAS AND CABLES ARE TYPICALLY PROVIDED BY VERIZON WIRELESS. PRIOR TO SUBMISSION OF BID, CONTRACTOR SHALL COORDINATE WITH PROJECT MANAGER TO DETERMINE WHAT, IF ANY, ITEMS WILL BE PROVIDED BY VERIZON WIRELESS. ALL ITEMS NOT PROVIDED BY VERIZON WIRELESS SHALL BE PROVIDED AND INSTALLED BY THE CONTRACTOR. CONTRACTOR WILL INSTALL ALL ITEMS PROVIDED BY VERIZON WIRELESS.
- PRIOR TO SUBMISSION OF BID, CONTRACTOR WILL COORDINATE WITH VERIZON WIRELESS PROJECT MANAGER TO DETERMINE IF ANY PERMITS WILL BE OBTAINED BY VERIZON WIRELESS. ALL REQUIRED PERMITS NOT OBTAINED BY VERIZON WIRELESS MUST BE OBTAINED, AND PAID FOR, BY THE CONTRACTOR. 21.
- 22. GENERAL CONTRACTOR SHALL HAVE A LICENSED HVAC CONTRACTOR START THE HVAC UNITS, SYNCHRONIZE THE THERMOSTATS, ADJUST ALL SETTINGS ON EACH UNIT ACCORDING TO VERIZON WIRELESS CONSTRUCTION MANAGER'S SPECIFICATIONS, AND THOROUGHLY TEST AND BALANCE EACH UNIT TO ENSURE PROPER OPERATION PRIOR TO TURNING THE SITE OVER TO OWNER.
- 23. CONTRACTOR SHALL INSTALL ALL SITE SIGNAGE IN ACCORDANCE WITH VERIZON WIRELESS SPECIFICATIONS AND REQUIREMENTS
- 24. CONTRACTOR SHALL SUBMIT ALL SHOP DRAWINGS TO ENGINEER FOR REVIEW AND APPROVAL PRIOR TO FABRICATION.
- 25. UNLESS OTHERWISE NOTED VERIZON WIRELESS SHALL PROVIDE ALL REQUIRED RF MATERIAL FOR CONTRACTOR TO INSTALL, INCLUDING ANTENNAS, TMA'S, BIAS-T'S, COMBINERS, PDU, DC BLOCKS, SURGE ARRESTORS, GPS ANTENNA, GPS SURGE ARRESTOR, COAXUAL CABLE.
- 26. PRIOR TO SUBMISSION OF BID, CONTRACTOR SHALL VERIFY ALL EQUIPMENT TO BE PROVIDED BY VERIZON WIRELESS FOR INSTALLATION BY CONTRACTOR
- 27. ALL EQUIPMENT SHALL BE INSTALLED ACCORDING TO MANUFACTURER'S SPECIFICATIONS AND LOCATED ACCORDING TO VERIZON WIRELESS SPECIFICATIONS, AND AS SHOWN IN THESE PLANS.
- 28. DETAILS SHOWN ARE TYPICAL; SIMILAR DETAILS APPLY TO SIMILAR CONDITIONS UNLESS OTHERWISE NOTED.
- THE CONTRACTOR SHALL SUPERVISE AND DIRECT THE PROJECT DESCRIBED HEREIN. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL THE CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES AND FOR COORDINATING ALL PORTIONS OF THE WORK UNDER THE CONTRACT. 29.
- 30. CONTRACTOR SHALL NOTIFY THE ENGINEER A MINIMUM OF 48 HOURS IN ADVANCE PRIOR TO CONSTRUCTION START, MORE SPECIFICALLY BEFORE; SEALING ANY FLOOR, WALL OR ROOF PENETRATION, FINAL UTILITY CONNECTIONS, POURING CONCRETE, BACKFILLING UTILITY TRENCHES AND STRUCTURAL POST OR MOUNTING CONNECTIONS, FOR ENGINEERING REVIEW AND INSPECTION.
- 31. SEAL PENETRATIONS THROUGH FIRE RATED AREAS WITH UL LISTED D FIRE CODE APPROVED MATERIALS.
- 32. REPAIR ANY DAMAGE DURING CONSTRUCTION TO MATCH EXISTING PRE-CONSTRUCTION CONDITIONS TO THE SATISFACTION OF THE CONSTRUCTION MANAGER AND LANDLORD.
- 33. ALL DISRUPTIVE WORK AND WORK WITHIN TENANT SPACES TO BE COORDINATED WITH BUILDING REPRESENTATIVE

#### CODE SPECIFICATIONS:

- ALL WORK SHALL COMPLY WITH THE FOLLOWING APPLICABLE CODES: 1.
- MASSACHUSETTS STATE BUILDING CODE, 9TH EDITION, CONSISTENT WITH THE FOLLOWING CODES:
- 2015 INTERNATIONAL RESIDENTIAL CODE (IRC) 2015 INTERNATIONAL BUILDING CODE (IBC)
- 2015 INTERNATIONAL EXISTING BUILDING CODE (IBC)
- 2020 NATIONAL ELECTRICAL CODE (NEC)
- IN THE EVENT OF CONFLICT, THE MOST RESTRICTIVE CODE SHALL PREVAIL.
- ALL STRUCTURAL WORK TO BE DONE IN ACCORDANCE WITH THE AMERICAN INSTITUTE OF STEEL CONSTRUCTION MANUAL, 2. 13TH EDITION (AISC 13TH ED.)
- ALL CONCRETE WORK TO BE DONE IN ACCORDANCE WITH THE AMERICAN CONCRETE INSTITUTE (ACI 301) SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS (ACI 318) AND BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE. 3.
- ALL REINFORCING STEEL WORK TO BE DONE IN ACCORDANCE WITH THE (ACI 315) MANUAL OF STANDARD PRACTICE FOR 4. DETAILING REINFORCED CONCRETE STRUCTURES

