

BZA APPLICATION FORM

GENERAL INFORMATION

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

Special Permit: Variance: _____ Appeal: _____
and relief pursuant to Section 6409 of the Middle Class Tax Relief Act

PETITIONER: T-Mobile Northeast LLC

PETITIONER'S ADDRESS: Prince Lobel Tye, LLP, Attn. Ricardo M. Sousa, Esq., 100 Cambridge Street, Suite 2200, Boston, MA

LOCATION OF PROPERTY: 25 Eighth Street

TYPE OF OCCUPANCY: Telecommunications ZONING DISTRICT: C-1

REASON FOR PETITION:

- Additions New Structure
- Change in Use/Occupancy Parking
- Conversion to Addi'l Dwelling Unit's Sign
- Dormer Subdivision
- Other: Section 6409(a) of the Spectrum Act relief for Special Permit for the collocation of a Wireless Facility

DESCRIPTION OF PETITIONER'S PROPOSAL:

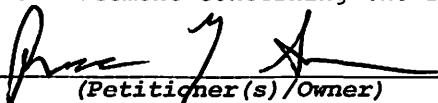
The Applicant proposes to modify the existing wireless communications facility by replacing three (3) existing panel antennas with three (3) new L700 panel antennas to be installed consistent with the existing antennas on the Building and painted to match the facade of the building. The Applicants proposal complies with Section 6409 of the Spectrum Act as the collocation of antennas is not a substantial change to the existing base station.

Moreover, the Applicants proposal complies with Section 4.32 and 10.4 of the Cambridge Zoning Code

SECTIONS OF ZONING ORDINANCE CITED:

- Article 4.00 Section 4.32 (g)(1) Utilities - Telephone Exchange
- Article 10.00 Section 10.4 - Special Permit
- Article 6409 Section Middle Class Tax Relief and Job Creation Act

Applicants for a **Variance** must complete Pages 1-5
Applicants for a **Special Permit** must complete Pages 1-4 and 6
Applicants for an **Appeal** to the BZA of a Zoning determination by the Inspectional Services Department must attach a statement concerning the reasons for the appeal

Original Signature(s): 
 (Petitioner(s)/Owner)
 Ricardo M. Sousa, Esq.
 (Print Name)

Address: 100 Cambridge Street, Suite 2200
Boston, MA 02114

Tel. No.: 617-456-8123

E-Mail Address: rsousa@princelobel.com

Date: February 22, 2016

BZA APPLICATION FORM - OWNERSHIP INFORMATION

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

I/We Cambridge Housing Authority
(OWNER)

Address: 362 Green Street, Cambridge, MA 02139

State that I/We own the property located at 25 Eighth Street,
which is the subject of this zoning application.

The record title of this property is in the name of _____
Cambridge Housing Authority

*Pursuant to a deed of duly recorded in the date April 18, 1968, Middlesex South
County Registry of Deeds at Book 11493, Page 634; or
Middlesex Registry District of Land Court, Certificate No. _____
Book _____ Page _____.

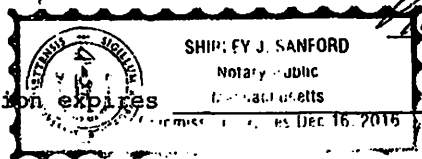


SIGNATURE BY LAND OWNER OR
AUTHORIZED TRUSTEE, OFFICER OR AGENT*

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

Commonwealth of Massachusetts, County of Middlesex

The above-name Gregory P. Russ personally appeared before me,
this 26th of January, 2016, and made oath that the above statement is true.


Shiri J. Sanford Notary
My commission expires _____ (Notary Seal).

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



February 26, 2016

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

Re: Eligible Facilities Request pursuant to Section 6409 of the
Spectrum Act and an Application for Special Permit, in the
alternative
Property Address: 25 Eighth Street, Cambridge, MA 02141
Assessor's Map 34, Lot 138 (the "Property")
Applicant: T-Mobile Northeast LLC (the "Applicant")

Dear Honorable Members of the Board of Zoning Appeals:

This firm represents T-Mobile Northeast LLC ("T-Mobile") (hereinafter, the "Applicant") in connection with an application for a special permit from the City of Cambridge Board of Zoning Appeals (the "Board"), to modify an existing wireless communications facility on the Property. The Property is located in the Residential (C-1) zoning district. To the extent that the Board determines that the requirements of Article 4 Section 4.32G.1 of the City of Cambridge Zoning Ordinance (the "Ordinance") apply, the use of the Property for a wireless telecommunications facility is permitted by special permit from the Board¹. The Applicant's proposal satisfies the requirements for the grant of a special permit pursuant to Section 10-43 of the Ordinance.

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

¹ Pursuant to Section 6409(a) of the Spectrum Act, state and local governments "may not deny and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station." As such, the Applicant submits that they need not apply for a special permit from the board. To the extent that this Board determines that the Applicants' proposed wireless facility must comply with special permit requirements set forth in Section 10-43 of the Ordinance, the Applicants submit that they have complied with said requirements, without waiving the argument that such relief is not required.

The Applicant seeks to modify its existing wireless communications facility by replacing three (3) existing panel antennas with three (3) new panel antennas, adjacent to the remaining T-Mobile antennas, and three (3) Remote Radio Head Units (“RRH”), together with supporting equipment (the “Proposed Facility”). All of the proposed replacement antennas will be located in the same location as the antennas they will be replacing and painted to match the existing façade of the building located at the Property (the “Building”), adjacent to three (3) existing T-Mobile antennas. Resulting in no net increase to the total number of antennas as previously approved under the Decisions, as defined herein. The Applicant’s facilities are shown on the Plans attached hereto and incorporated herein by reference (the “Plans”)

I. Background

The Applicant is licensed by the Federal Communications Commission (the “FCC”) to construct and operate a wireless telecommunications network in various markets throughout the country, including the Commonwealth of Massachusetts and in particular in the City of Cambridge. A copy of the Applicant’s FCC license is attached hereto. The Applicant is in the process of designing and constructing a telecommunications system to serve all of the Commonwealth of Massachusetts. One of the key design objectives of its systems is to provide seamless coverage. Such a system requires a grid of radio transmitting and receiving links located approximately .5 to 2 miles apart, depending on the location of existing and proposed installations in the surrounding area, the existing use of the network and the existing topography. The radio transmitting and receiving facilities operate on a line-of-sight basis, requiring a clear path from the facility to the user on the ground. This dynamic requires the antennas to be located in a location where the signal is not obstructed or degraded by other buildings or by topographical features such as hills.

II. Project Description

As noted above, the Applicant proposes to modify its existing wireless facility currently operating on the rooftop of the Building by replacing three (3) existing panel antennas with three (3) new T-Mobile L700 panel antennas, together with three (3) RRH’s and supporting equipment. All new antennas will be installed to be consistent with the original decision by the Zoning Board of Appeal for the City of Cambridge (the “Board”) for this facility, dated November 17, 2005 (Case No. 9197) (the “Original Decision”) and a decision by the Board dated October 25, 2012 (Case No. 10344) (the “2012 Decision”) (together, the Original Decision and the 2012 Decision are hereafter referred to as the “Decisions”) attached hereto as Tab 6. Furthermore, as the Applicant is proposing to replace existing antennas with the new antennas there will be no increase in the total number of antennas on the roof of the Building. Consequently, the visual change to the Applicant’s existing facility will be de minimus.

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

remains in good working order. The Proposed Facility will comply with all applicable local, state and federal safety codes.

III. Legal Arguments

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

Pursuant to Section 4.32(g) of the Ordinance, the Applicant's proposed use for a wireless communications facility in the C-1 and MXR zoning district is permitted by special permit. The Applicant's Proposed Facility further complies with the provisions set forth in Section 4.32(g), footnote 49 of the Ordinance:

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

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

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

T-Mobile investigated alternative sites in and around the defined geographic area within which its engineers determined that a facility must be located to fill the gap in service coverage and to function effectively within its network of existing and planned facilities. This is an existing location that is being upgraded with new technology to provide the necessary coverage to the subject area of the City of Cambridge. Therefore, the Proposed Facility in the C-1 and MXR zoning district is necessary to close the coverage gap that is illustrated on the propagation maps submitted herewith. Consequently, T-Mobile is unable to close a gap in its wireless network without obtaining the requested relief under Section 6409 of the Spectrum act or a Special Permit to modify its existing wireless facility in the C-1 and MXR zoning district.

Furthermore, Section 6409(a) of the Spectrum Act mandates that state and local governments “*may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station.*” Under Section 6409(a)(2)(A)-(C) an Eligible Facilities Request is any request to modify a Tower or Base Station that involves “collocations of new Transmission Equipment,” “removal,” or “replacement” of Transmission Equipment.

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

- 2. The Board of Zoning Appeal shall consider the extent to which the visual impact of the various elements of the proposed facility is minimized: (1) through the use of existing mechanical elements on the building’s roof or other features of the building as support and background, (2) through the use in materials that in texture and color blend with the materials to which the facilities are attached, or (3) other effective means to reduce the visual impact of the facility on the site.**

The Applicant’s design minimizes the visual impact of the Proposed Facility. The facility will be installed on the existing rooftop of the Building and consistent with the Decisions. The resulting installation will have an increased capacity to better serve the City of Cambridge without the need for an increased number of antennas on the Building. The proposed replacement antennas will be painted to match the color of the existing Building thereby minimizing any visual impacts.

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

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

The Applicant proposes to install its facility within the C-1 zoning district. Although this site is located within a residential district, residential uses do not predominate in this area. Along Cambridge Street there are numerous commercial uses, such as the East Side Bar and Grille, Skin Art Studio, New Deal Fish Market, Rock and Roll Day Care, Boston Bed Company, Alfredo's Italian Kitchen, Loyal nine Restaurant + Café and Gorgeous Nails Salon. Furthermore, there is a Funeral Home nearby, a number of religious facilities, the Cambridge Public Library and the Cambridge Schools Administration. As such, we submit that the Applicants telecommunications facility is not inconsistent with the character that does prevail in the surrounding neighborhood and that nonresidential uses predominate in the vicinity.