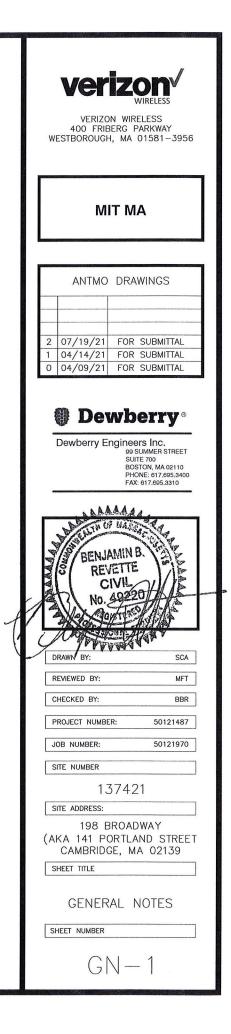
### **GROUNDING NOTES:**

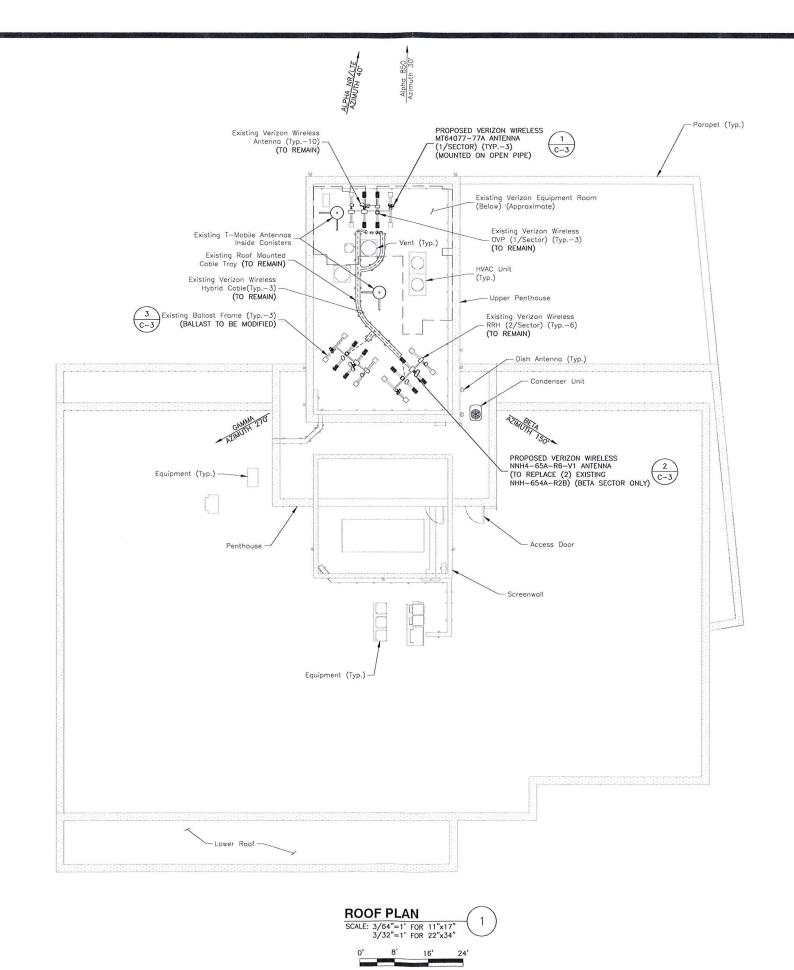
- 1. GROUNDING SHALL COMPLY WITH NEC ART. 250.
- 2. GROUNDING CONDUCTORS SHALL BE #6 COPPER STRANDED WIRE WITH GREEN COLOR INSULATION INDOOR USE
- ALL GROUND CONNECTIONS TO BE BURNDY HYGROUND COMPRESSION TYPE CONNECTORS OR CADWELD EXOTHERMIC WELD DO NOT ALLOW BARE COPPER WIRE TO BE IN CONTACT WITH 3. GALVANIZED STEEL.
- 4. ROUTE GROUNDING CONNECTORS ALONG THE SHORTEST AND STRAIGHTEST PATH POSSIBLE, EXCEPT AS OTHERWISE INDICATED. GROUNDING LEADS SHOULD NOT BE BENT AT RIGHT ANGLE. ALWAYS MAKE 12" RADIUS BENDS. #6 WIRE CAN BE BENT AT 6" RADIUS WHEN NECESSARY.
- CONNECTIONS TO GROUNDING BAR SHALL BE MADE WITH TWO HOLE COMPRESSION TYPE COPPER LUGS. APPLY OXIDE INHIBITING COMPOUND TO ALL LOCATIONS.
- TEST COMPLETED GROUNDING SYSTEM AND RECORD RESISTANCE VALUES FOR PROJECT CLOSE-OUT DOCUMENTATION. GROUND RESISTANCE SHALL NOT EXCEED 5 OHMS. 6.
- 7. GROUNDING CONDUCTORS BETWEEN MGB AND WATERMAIN SHALL BE #2/0, BONDING JUMPERS FROM METALLIC SURFACES SHALL BE #2 MINIMUM. ALL GROUND CODUCTORS AND BONDING JUMPERS SHALL BE SOFT DRAWN ANNEALED, TINNED, BARE STRANDED COPPER WIRE, COAXIAL CABLES SHALL BE GROUNDED AT A MINIMUM OF TWO LOCATIONS USING VERIZON PROVIDED GROUNDING KITS. EXACT LOCATIONS SHALL BE FINALIZED IN THE FIELD BY THE CONSTRUCTION MANAGER.

### **STRUCTURAL STEEL NOTES:**

2

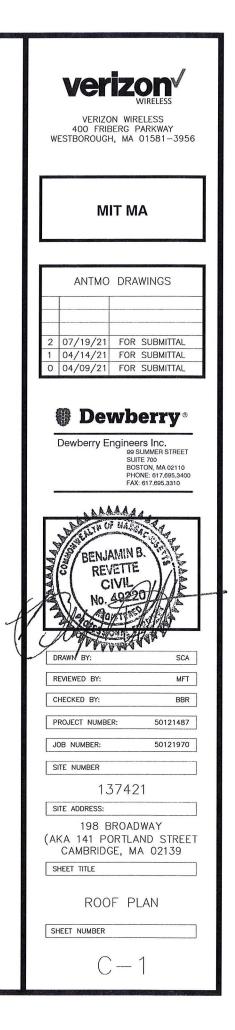
- STRUCTURAL STEEL SHALL CONFORM TO THE LATEST EDITION OF THE AISC "SPECIFICATION FOR THE DESIGN, ABRICATION AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS".
- STRUCTURAL STEEL ROLLED SHAPES, PLATES, AND BARS SHALL CONFORM TO THE FOLLOWING ASTM DESIGNATIONS
- ALL W SHAPES, UNLESS NOTED OR A992 OTHERWISE. ALL OTHER ROLLED SHAPES, PLATES AND BARS UNLESS NOTED OTHERWISE. ASTM A-992, GRADE 50 ASTM A-36 ALL UTICK KULLED STAFES, FUNCES AND BACS UNLE ASTM A-500, GRADE B ASTM A-325, TYPE SC OR N ALL BOLTS FOR CONNECTING STRUCTURAL MEMBERS. ALL ANCHORS BOLTS, UNLESS NOTED OTHERWISE. ASTM A-53, GRADE B ASTM A-53, GRADE B
- 3. ALL WELDING SHALL BE DONE USING E70XX ELECTRODES AND WELDING SHALL CONFORM TO AISC AND AWS D1.1 WHERE FILLET WELD SIZES ARE NOT SHOWN, PROVIDE THE MINIMUM SIZE PER TABLE J2.4 IN THE AISC "MANUAL OF STEEL CONSTRUCTION", 14TH EDITION, WHERE WELD LENGTH IS NOT INDICATED, USE FULL LENGTH WELD. AT THE COMPLETION OF ALL WELDING, ALL DAMAGE TO GALVANIZED COATING SHALL BE REPAIRED.
- BOLTED CONNECTIONS SHALL USE BEARING TYPE GALVANIZED ASTM A325 BOLTS (3/4" DIA.) SUPPLIED WITH A NUT AND WASHER UNDER TURNED END AND SHALL HAVE MINIMUM OF TWO BOLTS UNLESS NOTED OTHERWISE.
- 5. DO NOT DRILL HOLES THROUGH STRUCTURAL STEEL MEMBERS EXCEPT AS SHOWN AND DETAILED ON STRUCTURAL DRAWINGS
- NON-STRUCTURAL CONNECTIONS FOR STEEL GRATING MAY USE 5/8" DIA. GALVANIZED ASTM A 307 BOLTS UNLESS NOTED OTHERWISE. 6.
- 7. USE PRECAUTIONS & PROCEDURES PER AWS D1.1 WHEN WELDING GALVANIZED METALS.
- 8. ALL EXISTING BEAM AND COLUMN DIMENSIONS SHALL BE FIELD VERIFY BY CONTRACTOR PRIOR TO FABRICATION. ANY DISCREPANCIES BETWEEN EXISTING CONDITIONS AND THOSE SHOWN SHALL BE REPORTED TO DEWBERRY ENGINEER IMMEDIATELY
- 9. CONNECTION DESIGN BY FABRICATOR WILL BE SUBJECT TO REVIEW AND APPROVAL BY ENGINEER
- 10. ALL EXTERIOR STEEL WORK SHALL BE GALVANIZED IN ACCORDANCE WITH SPECIFICATION ASTM A123/A123M-00 HOT-DIP GALVANIZED FINISH UNLESS OTHERWISE NOTED. GALVANIZING SHALL BE PERFORMED AFTER SHOP FABRICATION TO THE GREATEST EXTENT POSSIBLE. ALL DINGS, SCRAPES, MARS, AND WELDS IN THE GALVANIZED AREAS SHALL BE REPAIRED. REPAIR DAMAGED GALVANIZED COATINGS ON GALVANIZED ITEMS WITH GALVANIZED REPAIR PAINT ACCORDING TO ASTM A780 AND MANUFACTURER'S WRITTEN INSTRUCTIONS, PRIOR TO COMPLETION OF WORK. TOUCHUP ALL DAMAGED GALVANIZED STEL WITH APPROVED COLD ZINC, "GALVANOX", "DRY GALV", "ZINC-IT", OR APPROVED EQUIVALENT, IN ACCORDANCE WITH MANUFACTURERS GUIDELINES. TOUCHUP DAMAGED NON GALVANIZED STEEL WITH SAME PAINT APPLIED IN SHOP OR FIELD.
- 11. ALL WELDED COMPONENTS TO BE SHOP WELDED PRIOR TO INSTALLATION. NO WELDING ACTIVITIES IS PERMITTED DURING INSTALLATION OF PROPOSED EQUIPMENTS AND/OR HARDWARE ON SITE