Furthermore, this Building houses additional wireless facilities by other providers, such as Sprint and the Board has determined, in the Decisions and other decisions that a telecommunications facility is not inconsistent with the character that prevails in this neighborhood and that nonresidential uses predominate in the vicinity of this Building.

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

B. The Applicant complies with the Special Permit Criteria set forth in Section 10-43 of the Ordinance²:

1. The requirements of the Ordinance can be met:

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

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

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

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

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

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

² Pursuant to Section 6409(a) of the Spectrum Act, state and local governments "may not deny and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station." As such, the Applicant submits that they need not apply for a special permit from the board. To the extent that this Board determines that the Applicants' proposed wireless facility must comply with special permit requirements set forth in Section 10-43 of the Ordinance, the Applicants submit that they have complied with said requirements, without waiving the argument that such relief is not required.

4. Nuisance or hazard would not be created to the detriment of the health, safety, and/or welfare of the occupant of the proposed use or the citizens of the City for the following reasons:

The operations of the proposed telecommunications facility will not adversely impact the health, safety, and the welfare of the residents of the City of Cambridge. On the contrary, the proposed use will benefit the City and promote the safety and welfare of its residents, businesses and drivers by providing reliable state-of-the-art digital wireless voice and data services. Further, the site will improve the reliability of emergency communications with the police and fire departments by eliminating dropped or blocked calls due to inadequate signal strength or insufficient network capacity to handle call volume, particularly important during emergency situations.

The Proposed Facility will comply with all federal, state and local safety requirements including the standards established by the FCC, Federal Aviation Administration (FAA), the American Standards Institute (ANSI), and the Massachusetts Department of Public Health (MDPH).

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

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

The Proposed Facility is designed to blend with the existing characteristics of the Property, reducing any visual impacts to the surrounding area. Accordingly, the Proposed Facility's design results in a minimal impact on the underlying and adjacent zoning district and is consistent with the Ordinance's intention to allow for less intrusive wireless telecommunications facilities in all districts (other than Open Space), including the C-1 zoning districts.

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

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

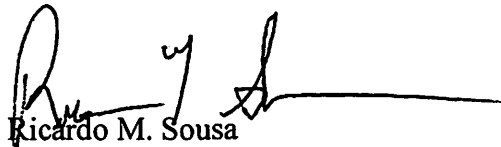
Not Applicable. The Applicant is not proposing to construct a new building or structure.

IV. Summary

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

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Ricardo M. Sousa', followed by a horizontal line extending to the right.

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

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: T-Mobile Northeast PRESENT USE/OCCUPANCY: _____

LOCATION: 25 Eighth Street ZONE: C-1

PHONE: 617-456-8123 REQUESTED USE/OCCUPANCY: Wireless Telecommunications

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS¹</u>
<u>TOTAL GROSS FLOOR AREA:</u>	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (max.)
<u>LOT AREA:</u>	<u>N/A</u>		<u>N/A</u> (min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:²</u>	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (min.)
<u>SIZE OF LOT:</u>	<u>N/A</u>		<u>N/A</u> (min.)
WIDTH			
DEPTH			
<u>Setbacks in Feet:</u>	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (min.)
FRONT			
REAR	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (min.)
LEFT SIDE	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (min.)
RIGHT SIDE	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (min.)
<u>SIZE OF BLDG.:</u>	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (max.)
HEIGHT			
LENGTH			
WIDTH			
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:³⁾</u>	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (min.)
<u>NO. OF DWELLING UNITS:</u>	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (max.)
<u>NO. OF PARKING SPACES:</u>	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (min./max)
<u>NO. OF LOADING AREAS:</u>	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (min.)
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u>	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (min.)

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

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

more commonly referred to as a "collocation".

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'.

BZA APPLICATION FORM

GENERAL INFORMATION

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

2016 MAR 7 PM 3:41
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Special Permit: X Variance: _____
and relief pursuant to Section 6409 of the Middle Class Tax Relief Act

PETITIONER: T-Mobile Northeast LLC

PETITIONER'S ADDRESS: Prince Lobel Tye, LLP, Attn. Ricardo M. Sousa, Esq., 100 Cambridge Street, Suite 2200, Boston, MA

LOCATION OF PROPERTY: 25 Eighth Street

TYPE OF OCCUPANCY: Telecommunications ZONING DISTRICT: C-1

REASON FOR PETITION:

- _____ Additions
- _____ Change in Use/Occupancy
- _____ Conversion to Addi'l Dwelling Unit's
- _____ Dormer
- X Other: Section 6409(a) of the Spectrum Act relief for Special Permit for the collocation of a Wireless Facility
- _____ New Structure
- _____ Parking
- _____ Sign
- _____ Subdivision

DESCRIPTION OF PETITIONER'S PROPOSAL:

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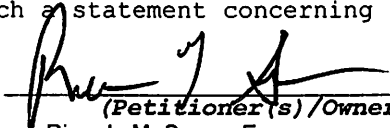
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Original Signature(s):


(Petitioner(s)/Owner)
Ricardo M. Sousa, Esq.

(Print Name)