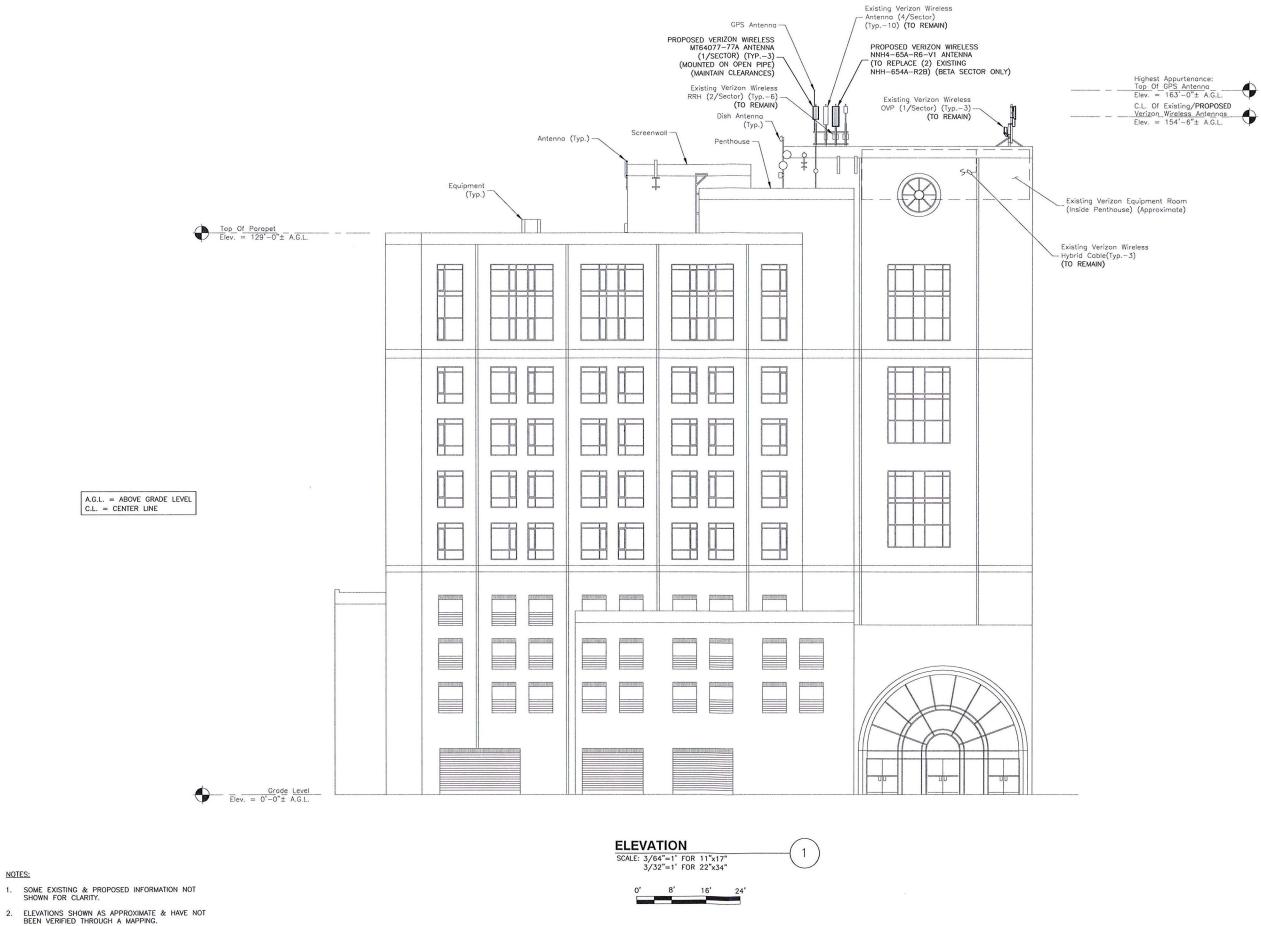


#### SITE NOTES:

- 1. SOME EXISTING AND PROPOSED INFORMATION NOT SHOWN FOR CLARITY.
- 2. NORTH SHOWN AS APPROXIMATE.
- EXISTING ANTENNAS SHOWN AS APPROXIMATE. ELEVATION BASED ON EXISTING INFORMATION AND VISUAL INSPECTION AND HAVE NOT BEEN VERIFIED THROUGH AN ANTENNA MAPPING.
- ALL EQUIPMENT TO BE INSTALLED PER MANUFACTURER'S RECOMMENDATIONS & IN ACCORDANCE WITH STRUCTURAL ASSESSMENT LETTER BY DEWBERRY ENGINEERS INC. DATED 07/19/21.









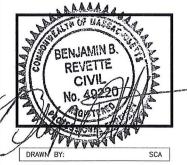
VERIZON WIRELESS 400 FRIBERG PARKWAY WESTBOROUGH, MA 01581-3956

# MIT MA

	ANTMO	DRAWINGS
2	07/19/21	FOR SUBMITTAL
2	04/14/21	FOR SUBMITTAL
0	04/09/21	FOR SUBMITTAL



Dewberry Engineers Inc. 99 SUMMER STREET SUITE 700 BOSTON, MA 02110 PHONE: 617.695.3400 FAX: 617.695.3310