Address: 100 Cambridge Street, Suite 2200

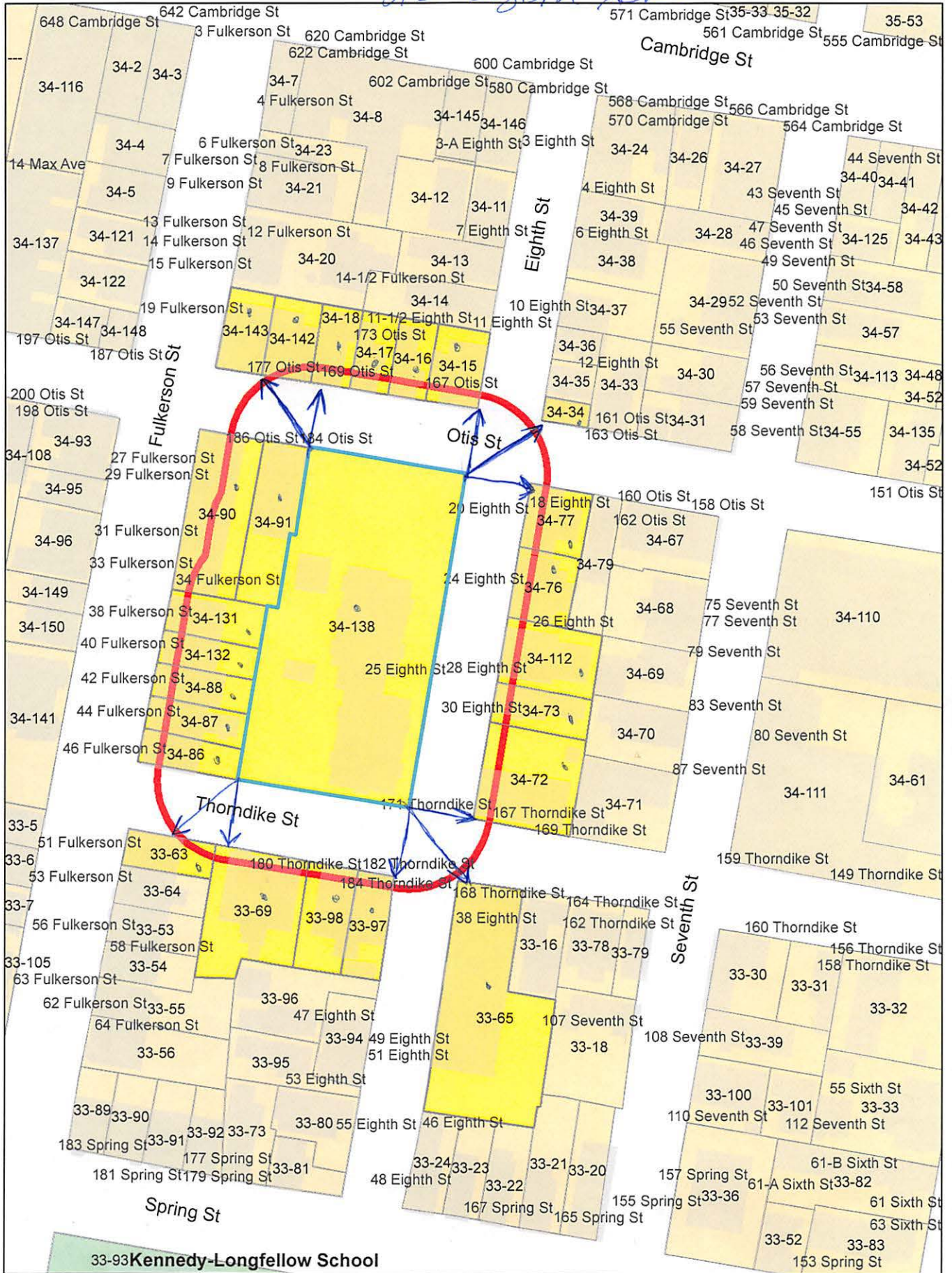
Boston, MA 02114

Tel. No.: 617-456-8123

E-Mail Address: rsousa@princelobel.com

Date: February 22, 2016

25 Eighth St.



25 Eighth St

Petitioner

34-15
CARRIERI, PHILIP L. & PAULINE A. CARRIERI
15 EIGHTH ST
CAMBRIDGE, MA 02141

34-17
CENTANNI, FREDERICK A. JR. &
ELIZABETH A. CENTANNI
168 OTIS ST
CAMBRIDGE, MA 02141

PRINCE LOBEL TYE, LLP
C/O RICARDO M. SOUSA, ESQ.
100 CAMBRIDGE STREET – SUITE 2200
BOSTON, MA 02114

34-138
CAMBRIDGE HOUSING AUTHORITY
675 MASSACHUSETTS AVE
CAMBRIDGE, MA 02139

34-142
MENDONCA, MANUEL V. &
ONDINA MENDONCA
177 OTIS ST
CAMBRIDGE, MA 02141

34-143
PEREIRA, MARIA F.
C/O MARIA DE FATINO PEREIRA
51 WARREN ST
SOMERVILLE, MA 02143

34-76
AGUIAR, GAULTER & LUCY AGUIAR,
TRUSTEE OF THE AGUIAR FAMILY TRUST
14 OLIVE ST.
WINCHESTER, MA 01890

34-86
WHEATLEY, JONATHAN I. & NAOMI WHEATLEY
46 FULKERSON ST
CAMBRIDGE, MA 02141

34-87
RONCHETTI, ELAINE
44 FULKERSON ST., #1
CAMBRIDGE, MA 02141

34-88
THOMPSON, PHILIP R. & ANNE K. THOMPSON
42 FULKERSON STREET
CAMBRIDGE, MA 02141

33-65
ELEFThERAKIS, JOHN J.
C/O EIGHTH STREET REALTY TRUST
267 NORTH BEACON STREET
BRIGHTON, MA 02135

33-69
MAGLIOZZI, TIMOTHY J. & ZELIA M. MAGLIOZZI
192 THORNDIKE ST
CAMBRIDGE, MA 02141

34-91
LONGO, KENNETH & ROSE BILLECI
184 OTIS ST. UNIT#3
CAMBRIDGE, MA 02141

34-73
HUSSEY, EDWARD C. JR. & MARGARET HUSSEY
30 EIGHTH ST
CAMBRIDGE, MA 02139

34-16
CAPPELLO, FRANCIS M. JR, &
LINDA A. FOURAUX
167 OTIS ST
CAMBRIDGE, MA 02141

34-91
MECHLING, ANN S.
184-186 OTIS ST., UNIT #1
CAMBRIDGE, MA 02141

34-77
CABRAL, LILLIAN D. &
DORENE M. CABRAL MOCHI
20 EIGHTH ST
CAMBRIDGE, MA 02141

33-63
BULYKO, IVAN I. & MELISSA P. BULYKO
52 FULKERSON ST
CAMBRIDGE, MA 02141

34-131
TRACY, JAY T.
38 FULKERSON ST
CAMBRIDGE, MA 02141

34-90
SOUSA, WALTER C.
TR. OF FULKERSON REALTY TR.
17 PRESTON ST.
SOMERVILLE, MA 02143

34-132
DEANGELO, SALVATORE P.
40 FULKERSON ST
CAMBRIDGE, MA 02141

33-97
XURE, LLC
399 HEWINS ST
SHEFFIELD, MA 01257

34-91
SAVAFI, MICKAEL
184 OTIS ST., #2
CAMBRIDGE, MA 02141

34-34
VIGILANTE, DENNIS, DAVID VIGILANTE &
SUSAN C. PILLERI
163 OTIS STREET
CAMBRIDGE, MA 02141

34-18
CAI, XIONGWEI & MEI MEI
173 OTIS ST
CAMBRIDGE, MA 02141

33-98
GIORGIO, DEBRA J.
186 THORNDIKE ST
CAMBRIDGE, MA 02141

34-72
171 THORNDIKE LLC
9 BARTLETT ST., SUITE 311
ANDOVER, MA 01810

34-112
RIBEIRO, GEORGE
26 EIGHTH STREET
CAMBRIDGE, MA 02141

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

T-Mobile Northeast LLC

**c/o Ricardo M. Sousa, Esq.
Prince Lobel Tye LLP
100 Cambridge Street, Suite 2200
Boston, MA 02114**

Applicant

**Property Location:
25 Eighth Street
Cambridge, MA 02141
Map 34, Lot 138**

**Prepared by: Ricardo M. Sousa, Esq.
Prince Lobel Tye LLP
100 Cambridge Street, Suite 2200
Boston, MA 02114
Telephone: (617) 456-8123
Facsimile: (617) 456-8100**

February 22, 2016

TABLE OF CONTENTS

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

Property located at:

**25 Eighth Street
Cambridge, MA 02141**

Map 34, Lot 138

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

1

BZA APPLICATION FORM

CHECK LIST

PROPERTY LOCATION: 25 Eighth Street DATE: 2/22/16

PETITIONER OR REPRESENTATIVE: Ricardo M. Sousa, Esq. for T-Mobile Northeast LLC

ADDRESS & PHONE: 100 Cambridge Street, Suite 2200, Boston, MA 02114

BLOCK: 34 LOT: 138

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

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Evidence of Separate Utilities **	<u>N/A</u>	<u>N/A</u>
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Petitioners are advised to refer to Attachment A (Procedures for applying to the Board of Zoning Appeal) & consult zoning staff for review.

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** Can be submitted after subdivision has been approved.

BZA APPLICATION FORM

GENERAL INFORMATION

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

Special Permit: X Variance: _____ Appeal: _____
and relief pursuant to Section 6409 of the Middle Class Tax Relief Act

PETITIONER: T-Mobile Northeast LLC

PETITIONER'S ADDRESS: Prince Lobel Tye, LLP, Attn. Ricardo M. Sousa, Esq., 100 Cambridge Street, Suite 2200, Boston, MA

LOCATION OF PROPERTY: 25 Eighth Street

TYPE OF OCCUPANCY: Telecommunications ZONING DISTRICT: C-1

REASON FOR PETITION:

_____ Additions	_____ New Structure
_____ Change in Use/Occupancy	_____ Parking
_____ Conversion to Addi'l Dwelling Unit's	_____ Sign
_____ Dormer	_____ Subdivision
<u> X </u> Other: <u> Section 6409(a) of the Spectrum Act relief for Special Permit for the collocation of a Wireless Facility </u>	

DESCRIPTION OF PETITIONER'S PROPOSAL:

The Applicant proposes to modify the existing wireless communications facility by replacing three (3) existing panel antennas with three (3) new L700 panel antennas to be installed consistent with the existing antennas on the Building and painted to match the facade of the building. The Applicants proposal complies with Section 6409 of the Spectrum Act as the collocation of antennas is not a substantial change to the existing base station.

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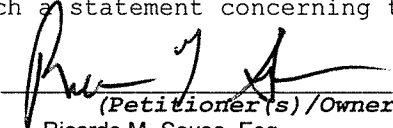
SECTIONS OF ZONING ORDINANCE CITED:

Article 4.00 Section 4.32 (g)(1) Utilities - Telephone Exchange

Article 10.00 Section 10.4 - Special Permit

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Original Signature(s): 
 (Petitioner(s)/Owner)
 Ricardo M. Sousa, Esq.

 (Print Name)

Address: 100 Cambridge Street, Suite 2200

 Boston, MA 02114

Tel. No.: 617-456-8123

E-Mail Address: rsousa@princelobel.com

Date: February 22, 2016

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

I/We Cambridge Housing Authority
(OWNER)

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State that I/We own the property located at 25 Eighth Street,
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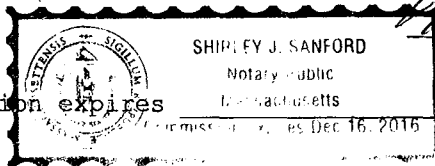
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Gregory P. Russ
SIGNATURE BY LAND OWNER OR
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*Written evidence of Agent's standing to represent petitioner may be requested.

Commonwealth of Massachusetts, County of Middlesex

The above-name Gregory P. Russ personally appeared before me,
this 26th of January, 2016, and made oath that the above statement is true.



Shipley J. Sanford Notary

My commission expires _____ (Notary Seal).

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

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: T-Mobile Northeast **PRESENT USE/OCCUPANCY:** _____

LOCATION: 25 Eighth Street **ZONE:** C-1

PHONE: 617-456-8123 **REQUESTED USE/OCCUPANCY:** Wireless Telecommunications

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS¹</u>
TOTAL GROSS FLOOR AREA:	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (max.)
LOT AREA:	<u>N/A</u>		<u>N/A</u> (min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: ²	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (max.)
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SIZE OF LOT:			
WIDTH	<u>N/A</u>		<u>N/A</u> (min.)
DEPTH			
Setbacks in Feet:			
FRONT	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (min.)
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SIZE OF BLDG.:			
HEIGHT	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (max.)
LENGTH			
WIDTH			
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Describe where applicable, other occupancies on same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g.; wood frame, concrete, brick, steel, etc.

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

more commonly referred to as a "collocation".

1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).
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BZA APPLICATION FORM

SUPPORTING STATEMENT FOR A VARIANCE

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

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

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

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- C) *DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:***

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

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

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- * If You have any questions as to whether you can establish all of the applicable legal requirements, you should consult with your own attorney.**

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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 25 Eight 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:

Please see the attached supporting statement.

- 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:

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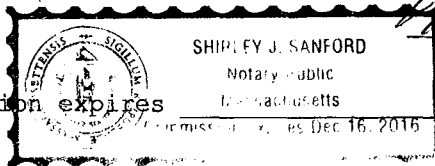
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and relief pursuant to Section 6409 of the Middle Class Tax Relief Act

PETITIONER: T-Mobile Northeast LLC

PETITIONER'S ADDRESS: Prince Lobel Tye, LLP, Attn. Ricardo M. Sousa, Esq., 100 Cambridge Street, Suite 2200, Boston, MA

LOCATION OF PROPERTY: 25 Eighth Street

TYPE OF OCCUPANCY: Telecommunications ZONING DISTRICT: C-1

REASON FOR PETITION:

- | | |
|---|-----------------------------|
| <u> </u> Additions | <u> </u> New Structure |
| <u> </u> Change in Use/Occupancy | <u> </u> Parking |
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SECTIONS OF ZONING ORDINANCE CITED:

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Original Signature(s): *Ricardo M. Sousa*
 (Petitioner(s)/Owner)
 Ricardo M. Sousa, Esq.

 (Print Name)

Address: 100 Cambridge Street, Suite 2200

 Boston, MA 02114

Tel. No.: 617-456-8123

E-Mail Address: rsousa@princelobel.com

Date: February 22, 2016

BZA APPLICATION FORM - OWNERSHIP INFORMATION

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

I/We Cambridge Housing Authority
(OWNER)

Address: 362 Green Street, Cambridge, MA 02139

State that I/We own the property located at 25 Eighth Street,
which is the subject of this zoning application.

The record title of this property is in the name of _____
Cambridge Housing Authority

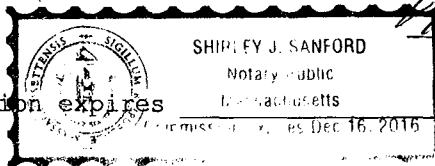
*Pursuant to a deed of duly recorded in the date April 18, 1968, Middlesex South
County Registry of Deeds at Book 11493, Page 634; or
Middlesex Registry District of Land Court, Certificate No. _____
Book _____ Page _____.

Gregory P. Russ
SIGNATURE BY LAND OWNER OR
AUTHORIZED TRUSTEE, OFFICER OR AGENT*

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

Commonwealth of Massachusetts, County of Middlesex

The above-name Gregory P. Russ personally appeared before me,
this 26th of January, 2016, and made oath that the above statement is true.



Shipley J. Sanford Notary

My commission expires _____ (Notary Seal).

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

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: T-Mobile Northeast PRESENT USE/OCCUPANCY: _____

LOCATION: 25 Eighth Street ZONE: C-1

PHONE: 617-456-8123 REQUESTED USE/OCCUPANCY: Wireless Telecommunications

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS¹</u>
TOTAL GROSS FLOOR AREA:	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (max.)
LOT AREA:	<u>N/A</u>		<u>N/A</u> (min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: ²	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (max.)
LOT AREA FOR EACH DWELLING UNIT:	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (min.)
SIZE OF LOT:			
WIDTH	<u>N/A</u>		<u>N/A</u> (min.)
DEPTH			
Setbacks in Feet:			
FRONT	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (min.)
REAR	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (min.)
LEFT SIDE	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (min.)
RIGHT SIDE	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (min.)
SIZE OF BLDG.:			
HEIGHT	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (max.)
LENGTH			
WIDTH			
RATIO OF USABLE OPEN SPACE TO LOT AREA: ³)	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (min.)
NO. OF DWELLING UNITS:	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (max.)
NO. OF PARKING SPACES:	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (min./max)
NO. OF LOADING AREAS:	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (min.)
DISTANCE TO NEAREST BLDG. ON SAME LOT:	<u>N/A</u>	<u>No Change</u>	<u>N/A</u> (min.)

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

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

more commonly referred to as a "collocation".

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'.

BZA APPLICATION FORM

SUPPORTING STATEMENT FOR A VARIANCE

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

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

N/A

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

N/A

- C) *DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:***

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

N/A

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

N/A

- * If You have any questions as to whether you can establish all of the applicable legal requirements, you should consult with your own attorney.**

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 25 Eighth 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:

Please see the attached supporting statement.

- 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:

Please see the attached supporting statement.

- 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:

Please see the attached supporting statement.

- 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:

Please see the attached supporting statement.

- 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:

2



February 26, 2016

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

Re: Eligible Facilities Request pursuant to Section 6409 of the
Spectrum Act and an Application for Special Permit, in the
alternative
Property Address: 25 Eighth Street, Cambridge, MA 02141
Assessor's Map 34, Lot 138 (the "Property")
Applicant: T-Mobile Northeast LLC (the "Applicant")

Dear Honorable Members of the Board of Zoning Appeals:

This firm represents T-Mobile Northeast LLC ("T-Mobile") (hereinafter, the "Applicant") in connection with an application for a special permit from the City of Cambridge Board of Zoning Appeals (the "Board"), to modify an existing wireless communications facility on the Property. The Property is located in the Residential (C-1) zoning district. To the extent that the Board determines that the requirements of Article 4 Section 4.32G.1 of the City of Cambridge Zoning Ordinance (the "Ordinance") apply, the use of the Property for a wireless telecommunications facility is permitted by special permit from the Board¹. The Applicant's proposal satisfies the requirements for the grant of a special permit pursuant to Section 10-43 of the Ordinance.

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

¹ Pursuant to Section 6409(a) of the Spectrum Act, state and local governments "may not deny and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station." As such, the Applicant submits that they need not apply for a special permit from the board. To the extent that this Board determines that the Applicants' proposed wireless facility must comply with special permit requirements set forth in Section 10-43 of the Ordinance, the Applicants submit that they have complied with said requirements, without waiving the argument that such relief is not required.

The Applicant seeks to modify its existing wireless communications facility by replacing three (3) existing panel antennas with three (3) new panel antennas, adjacent to the remaining T-Mobile antennas, and three (3) Remote Radio Head Units (“RRH”), together with supporting equipment (the “Proposed Facility”). All of the proposed replacement antennas will be located in the same location as the antennas they will be replacing and painted to match the existing façade of the building located at the Property (the “Building”), adjacent to three (3) existing T-Mobile antennas. Resulting in no net increase to the total number of antennas as previously approved under the Decisions, as defined herein. The Applicant’s facilities are shown on the Plans attached hereto and incorporated herein by reference (the “Plans”)

I. Background

The Applicant is licensed by the Federal Communications Commission (the “FCC”) to construct and operate a wireless telecommunications network in various markets throughout the country, including the Commonwealth of Massachusetts and in particular in the City of Cambridge. A copy of the Applicant’s FCC license is attached hereto. The Applicant is in the process of designing and constructing a telecommunications system to serve all of the Commonwealth of Massachusetts. One of the key design objectives of its systems is to provide seamless coverage. Such a system requires a grid of radio transmitting and receiving links located approximately .5 to 2 miles apart, depending on the location of existing and proposed installations in the surrounding area, the existing use of the network and the existing topography. The radio transmitting and receiving facilities operate on a line-of-sight basis, requiring a clear path from the facility to the user on the ground. This dynamic requires the antennas to be located in a location where the signal is not obstructed or degraded by other buildings or by topographical features such as hills.

II. Project Description

As noted above, the Applicant proposes to modify its existing wireless facility currently operating on the rooftop of the Building by replacing three (3) existing panel antennas with three (3) new T-Mobile L700 panel antennas, together with three (3) RRH’s and supporting equipment. All new antennas will be installed to be consistent with the original decision by the Zoning Board of Appeal for the City of Cambridge (the “Board”) for this facility, dated November 17, 2005 (Case No. 9197) (the “Original Decision”) and a decision by the Board dated October 25, 2012 (Case No. 10344) (the “2012 Decision”) (together, the Original Decision and the 2012 Decision are hereafter referred to as the “Decisions”) attached hereto as Tab 6. Furthermore, as the Applicant is proposing to replace existing antennas with the new antennas there will be no increase in the total number of antennas on the roof of the Building. Consequently, the visual change to the Applicant’s existing facility will be de minimus.

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

remains in good working order. The Proposed Facility will comply with all applicable local, state and federal safety codes.

III. Legal Arguments

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

Pursuant to Section 4.32(g) of the Ordinance, the Applicant's proposed use for a wireless communications facility in the C-1 and MXR zoning district is permitted by special permit. The Applicant's Proposed Facility further complies with the provisions set forth in Section 4.32(g), footnote 49 of the Ordinance:

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

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

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

T-Mobile investigated alternative sites in and around the defined geographic area within which its engineers determined that a facility must be located to fill the gap in service coverage and to function effectively within its network of existing and planned facilities. This is an existing location that is being upgraded with new technology to provide the necessary coverage to the subject area of the City of Cambridge. Therefore, the Proposed Facility in the C-1 and MXR zoning district is necessary to close the coverage gap that is illustrated on the propagation maps submitted herewith. Consequently, T-Mobile is unable to close a gap in its wireless network without obtaining the requested relief under Section 6409 of the Spectrum act or a Special Permit to modify its existing wireless facility in the C-1 and MXR zoning district.

Furthermore, Section 6409(a) of the Spectrum Act mandates that state and local governments “*may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station.*” Under Section 6409(a)(2)(A)-(C) an Eligible Facilities Request is any request to modify a Tower or Base Station that involves “collocations of new Transmission Equipment,” “removal,” or “replacement” of Transmission Equipment.

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

- 2. The Board of Zoning Appeal shall consider the extent to which the visual impact of the various elements of the proposed facility is minimized: (1) through the use of existing mechanical elements on the building’s roof or other features of the building as support and background, (2) through the use in materials that in texture and color blend with the materials to which the facilities are attached, or (3) other effective means to reduce the visual impact of the facility on the site.**

The Applicant’s design minimizes the visual impact of the Proposed Facility. The facility will be installed on the existing rooftop of the Building and consistent with the Decisions. The resulting installation will have an increased capacity to better serve the City of Cambridge without the need for an increased number of antennas on the Building. The proposed replacement antennas will be painted to match the color of the existing Building thereby minimizing any visual impacts.

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

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

The Applicant proposes to install its facility within the C-1 zoning district. Although this site is located within a residential district, residential uses do not predominate in this area. Along Cambridge Street there are numerous commercial uses, such as the East Side Bar and Grille, Skin Art Studio, New Deal Fish Market, Rock and Roll Day Care, Boston Bed Company, Alfredo's Italian Kitchen, Loyal nine Restaurant + Café and Gorgeous Nails Salon. Furthermore, there is a Funeral Home nearby, a number of religious facilities, the Cambridge Public Library and the Cambridge Schools Administration. As such, we submit that the Applicants telecommunications facility is not inconsistent with the character that does prevail in the surrounding neighborhood and that nonresidential uses predominate in the vicinity.