REVIEWED BY: MFT CHECKED BY: BBR

PROJECT NUMBER: 50121487

50121970

JOB NUMBER: SITE NUMBER

137421

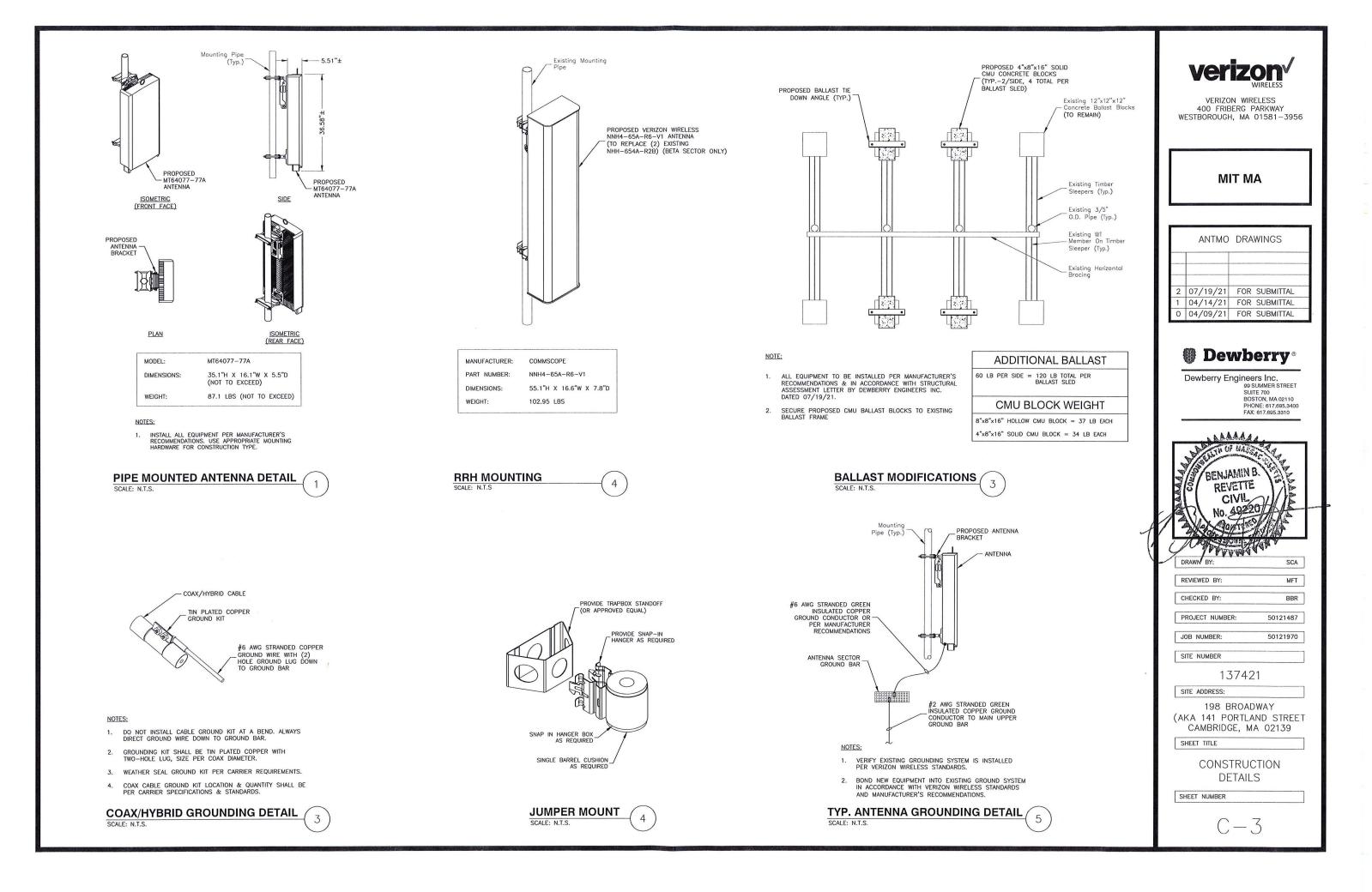
SITE ADDRESS: 198 BROADWAY (AKA 141 PORTLAND STREET CAMBRIDGE, MA 02139

ELEVATION

SHEET NUMBER

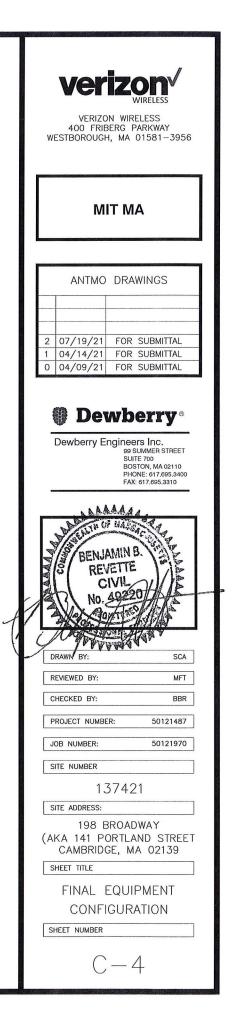
SHEET TITLE

C - 2



SECTOR	POSITION	TECHNOLOGY	ANTENNA MODEL	VENDOR	RRH (QTY./MODEL)	CENTERLINE	AZIMUTH	OVP	HYBRID CABLE TYPE	FEED LINE LENGTH
SECTOR			ANTENNA MODEL			CENTENLINE	ALMOTT			
	A1	5G	(E) VZ-AT1K01	SAMSUNG	(P) VZ-AT1K01	155.5'±	40°			
	A2	LTE 1900/AWS	(E) NHH-65A-R2B	COMMSCOPE	(1) (P) B2/B66A RFV01U-D1A	154.0'±	40°			
ALPHA	A3	LTE 700/850	(E) NHH-65A-R2B	COMMSCOPE	(1) (P) B5/B13 RFV01U-D2A	154.0'±	40°	(1) (E) 6-OVP BOX	(1) (E) 6X12 LI HYBRID	50'±
	A4	850	(E) X7C-465-6	CSS		154.8'±	40°			
	A5	5G	(P) MT6407-77A	SAMSUNG	(1) (P) MT6407-77A	154.7'±	40°			
	B1	5G	(E) VZ-AT1K01	SAMSUNG	(P) VZ-AT1K01	155.5'±	150°	-		
	82	LTE 1900/AWS/700/850	(P) NNH-65A-R6-V1	COMMSCOPE	(1) (P) B2/B66A RFV01U-D1A	154.0'±	150°			0014
BETA	ВЗ	5G	(P) MT6407-77A	SAMSUNG	(1) (P) MT6407-77A	154.7 <b>'</b> ±	150°	(1) (E) 6-OVP BOX	(1) (E) 6X12 LI HYBRID	90'±
	B4	5G	(E) VZ-AT1K01	SAMSUNG	(P) VZ-AT1K01	155.5'±	150°			
	G1	5G	(E) VZ-AT1K01	SAMSUNG	(P) VZ-AT1K01	155.5'±	270°			
	G2	LTE 1900/AWS	(E) NHH-65A-R2B	COMMSCOPE	(1) (P) B2/B66A RFV01U-D1A	154.0'±	270°			
GAMMA	G3	LTE 700/850	(E) NHH-65A-R2B	COMMSCOPE	(1) (P) B5/B13 RFV01U-D2A	154.0'±	270°	(1) (E) 6-OVP BOX	(1) (E) 6X12 LI HYBRID	85'±
	G4	850	(E) X7C-465-6	CSS		154.8'±	270°			
	G5	5G	(P) MT6407-77A	SAMSUNG	(1) (P) MT6407-77A	154.7'±	270°			
CONTRACTOR	TO FIELD VERIFY H	YBRID CABLE LENGTHS	PRIOR TO CONSTRUCTION	DN. LENGTH IS ESTIM	ATED FROM THE BASE E	QUIPMENT OV	P TO SECTOR	R OVP WITH 15% BUFFE	R.	1

FINAL EQUIPMENT CONFIGURATION



# Exhibit 3 "Photo Simulations"

Prepared For: Verizon Wireless Site Name: MIT MA 198 Broadway (AKA 141 Portland Street) Cambridge, MA 02139



MIT MA 198 Broadway (AKA 141 Portland Street) Cambridge, MA 02139 (Page 1 of 8)

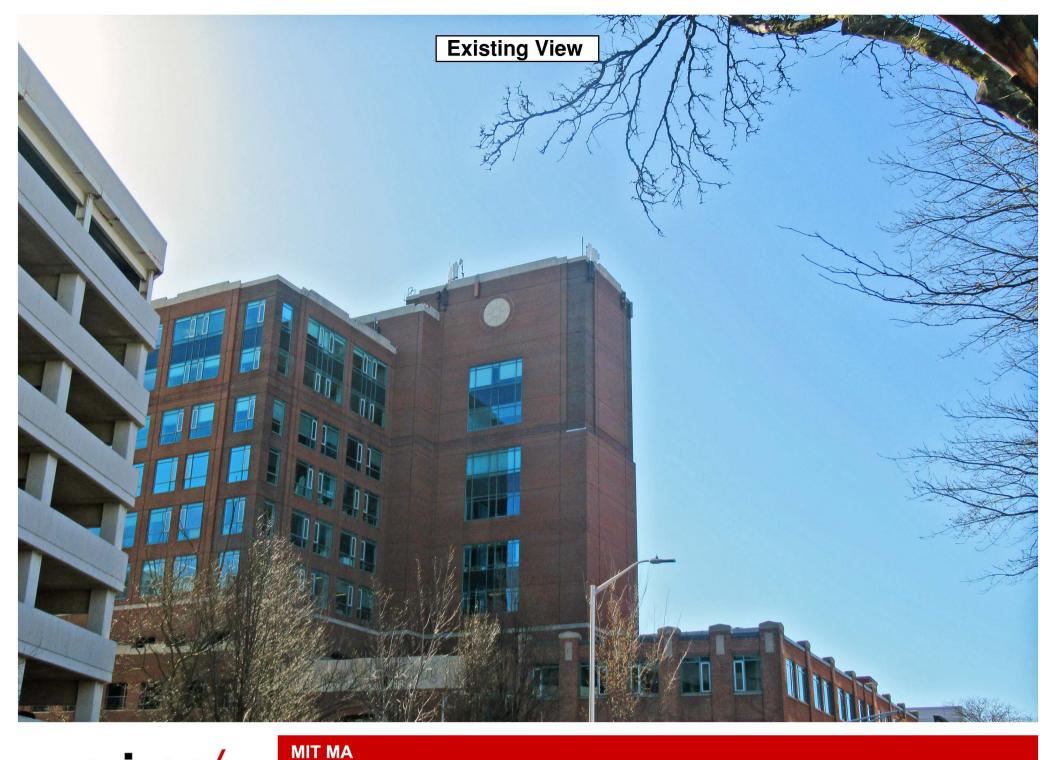
**Dewberry**\*





MIT MA 198 Broadway (AKA 141 Portland Street) Cambridge, MA 02139 (Page 2 of 8)