Furthermore, this Building houses additional wireless facilities by other providers, such as Sprint and the Board has determined, in the Decisions and other decisions that a telecommunications facility is not inconsistent with the character that prevails in this neighborhood and that nonresidential uses predominate in the vicinity of this Building.

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

B. The Applicant complies with the Special Permit Criteria set forth in Section 10-43 of the Ordinance²:

1. The requirements of the Ordinance can be met:

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

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

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

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

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

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

² Pursuant to Section 6409(a) of the Spectrum Act, state and local governments "may not deny and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station." As such, the Applicant submits that they need not apply for a special permit from the board. To the extent that this Board determines that the Applicants' proposed wireless facility must comply with special permit requirements set forth in Section 10-43 of the Ordinance, the Applicants submit that they have complied with said requirements, without waiving the argument that such relief is not required.

4. Nuisance or hazard would not be created to the detriment of the health, safety, and/or welfare of the occupant of the proposed use or the citizens of the City for the following reasons:

The operations of the proposed telecommunications facility will not adversely impact the health, safety, and the welfare of the residents of the City of Cambridge. On the contrary, the proposed use will benefit the City and promote the safety and welfare of its residents, businesses and drivers by providing reliable state-of-the-art digital wireless voice and data services. Further, the site will improve the reliability of emergency communications with the police and fire departments by eliminating dropped or blocked calls due to inadequate signal strength or insufficient network capacity to handle call volume, particularly important during emergency situations.

The Proposed Facility will comply with all federal, state and local safety requirements including the standards established by the FCC, Federal Aviation Administration (FAA), the American Standards Institute (ANSI), and the Massachusetts Department of Public Health (MDPH).

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

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

The Proposed Facility is designed to blend with the existing characteristics of the Property, reducing any visual impacts to the surrounding area. Accordingly, the Proposed Facility's design results in a minimal impact on the underlying and adjacent zoning district and is consistent with the Ordinance's intention to allow for less intrusive wireless telecommunications facilities in all districts (other than Open Space), including the C-1 zoning districts.

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

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

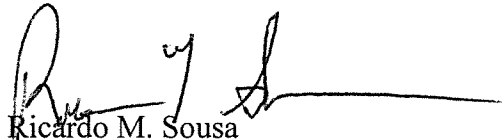
Not Applicable. The Applicant is not proposing to construct a new building or structure.

IV. Summary

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

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Ricardo M. Sousa', with a long horizontal line extending to the right.

Ricardo M. Sousa

Direct: 617-456-8123

Email: rsousa@princelobel.com

3

T-Mobile®

T-MOBILE NORTHEAST LLC

T-MOBILE SITE #: 4BN0035B
SITE NAME: BN035/HARRY S. TRUMAN
25 EIGHT ST.
CAMBRIDGE, MA 02141

T-Mobile

T-MOBILE NORTHEAST LLC
 A DELAWARE LIMITED LIABILITY COMPANY

15 COMMERCE WAY, SUITE B
 NORTON, MA 02766
 PHONE: (508) 286-2700
 FAX: (508) 286-2883

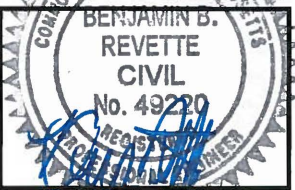


328 WEST SHORE DRIVE, SUITE 1-A
 MARBLEHEAD, MA 01945
 PHONE: (781) 632-0265
 FAX: (781) 631-6267

Dewberry

Dewberry Engineers Inc.

280 SUMMER STREET
 10TH FLOOR
 BOSTON, MA 02210
 PHONE: 617.695.3400
 FAX: 617.695.3810



SITE CONFIGURATION:
702CC

APPROVALS

LANDLORD _____
 LEASING _____
 R.F. _____
 ZONING _____
 CONSTRUCTION _____
 A/E _____

PROJECT NO: 50037672

JOB NO: 50074282

DRAWN BY: MR

CHECKED BY: OAS

SUBMITTALS

0	07/23/15	FOR SUBMITTAL
A	06/16/15	FOR REVIEW

4BN0035B
BN035/HARRY S.
TRUMAN
25 EIGHTH ST.
CAMBRIDGE, MA 02141

SHEET TITLE

TITLE SHEET

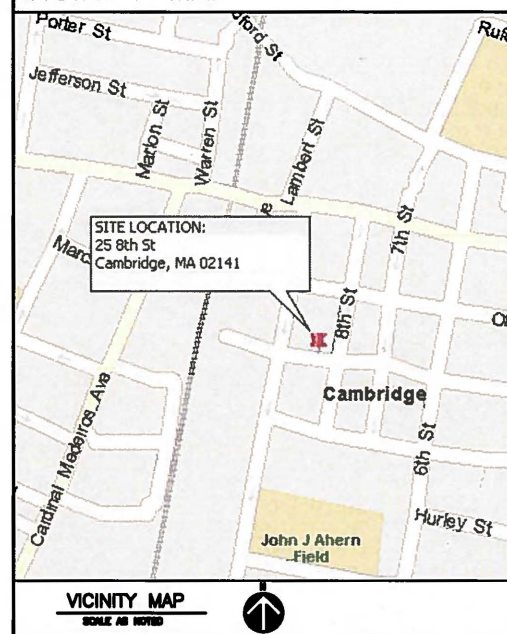
SHEET NUMBER

T-1

GENERAL NOTES

- THE CONTRACTOR SHALL GIVE ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY, MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS, AND LOCAL AND STATE JURISDICTIONAL CODES BEARING ON THE PERFORMANCE OF THE WORK. THE WORK PERFORMED ON THE PROJECT AND THE MATERIALS INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS, AND ORDINANCES.
- THE ARCHITECT/ENGINEER HAVE MADE EVERY EFFORT TO SET FORTH IN THE CONSTRUCTION AND CONTRACT DOCUMENTS THE COMPLETE SCOPE OF WORK. THE CONTRACTOR BIDDING THE JOB IS NEVERTHELESS CAUTIONED THAT MINOR OMISSIONS OR ERRORS IN THE DRAWINGS AND OR SPECIFICATIONS SHALL NOT EXCUSE SAID CONTRACTOR FROM COMPLETING THE PROJECT AND IMPROVEMENTS IN ACCORDANCE WITH THE INTENT OF THESE DOCUMENTS.
- THE CONTRACTOR OR BIDDER SHALL BEAR THE RESPONSIBILITY OF NOTIFYING (IN WRITING) THE LESSEE REPRESENTATIVE OF ANY CONFLICTS, ERRORS, OR OMISSIONS PRIOR TO THE SUBMISSION OF CONTRACTOR'S PROPOSAL OR PERFORMANCE OF WORK. IN THE EVENT OF DISCREPANCIES THE CONTRACTOR SHALL PRICE THE MORE COSTLY OR EXTENSIVE WORK, UNLESS DIRECTED IN WRITING OTHERWISE.
- THE SCOPE OF WORK SHALL INCLUDE FURNISHING ALL MATERIALS, EQUIPMENT, LABOR AND ALL OTHER MATERIALS AND LABOR DEEMED NECESSARY TO COMPLETE THE WORK/PROJECT AS DESCRIBED HEREIN.
- THE CONTRACTOR SHALL VISIT THE JOB SITE PRIOR TO THE SUBMISSION OF BIDS OR PERFORMING WORK TO FAMILIARIZE HIMSELF WITH THE FIELD CONDITIONS AND TO VERIFY THAT THE PROJECT CAN BE CONSTRUCTED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
- THE CONTRACTOR SHALL OBTAIN AUTHORIZATION TO PROCEED WITH CONSTRUCTION PRIOR TO STARTING WORK ON ANY ITEM NOT CLEARLY DEFINED BY THE CONSTRUCTION DRAWINGS / CONTRACT DOCUMENTS.
- THE CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS ACCORDING TO THE MANUFACTURER'S / VENDOR'S SPECIFICATIONS UNLESS NOTED OTHERWISE OR WHERE LOCAL CODES OR ORDINANCES TAKE PRECEDENCE.
- THE CONTRACTOR SHALL PROVIDE A FULL SET OF CONSTRUCTION DOCUMENTS AT THE SITE UPDATED WITH THE LATEST REVISIONS AND ADDENDUMS OR CLARIFICATIONS AVAILABLE FOR THE USE BY ALL PERSONNEL INVOLVED WITH THE PROJECT.
- THE CONTRACTOR SHALL SUPERVISE AND DIRECT THE PROJECT DESCRIBED HEREIN. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES AND FOR COORDINATING ALL PORTIONS OF THE WORK UNDER THE CONTRACT.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ALL NECESSARY CONSTRUCTION CONTROL SURVEYS, ESTABLISHING AND MAINTAINING ALL LINES AND GRADES REQUIRED TO CONSTRUCT ALL IMPROVEMENTS AS SHOWN HEREIN.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS AND INSPECTIONS WHICH MAY BE REQUIRED FOR THE WORK BY THE ARCHITECT/ENGINEER, THE STATE, COUNTY OR LOCAL GOVERNMENT AUTHORITY.
- THE CONTRACTOR SHALL MAKE NECESSARY PROVISIONS TO PROTECT EXISTING IMPROVEMENTS, EASEMENTS, PAVING, CURBS, ETC. DURING CONSTRUCTION. UPON COMPLETION OF WORK, THE CONTRACTOR SHALL REPAIR ANY DAMAGE THAT MAY HAVE OCCURRED DUE TO CONSTRUCTION ON OR ABOUT THE PROPERTY.
- THE CONTRACTOR SHALL KEEP THE GENERAL WORK AREA CLEAN AND HAZARD FREE DURING CONSTRUCTION AND DISPOSE OF ALL DIRT, DEBRIS, RUBBISH AND REMOVE EQUIPMENT NOT SPECIFIED AS REMAINING ON THE PROPERTY. PREMISES SHALL BE LEFT IN CLEAN CONDITION AND FREE FROM PAINT SPOTS, DUST, OR SMUDGES OF ANY NATURE.
- THE CONTRACTOR SHALL COMPLY WITH ALL OSHA REQUIREMENTS AS THEY APPLY TO THIS PROJECT.
- THE CONTRACTOR SHALL NOTIFY THE LESSEE REPRESENTATIVE WHERE A CONFLICT OCCURS ON ANY OF THE CONTRACT DOCUMENTS. THE CONTRACTOR IS NOT TO ORDER MATERIAL OR CONSTRUCT ANY PORTION OF THE WORK THAT IS IN CONFLICT UNTIL CONFLICT IS RESOLVED BY THE LESSEE REPRESENTATIVE.
- THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, ELEVATIONS, PROPERTY LINES, ETC. ON THE JOB.
- ALL UNDERGROUND UTILITY INFORMATION WAS DETERMINED FROM SURFACE INVESTIGATIONS AND EXISTING PLANS OF RECORD. THE CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES IN THE FIELD PRIOR TO ANY SITE WORK. CALL THE FOLLOWING FOR ALL PRE-CONSTRUCTION NOTIFICATION 72-HOURS PRIOR TO ANY EXCAVATION ACTIVITY: DIG SAFE SYSTEM (MA, ME, NH, RI, VT): 1-888-344-7233 CALL BEFORE YOU DIG
- PER FCC MANDATE, ENHANCED EMERGENCY (E911) SERVICE IS REQUIRED TO MEET NATIONWIDE STANDARDS FOR WIRELESS COMMUNICATIONS SYSTEMS. PROJECT OWNER IMPLEMENTATION REQUIRES DEPLOYMENT OF EQUIPMENT AND ANTENNAS GENERALLY DEPICTED ON THIS PLAN, ATTACHED TO OR MOUNTED IN CLOSE PROXIMITY TO THE BTS RADIO CABINETS. THE PROJECT OWNER RESERVES THE RIGHT TO MAKE REASONABLE MODIFICATIONS TO E911 EQUIPMENT AND LOCATION AS TECHNOLOGY EVOLVES TO MEET REQUIRED SPECIFICATIONS.