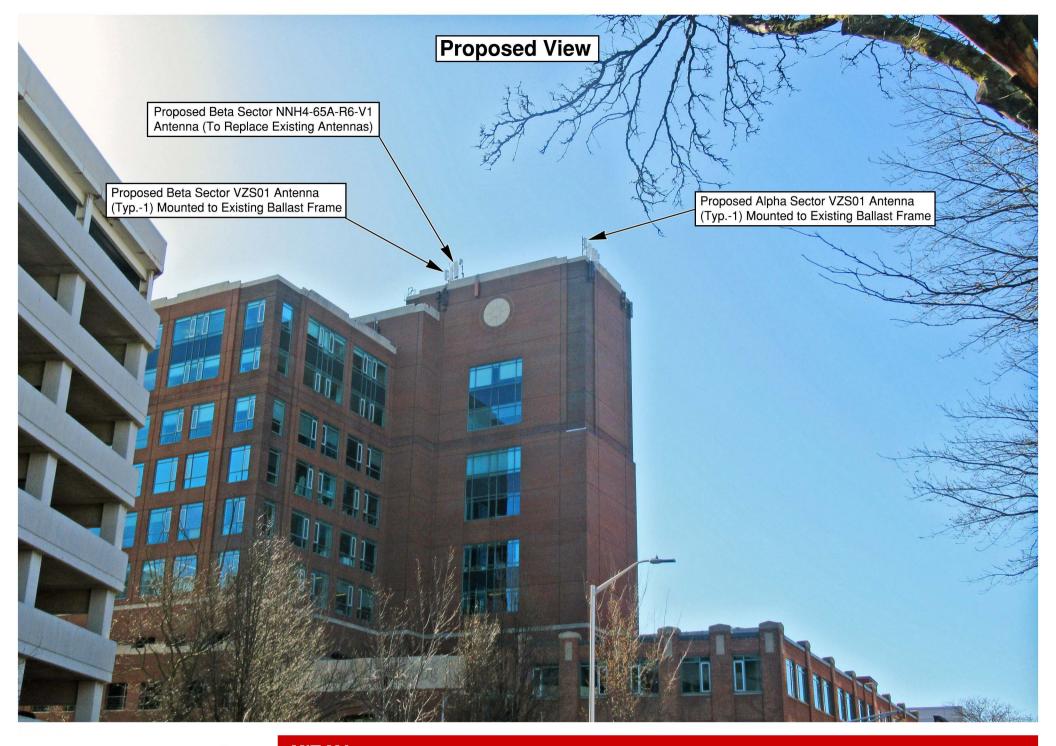
Dewberry





View Facing West From Broadway PHOTO 1A (Page 3 of 8)

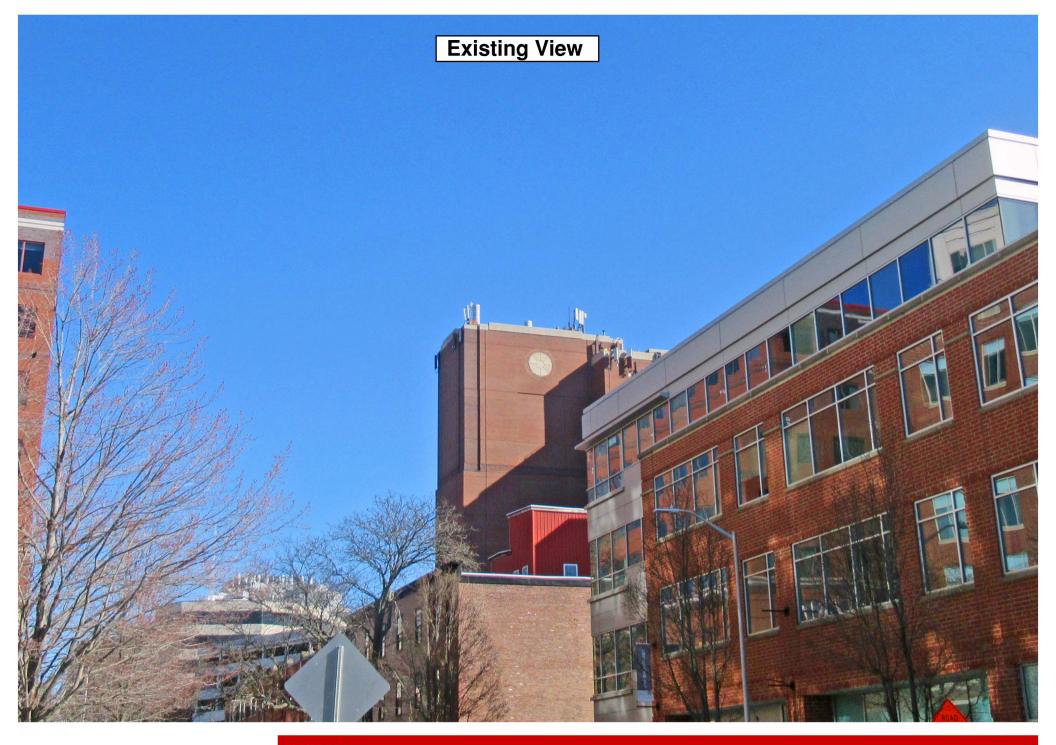
Dewberry





MIT MA View Facing West From Broadway PHOTO 1B (Page 4 of 8)

Dewberry\*

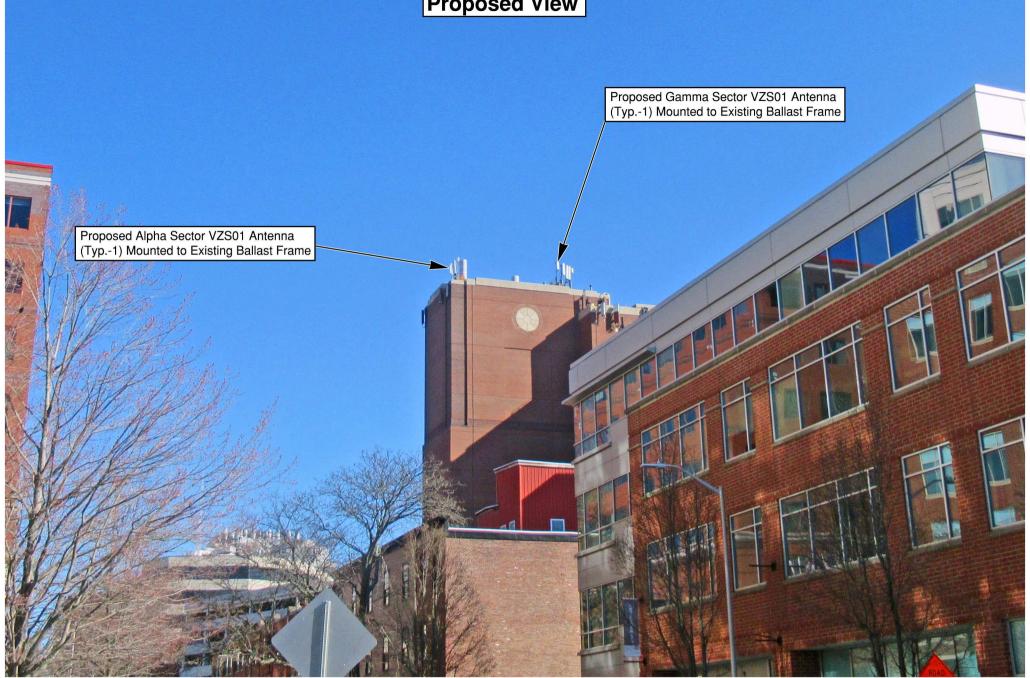




MIT MA View Facing Southeast From Market Street PHOTO 2A (Page 5 of 8)

Dewberry

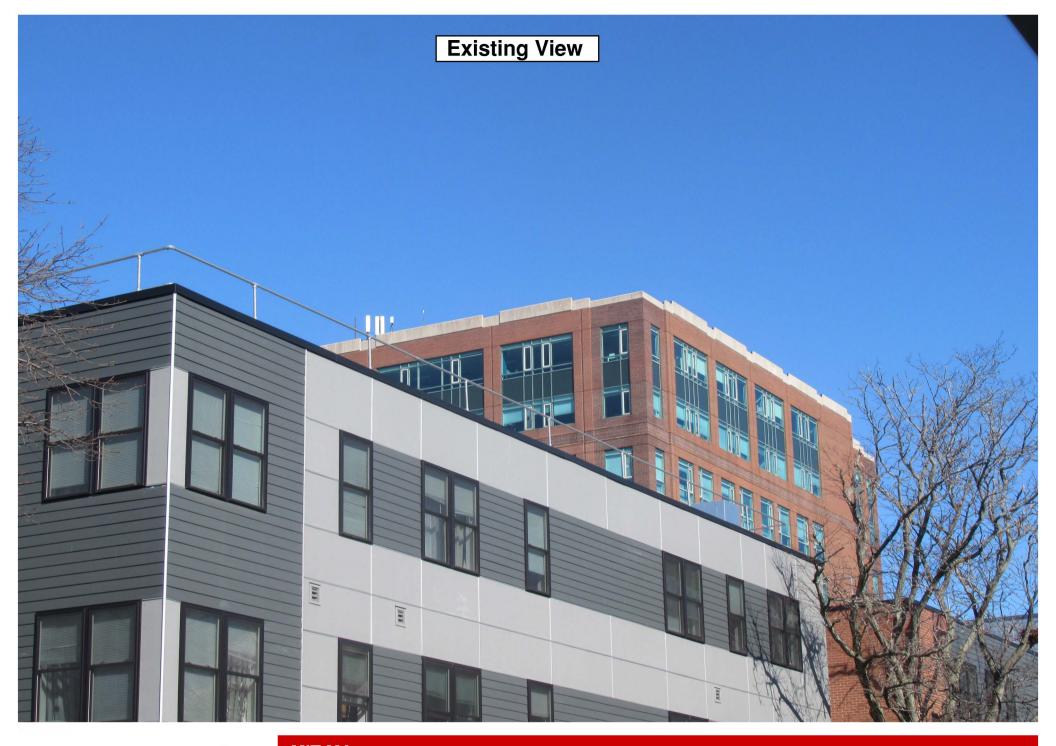






**MIT MA** View Facing Southeast From Market Street PHOTO 2B (Page 6 of 8)

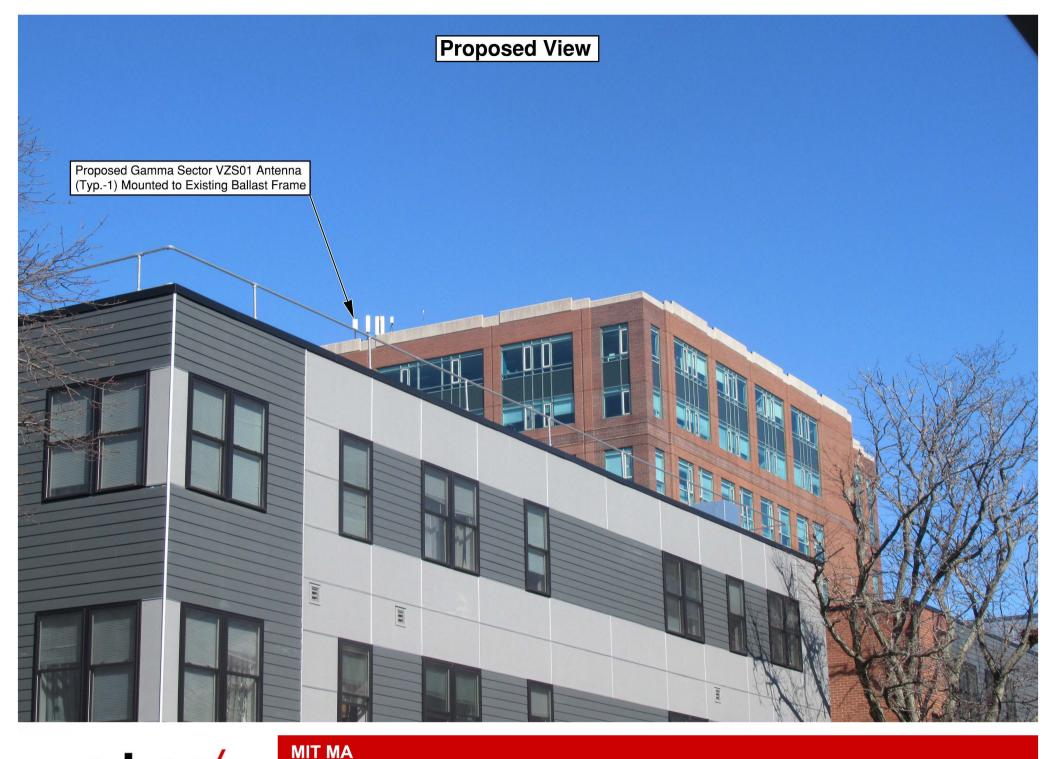
Dewberry\*





MIT MA View Facing East From Harvard Street PHOTO 3A (Page 7 of 8)

Dewberry





View Facing East From Harvard Street PHOTO 3B (Page 8 of 8)

Dewberry\*

# Exhibit 4 "FCC License to Operate"

### **REFERENCE COPY**

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.

AND	Federal Communica Wireless Telecomm			
COMMISSION	RADIO STATION A	UTHORIZATIO	N	
LICENSEE: CELLCO I ATTN: REGULATORY CELLCO PARTNERSH 5055 NORTH POINT PI ALPHARETTA, GA 300	IP KWY, NP2NE ENGINEERING			File Number Idio Service licrowave Flexible Use Service
FCC Registration Number (FR Grant Date 09-11-2018	<b>Effective Date</b> 02-27-2019	<b>Expiration D</b> 10-06-202		Print Date
Market Number BTA051		el Block 1	Sub-	Market Designator 1
	Market Boston,			
<b>1st Build-out Date</b> 06-01-2024	2nd Build-out Date	3rd Build-out l	Date	4th Build-out Date
Waivers/Conditions:				

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

### **Conditions:**

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

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

### Licensee Name: CELLCO PARTNERSHIP

Call Sign: WRBA936		File Number:	Print D	ate:
700 MHz Relicensed A	rea Information:			
Market	Market Name	Buildout Des	ndline Buildout Noti	fication Status

### **REFERENCE COPY**

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.