VICINITY MAP



VICINITY MAP
 SCALE AS NOTED

DO NOT SCALE DRAWINGS

CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE T-MOBILE NORTHEAST LLC REPRESENTATIVE IN WRITING OF DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

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

SHEET INDEX

SHT. NO.	DESCRIPTION	REV. NO.
T-1	TITLE SHEET	0
C-1	ROOF PLAN	0
C-2	ELEVATION	0
C-3	ANTENNA MOUNTING DETAILS	0
E-1	GROUNDING NETWORK DETAILS	0

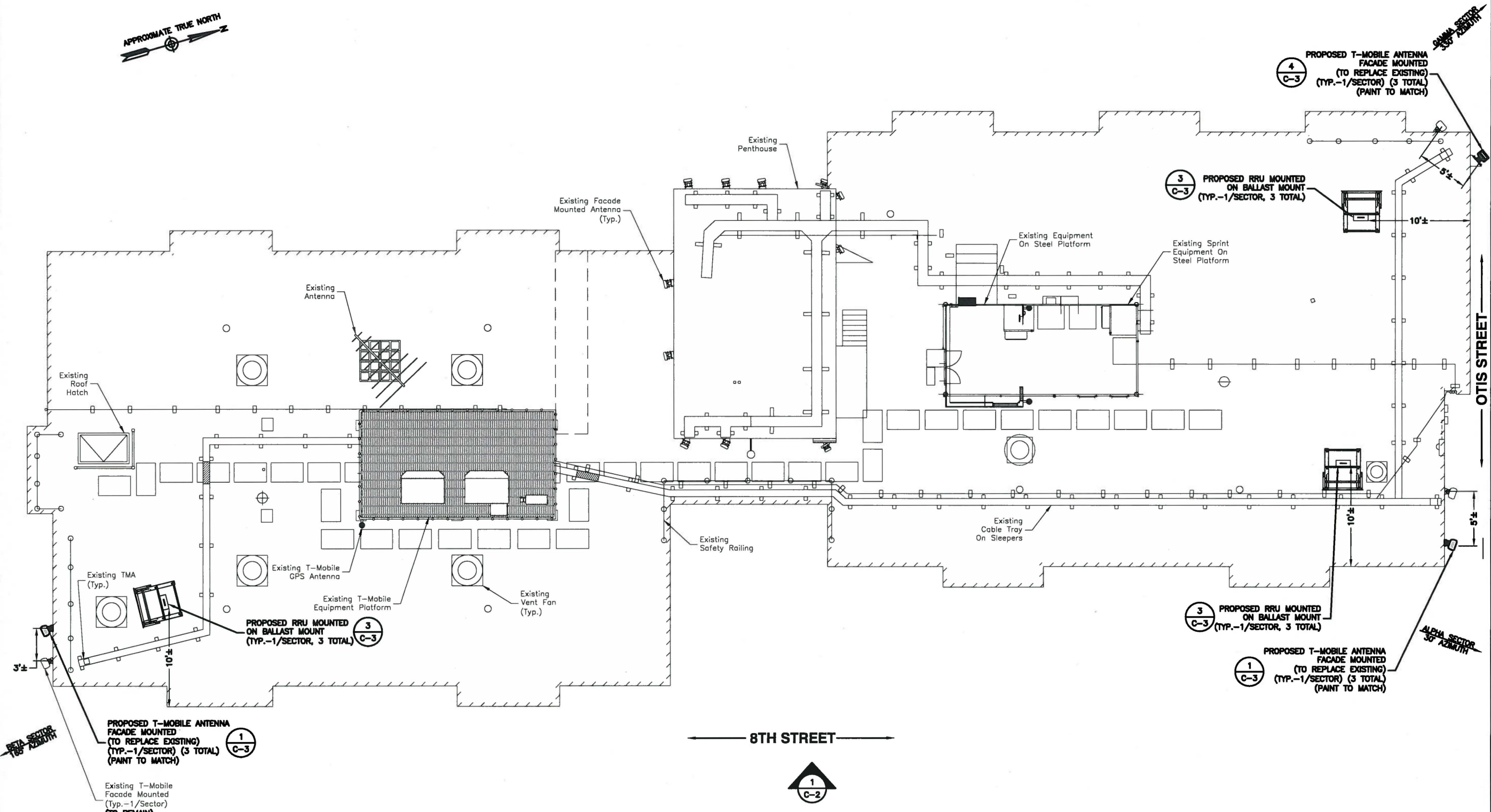
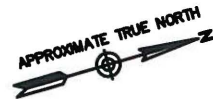
APPROVED
 By dgoldsmith at 10:15 am, Jul 31, 2015

PROJECT SUMMARY

SITE NUMBER: 4BN0035B
SITE NAME: 4BN0035B/HARRY S. TRUMAN
SITE ADDRESS: 25 EIGHT ST. CAMBRIDGE, MA 02141
ZONING DISTRICT: C-1 RESIDENCE
MAP/LOT: 34/138
CONSTRUCTION TYPE: ROOF TOP
PROPERTY OWNER: CAMBRIDGE HOUSING AUTHORITY 675 MASSACHUSETTS AVENUE CAMBRIDGE, MA 02139
APPLICANT, LESSEE/LICENSEE, PROJECT OWNER: T-MOBILE NORTHEAST LLC, 15 COMMERCE WAY, SUITE B NORTON, MA 02766

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.



- NOTES:**
1. NORTH SHOWN AS APPROXIMATE.
 2. SOME EXISTING & PROPOSED INFORMATION NOT SHOWN FOR CLARITY.
 3. INSPECT MOUNTS FOR DAMAGE OR DECAY AND REPLACE AS NEEDED.
 4. ALL ANTENNAS AND MOUNTING HARDWARE SHALL BE PAINTED TO MATCH EXISTING BUILDING FACADE.
 5. TOP OF PROPOSED ANTENNAS SHALL MATCH EXISTING TOP OF ANTENNAS.

ROOF PLAN
 SCALE: 1"=10' FOR 11"x17"
 1"=5' FOR 22"x34"
 0' 5' 10'

T-Mobile
 T-MOBILE NORTHEAST LLC
 A DELAWARE LIMITED LIABILITY COMPANY
 15 COMMERCE WAY, SUITE B
 NORTON, MA 02716
 PHONE: (508) 286-2700
 FAX: (508) 286-2883

NANEPASHEMET
 PROJECT MANAGEMENT
 328 WEST SHORE DRIVE, SUITE 1-A
 MARBLEHEAD, MA 01945
 PHONE: (781) 632-0265
 FAX: (781) 631-8267

Dewberry
 Dewberry Engineers Inc.
 280 SUMMER STREET
 10TH FLOOR
 BOSTON, MA 02210
 PHONE: 617.895.3400
 FAX: 617.895.3310
 BENJAMIN D. REVETTE
 CIVIL
 No. 49220