COMMUNICE BUILT	Federal Communica Wireless Telecomm		sion	
COMMISSION	RADIO STATION A	UTHORIZATION		
LICENSEE: CELLCO I ATTN: REGULATORY CELLCO PARTNERSH 5055 NORTH POINT PI ALPHARETTA, GA 300	IP KWY, NP2NE ENGINEERING	W	J - Upper Micr	File Number
FCC Registration Number (FR Grant Date 09-11-2018	<b>Effective Date</b> 02-27-2019	Expiration Date 10-06-2028	e	Print Date
Market Number BTA051		el Block 2	Sub-Ma	<b>rket Designator</b> 1
	Market Boston,			
<b>1st Build-out Date</b> 06-01-2024	2nd Build-out Date	3rd Build-out Dat	te 4	th Build-out Date
Waivers/Conditions:				

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

# **Conditions:**

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

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

### Licensee Name: CELLCO PARTNERSHIP

Call Sign: WRBA937		File Number:	Print Date:	
700 MHz Relicensed A	rea Information:			
Market	Market Name	Buildout Deadlin	ne Buildout Notification	Status

# Exhibit 5 "ZBA Decision"

4-0

Bk:	7641	5 Pg:	57
-----	------	-------	----

593/S	MASSACHUSETTS		AMERICA 9 P
A CONATA	BOARD OF ZONING A	PPEAL	2. Hic on 2.
	831 Mass Avenue, Cam (617) 349-61		CANDRIGES, THESET ACHISSIN
CASE NO:	BZA-92796		
LOCATION:	198 Broadway Inc Cambridge, MA	dustry B Zone	300K:16682 page:565
PETITIONER:	Kendall Sq. Entity, Inc. – C/o Cello C/o Daniel D. Klasnick, Esq.		
PETITION:	<b>Special Permit:</b> Modify the e removing 9 existing rooftop antenn 9 new antennas consisting of 6 ante attached to the existing mast pipe a roof of the building at a height to m remote radio heads and install 6 rem to replace 3 small junction boxes m rooftop.	as and installing 9 net ennas mounted on a si and 3 antennas on exis match the existing anten note radio heads with	w rooftop antennas. The de-by-side bracket ting pipe mast on the nnas. Remove 6 3 large junction boxes
VIOLATIONS:	Art. 4.000, Sec. 4.32.G.1 & Sec. 4.4 Facility). Art. 10.000, Sec. 10.40-10 6409A (Middle Class Tax Relief an	0.46 (Special Permit).	
DATE OF PUBLIC	NOTICE: October 8 & 15, 2020		
	HEARING: October 22, 2020	202 Bk: 76415 F	0 00237142 Pa: 57 Doc: DECIS
	E BOARD:	Page: 1 of 4	
DATE OF PUBLIC	E BOARD: CONSTANTINE ALEXAN BRENDAN SULLIVAN – JANET O. GREEN ANDREA A. HICKEY	DER – CHAIR	
DATE OF PUBLIC	CONSTANTINE ALEXAN BRENDAN SULLIVAN – JANET O. GREEN ANDREA A. HICKEY	DER – CHAIR	

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.

Case No: BZA-92796 Location: 198 Broadway

Petitioner: Kendall Sq. Entity, Inc – c/o Cellco Partnership d/b/a/Verizon Wireless – Daniel D. Klasnick, Esq.

On October 22, 2020, Petitioner's attorney Daniel Klasnick appeared before the Board of Zoning Appeal requesting a special permit in order to modify the existing mobile communications facility by removing 9 existing rooftop antennas and installing 9 new rooftop antennas, consisting of 6 antennas mounted on a side-by-side bracket attached to the existing mast pipe and 3 antennas on existing pipe mast on the roof of the building at a height to match the existing antennas, to remove 6 remote radio heads, and to install 6 remote radio heads with 3 large junction boxes to replace 3 small junction boxes mounted to existing pipe mounts on the rooftop. The Petitioner requested relief under Article 4, Sections 4.32.G.1 and 4.40 and Article 10, Section 10.40 of the Cambridge Zoning Ordinance ("Ordinance"). The Petitioner submitted materials in support of the application including information about the project, plans, and photographs.

Mr. Klasnick stated that as part of an upgrade to the existing telecommunication facility, the proposal was to swap nine antennas for nine similar antennas along with some new equipment. He stated that visually the site would look the same as it did.

The Chair asked if anyone wished to be heard on the matter, no one indicated such.

After discussion, the Chair moved that the Board make the following findings based upon the application materials submitted and all evidence before the Board and that based upon the findings the Board grant the requested relief as described in the Petitioner's submitted materials and the evidence before the Board: that the Board find that the requirements of the ordinance could not be met without the special permit; that the Board find that traffic generated or patterns of access or egress resulting from what was proposed would not cause congestion, hazard, or substantial change in established neighborhood character; that the Board find that essentially the amount and size of equipment was not being increased, just swapped out; that the Board find that the continued operation of or development of adjacent uses, as permitted in the Ordinance, would not be adversely affected by what was proposed and that the Board had received no objection from abutters; that the Board find that no nuisance or hazard would be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use, or the citizens of the City; that the Board find that, generally, what was proposed would not impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of the Ordinance; and that the Board find that the modification of the existing telecommunications facility on the site proposed by the petitioner did not substantially change the physical dimensions of the existing wireless tower or base station at such facility, within the meaning of Section 6409A of the Middle Class Tax Relief and Job Creation Act of 2012, also known as, "The Spectrum Act."

The Chair further moved that based upon all the information presented the Board grant the requested relief as described in the Petitioner's submitted materials and the evidence before the Board on the following conditions:

- that the work proceed in accordance with plans submitted by the Petitioner, as initialed by the Chair,
- that upon completion of the work, the physical appearance and visual impact of the proposed work be consistent with the photo simulations submitted by the Petitioner and initialed by the Chair,
- that the Petitioner at all times maintain the proposed work so that its physical appearance and visual impact remain consistent with the photo simulations previously referred to,

- 4. that should the Petitioner cease to utilize the equipment approved tonight for a continuous period of six months or more, it promptly thereafter remove such equipment and restore the building on which it was located to its prior condition and appearance to an extent reasonably practicable,
- that the Petitioner continue to comply with the conditions imposed by the Board with respect to previous Special Permits granted to the Petitioner with regard to the site in question,
- 6. that inasmuch as the health effects of the transmission of electromagnetic energy waves is a matter of ongoing societal concern and scientific study, the Special Permit is also subject to the following conditions:
- A. that the Petitioner shall file with the Inspectional Services Department each report it files with the federal authorities regarding electromagnetic energy wave emissions emanating from all of the Petitioner's equipment on the site. Each such report shall be filed with the Inspectional Services Department no later than ten business days after the report has been filed with the federal authorities. Failure to timely file any such report with the Inspectional Services Department shall ipso facto terminate the Special Permit granted tonight.
- B. that in the event that at any time federal authorities notify the Petitioner that its equipment on the site, including, but not limited to the special permit granted tonight, fails to comply with the requirements of law or governmental regulations, whether with regard to the emissions of electromagnetic energy waves or otherwise, the Petitioner, within ten business days of receipt of such notification of such failure, shall file with the Inspectional Services Department a report disclosing in reasonable detail that such failure has occurred and the basis for such claimed failure. The special permit shall ipso facto terminate if any of the Petitioner's federal licenses are suspended, revoked, or terminated.
- C. that to the extent a special permit has terminated pursuant to the foregoing paragraphs A and B, the Petitioner may apply to this Board for a new special permit provided that the public notice containing such application discloses in reasonable detail that the application has been filed because of a termination of the special permit pursuant to paragraphs A or B above. Any such new application shall not be deemed a repetitive petition and therefore will not be subject to the two-year period during which repetitive petitions may not be filed.
- D. that within ten business days after receipt of a Building Permit for installation of equipment subject to this petition, the Petitioner shall file with the Inspectional Services Department a sworn Affidavit of the person in charge of the installation of equipment by the Petitioner of the geographical area that includes Cambridge, stating that A, he or she has such responsibility, and B that the equipment being installed pursuant to the special permit will comply with all federal safety rules and will be situated and maintained in locations with appropriate barricades and other protections, such that individuals, including nearby residents and occupants of nearby structures, will be sufficiently protected from excessive radio frequency radiation under federal law.

The five member Board voted unanimously in favor of granting the special permit with the above conditions (Alexander, Sullivan, Monteverde, Hammer, and Marshall). Therefore, the special permit is granted as conditioned.

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.

Constantine Alexander, Chair

ATTEST: A true and accurate copy of the above decision has been filed on <u>11-19-30</u> with the Offices of the City Clerk and the Planning Board by <u>Mana Machene</u>, duly authorized representative of the Board of Zoning Appeal.