SITE CONFIGURATION:
 702CC

APPROVALS

LANDLORD _____
 LEASING _____
 R.F. _____
 ZONING _____
 CONSTRUCTION _____
 A/E _____

PROJECT NO: 50037672
JOB NO: 50074282
DRAWN BY: MR
CHECKED BY: OAS

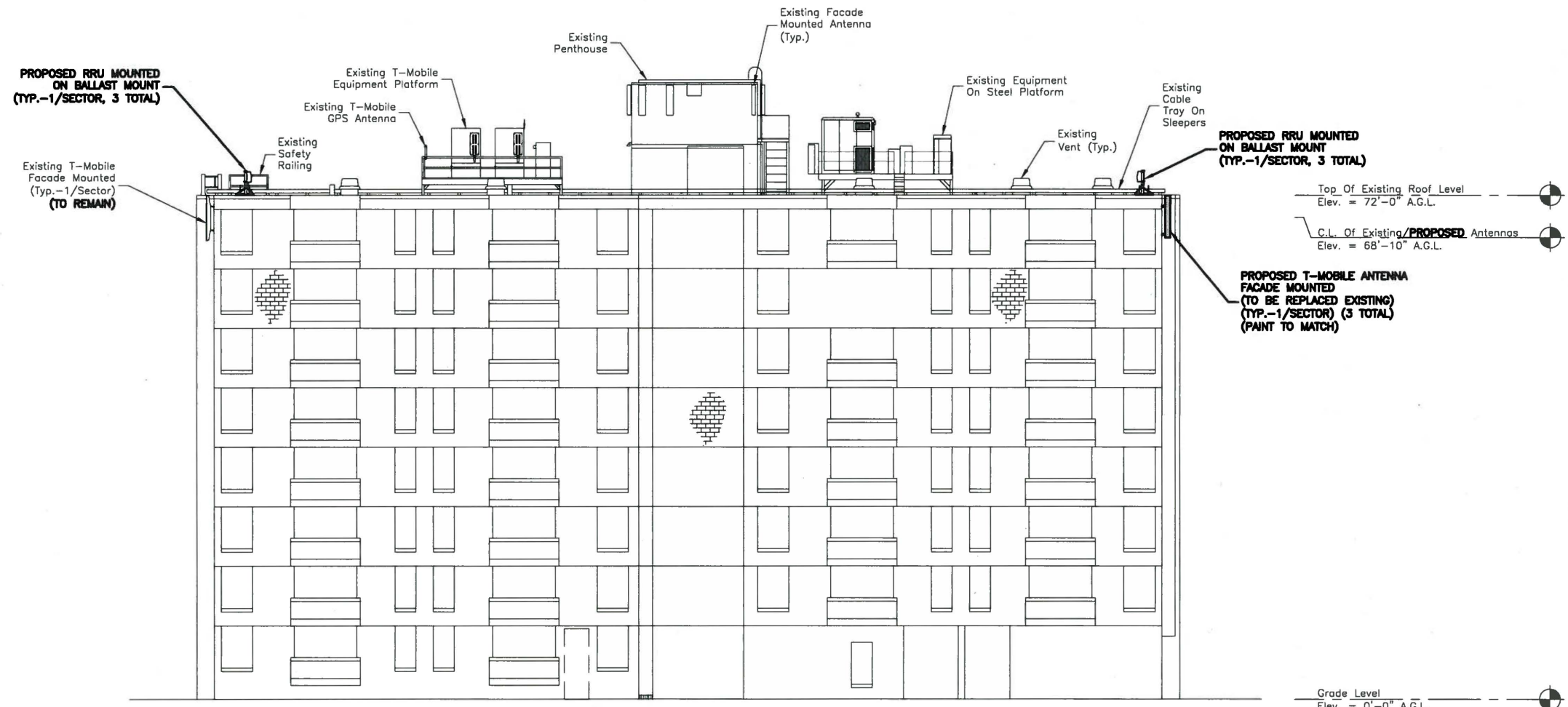
SUBMITTALS

0	07/23/15	FOR SUBMITTAL
A	06/16/15	FOR REVIEW

4BN0035B
 BN035/HARRY S. TRUMAN
 25 EIGHTH ST.
 CAMBRIDGE, MA 02141

SHEET TITLE
 ROOF PLAN

SHEET NUMBER
 C-1



ELEVATION
 SCALE: 1"=20' FOR 11"x17"
 1"=10' FOR 22"x34"
 0' 10' 20'

- NOTES:**
- ELEVATIONS SHOWN AS APPROXIMATE.
 - SOME EXISTING & PROPOSED INFORMATION NOT SHOWN FOR CLARITY.
 - INSPECT MOUNTS FOR DAMAGE OR DECAY AND REPLACE AS NEEDED.
 - ALL ANTENNAS AND MOUNTING HARDWARE SHALL BE PAINTED TO MATCH EXISTING BUILDING FACADE.
 - TOP OF PROPOSED ANTENNAS SHALL MATCH EXISTING TOP OF ANTENNAS.

T-Mobile
 T-MOBILE NORTHEAST LLC
 A DELAWARE LIMITED LIABILITY COMPANY
 15 COMMERCE WAY, SUITE B
 HORTON, MA 02716
 PHONE: (508) 286-2700
 FAX: (508) 286-2893

NANEPASHEMET
 PROJECT MANAGEMENT
 328 WEST SHORE DRIVE, SUITE 1-A
 MARBLEHEAD, MA 01945
 PHONE: (781) 632-0265
 FAX: (781) 631-8267

Dewberry
 Dewberry Engineers Inc.
 280 SUMMER STREET
 10TH FLOOR
 BOSTON, MA 02210
 PHONE: 617-695-3400
 FAX: 617-695-3310
 REGISTERED PROFESSIONAL ENGINEER
 REVETTE CIVIL
 No. 49220

SITE CONFIGURATION:
 702CC
APPROVALS
 LANDLORD _____
 LEASING _____
 R.F. _____
 ZONING _____
 CONSTRUCTION _____
 A/E _____

PROJECT NO: 50037672
JOB NO: 50074282
DRAWN BY: MR
CHECKED BY: OAS

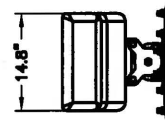
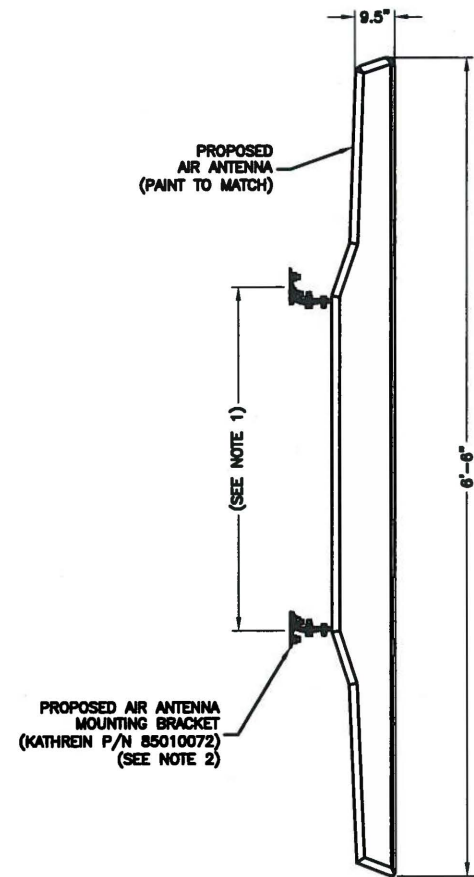
SUBMITTALS

0	07/23/15	FOR SUBMITTAL
A	08/16/15	FOR REVIEW

4BN0035B
 BN035/HARRY S.
 TRUMAN
 25 EIGHTH ST.
 CAMBRIDGE, MA 02141

SHEET TITLE
 ELEVATION

SHEET NUMBER
 C-2



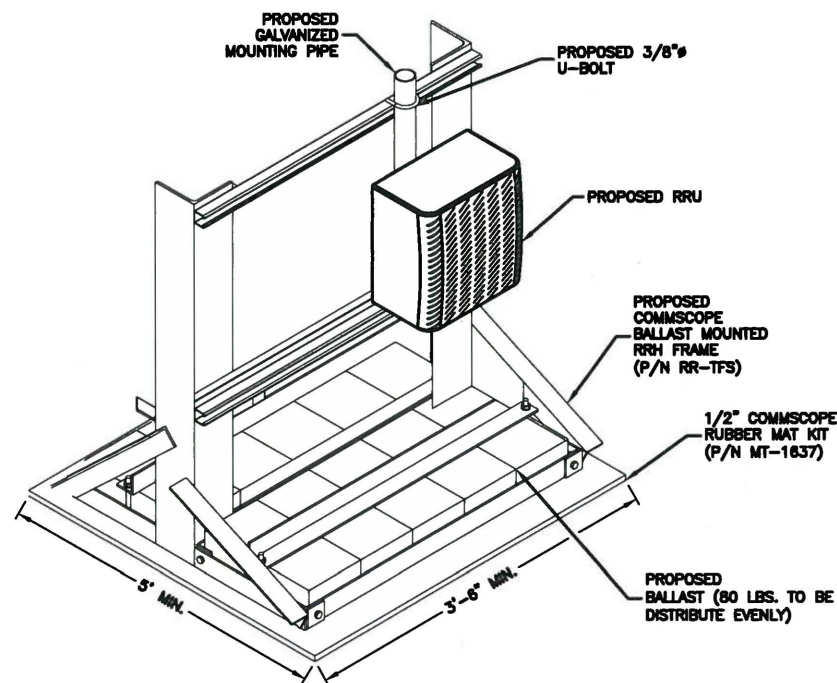
NOTES:

1. VERIFY VERTICAL CENTER TO CENTER MEASUREMENT WITH ANTENNA MANUFACTURER.
2. CONTRACTOR TO PROVIDE & INSTALL 1/2" HIT-HY-70 ADHESIVE ANCHOR WITH SCREENTUBE, 6" MIN. EMBEDMENT INTO WALL FOR MASONRY OR 1/2" HIT-HY-200 ADHESIVE ANCHOR WITH 4-1/2" MIN EMBEDMENT INTO CONCRETE. FIELD VERIFY WALL CONSTRUCTION TYPE.

AIR ANTENNA DETAIL

SCALE: N.T.S.

1



NOTES:

1. ALL HARDWARE TO BE GALVANIZED.
2. 2" MIN. CLEARANCE ON RRU FRONT, 1'-6" ON TOP, 4" ON SIDE.
3. MAXIMUM LOAD PER RRU'S BALLAST MOUNT IS 300 LBS.

RRH BALLAST FRAME DETAIL

SCALE: N.T.S.