Twenty days have elapsed since the above decision was filed in the office of the City Clerk and:

no appeal has been filed; or

\_ an appeal has been filed within such twenty days.

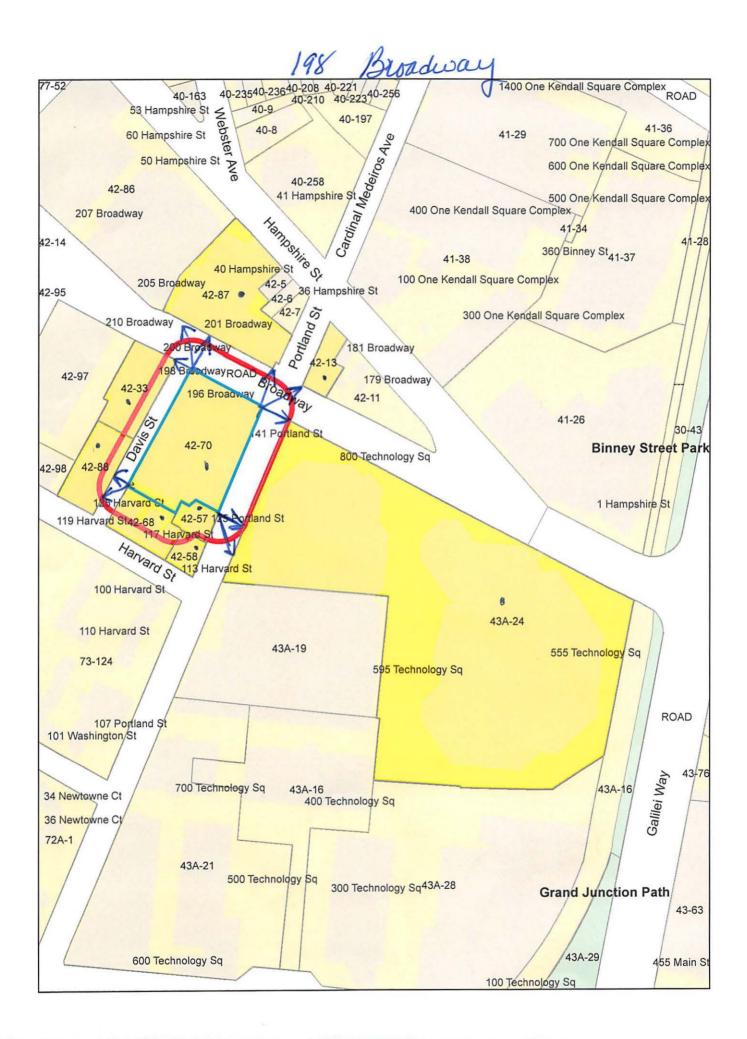
The person exercising rights under a duly appealed special permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone. This certification shall in no event terminate or shorten the tolling, during the pendency of any appeals, of the periods provided under the second paragraph of G.L. c. 40A, §6.

Date: DELEMBER 10, 2020 City Clerk

Appeal has been dismissed or denied.

Date:

City Clerk



42-57 BASTOS, GERADO 125 PORTLAND ST. CAMBRIDGE, MA 02139

42-57 AZARIAH, D'VORAH 125 PORTLAND ST #5 CAMBRIDGE, MA 02139

42-57 GEBRETSADIK, TEZERA T & SEBLE H. KIDANE 125 PORTLAND ST #1 CAMBRIDGE, MA 02139

42-57 MONTOYA, AMANDA MARLENE 125 PORTLAND ST., #4 CAMBRIDGE, MA 02139

42-33 200 BROADWAY, LLC, ATTN: CHRISTOPHER CASSEL 200 BROADWAY CAMBRIDGE, MA 02139

42-57 MURPHY OKSANA PETROVNA 125 PORTLAND ST #6 CAMBRIDGE, MA 02139

42-88 CRUZ, MARGARITA 125 HARVARD ST., #304 CAMBRIDGE, MA 02139

42-88 DENG, CHAO LI & GUAN YU CHEN 125 HARVARD ST., #404 CAMBRIDGE, MA 02139

42-88 KHALIFA, IMTIYAZ 125 HARVARD ST UNIT #303 CAMBRIDGE, MA 02139

42-88 LIU, HAOYANG & SIAN V. LIU 125 HARVARD ST. UNIT#307 CAMBRIDGE, MA 02139 198 Broadway

42-68-58 MARTINS, ALFRED & ALICE MARTINS TRS. OF THE MARTINS HARVARD REALTY TRUST & CITY OF CAMBRIDGE TAX TITLE 166 HIGHLAND AVE. SOMERVILLE, MA 02143-1506

42-57 KOCHANOWSKI, EDWARD J. & MARGERY WILSON 125 PORTLAND ST CAMBRIDGE, MA 02139

42-57 VOGEL, FRANK E. 125 PORTLAND ST., #2 CAMBRIDGE, MA 02139

42-70 U.S.T. FINANCIAL PLANNING CO., INC. C/O INTERCONTINENTAL MANAGEMENT CORP. 1270 SOLDIERS FIELD ROAD BRIGHTON, MA 02135

43A-24 CHARLES STARK DRAPER LABORATORY, INC. ATTN: ELIZABETH MORA - MS #05 555 TECHNOLOGY SQUARE CAMBRIDGE, MA 02139

42-88 DIETRICH, KERRY 125 HARVARD ST., #408 CAMBRIDGE, MA 02139

42-88 TRAHANT, REMY 125 HARVARD ST. UNIT#205 CAMBRIDGE, MA 02139

42-88 LAVINE, REBECCA 125 HARVARD ST., #401 CAMBRIDGE, MA 02139

42-88 BERNARD, ROSE M. 125 HARVARD ST. UNIT#301 CAMBRIDGE, MA 02139

42-88 CRYSTOFF, JEFFREY M. 125 HARVARD ST #206 CAMBRIDGE, MA 02139

DUVAL & KLASNICK, LLC C/O DANIEL D. KLASNICK, ESQ. P.O. BOX 254 BOXFORD, MA 01921

42-13 CAMBRIDGE ELECTRIC LIGHT CO. NSTAR ELECTRIC CO. P.O. BOX 270 HARTFORD, CT 06141-0270

42-57 LEE, HAN KYU 125 PORTLAND ST., #7 CAMBRIDGE, MA 02140

42-87 BROADWAY/HAMPSHIRE ASSOCIATES LIMITED PARTNERSHIP ONE APPLETON ST. BOSTON, MA 02116

42-88 JAS HOMEOWNERSHIP LLC C/O JUST A START CORPORATION 1035 CAMBRIDGE ST., #12 CAMBRIDGE, MA 02141

42-88 PENAGOS-VARGAS, HECTOR L. & MARIS I. ESQUITIN-CISNEROS 125 HARVARD ST UNIT #305 CAMBRIDGE, MA 02139

42-88 KAY, SUPA 125 HARVARD ST, #101 CAMBRIDGE, MA 02139

42-88 WORON, STEPHANIE 125 HARVARD ST. UNIT#306 CAMBRIDGE, MA 02139

42-88 ALI, AMINAT H. 125 HARVARD ST. UNIT#207 CAMBRIDGE, MA 02139

42-88 YENESEW, ENDESHAW W. & HASABE A. MEKONEN 125 HARVARD ST. UNIT#202 CAMBRIDGE, MA 02139

198 Broadway

42-88 GREEN, JANICE B. 125 HARVARD ST. UNIT#406 CAMBRIDGE, MA 02139

42-88 JAHAN, NASIM 125 HARVARD ST., #201 CAMBRIDGE, MA 02139 42-88 HENRIQUEZ, REYNA E. 678 MASSACHUSETTS AVE CAMBRIDGE, MA 02139

42-88 WILLIAMS, NINA M. 125 HARVARD ST UNIT #203 CAMBRIDGE, MA 02139 42-88 DAS, SUBRATA & JOYSRI DAS 125 HARVARD ST UNIT #204 CAMBRIDGE, MA 02139