3

T-MOBILE RF SYSTEM SCHEDULE*

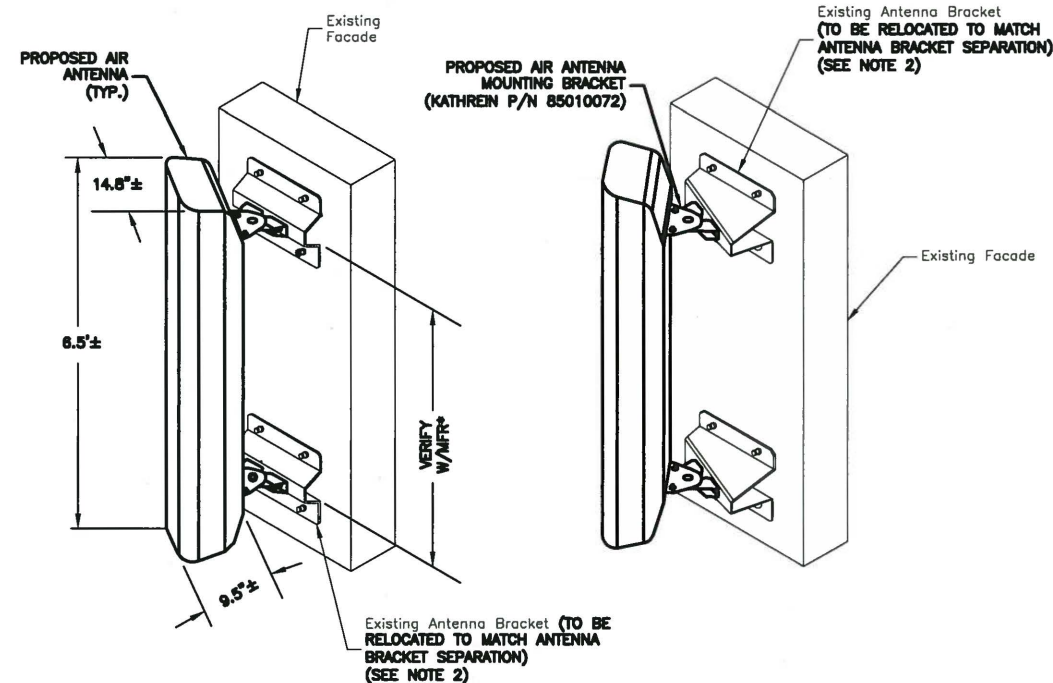
SECTOR	EXISTING ANTENNA		PROPOSED ANTENNA	
	QTY.	ANTENNA MODEL & DIMENSIONS	QTY.	ANTENNA MODEL & DIMENSIONS
ALPHA	1	ERICSSON AIR21 B2A/B4P (56"Hx12"Wx7.9"D)	1	ERICSSON AIR21 B2A/B4P (56"Hx12"Wx7.9"D)
	1	ERICSSON AIR21 B4A/B2P (56"Hx12"Wx7.9"D)	1	ERICSSON AIR21 B4A/B12P B8P (78"x14.8"x9.5")
BETA	1	ERICSSON AIR21 B2A/B4P (56"Hx12"Wx7.9"D)	1	ERICSSON AIR21 B2A/B4P (56"Hx12"Wx7.9"D)
	1	ERICSSON AIR21 B4A/B2P (56"Hx12"Wx7.9"D)	1	ERICSSON AIR21 B4A/B12P B8P (78"x14.8"x9.5")
GAMMA	1	ERICSSON AIR21 B2A/B4P (56"Hx12"Wx7.9"D)	1	ERICSSON AIR21 B2A/B4P (56"Hx12"Wx7.9"D)
	1	ERICSSON AIR21 B4A/B2P (56"Hx12"Wx7.9"D)	1	ERICSSON AIR21 B4A/B12P B8P (78"x14.8"x9.5")

*VERIFY ALL INFORMATION WITH LATEST RF DATA SHEET AND T-MOBILE RF PRIOR TO CONSTRUCTION

RF SCHEDULE

SCALE: N.T.S.

2



NOTES:

1. VERIFY VERTICAL CENTER TO CENTER MEASUREMENT WITH ANTENNA MANUFACTURER.
2. GROUT, SEAL AND WEATHERPROOF ALL PREVIOUS ANCHOR HOLES FROM BRACKET RELOCATION AND REPAIR WALL AS REQUIRED.

GAMMA SECTOR ANTENNA DETAIL

SCALE: N.T.S.

4

T-Mobile

T-MOBILE NORTHEAST LLC
A DELAWARE LIMITED LIABILITY COMPANY

15 COMMERCE WAY, SUITE B
NORTON, MA 02716
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FAX: (508) 286-2883

NANEPASHEMET
PROJECT MANAGEMENT

328 WEST SHORE DRIVE, SUITE 1-A
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PHONE: (781) 632-0265
FAX: (781) 631-6267

Dewberry

Dewberry Engineers Inc.

280 SUMMER STREET
10TH FLOOR
BOSTON, MA 02210
PHONE: 617.699.3400
FAX: 617.695.3310



SITE CONFIGURATION:

702CC

APPROVALS

LANDLORD _____

LEASING _____

R.F. _____

ZONING _____

CONSTRUCTION _____

A/E _____

PROJECT NO: 50037672

JOB NO: 50074282

DRAWN BY: MR

CHECKED BY: OAS

SUBMITTALS

REV	DATE	DESCRIPTION
0	07/23/15	FOR SUBMITTAL
A	08/16/15	FOR REVIEW

4BN0035B
BN035/HARRY S.
TRUMAN
25 EIGHTH ST.
CAMBRIDGE, MA 02141

SHEET TITLE

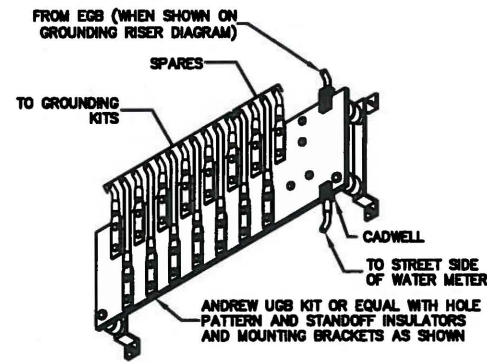
ANTENNA MOUNTING
DETAILS

SHEET NUMBER

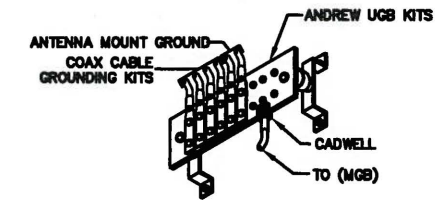
C-3

ELECTRICAL & GROUNDING NOTES

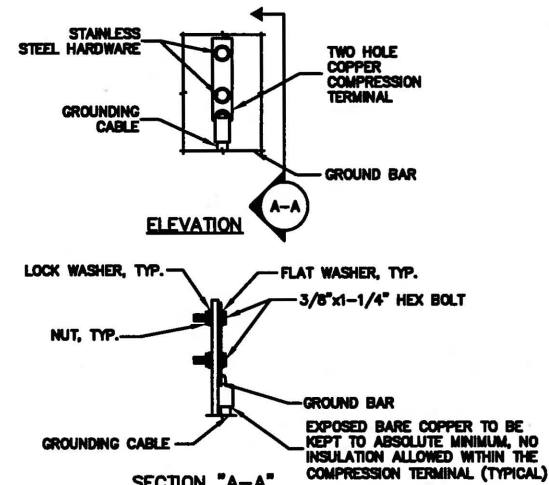
- ALL ELECTRICAL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE NATIONAL ELECTRICAL CODE (NEC) AS WELL AS APPLICABLE STATE AND LOCAL CODES.
- ALL ELECTRICAL ITEMS SHALL BE U.L. APPROVED OR LISTED AND PROCURED PER SPECIFICATION REQUIREMENTS.
- THE ELECTRICAL WORK INCLUDES ALL LABOR AND MATERIAL DESCRIBED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



MASTER GROUND BAR (MGB) 1
SCALE: N.T.S.



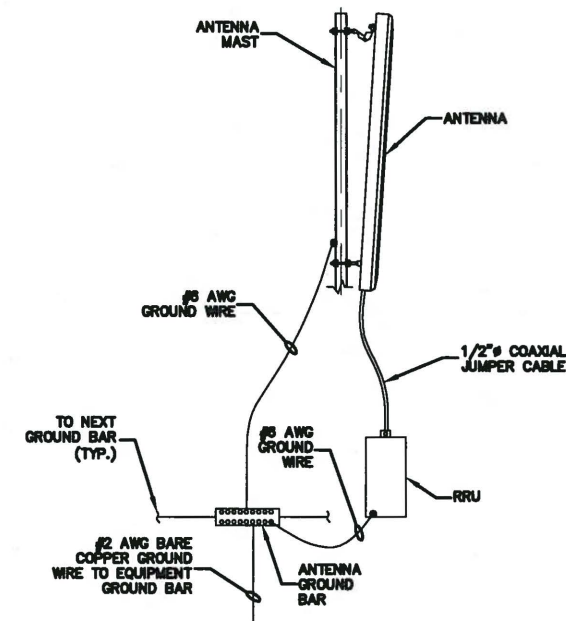
EQUIPMENT GROUND BAR (EGB) 2
SCALE: N.T.S.



NOTES:

- "DOUBLING UP" OR "STACKING" OF CONNECTION IS NOT PERMITTED.
- OXIDE INHIBITING COMPOUND TO BE USED AT ALL LOCATIONS.
- CADWELD DOWNLEADS FROM UPPER EGB, LOWER EGB, AND MGB.

TYPICAL GROUND BAR CONNECTIONS DETAIL 3
SCALE: N.T.S.



TYPICAL ANTENNA GROUNDING DETAIL 4
SCALE: N.T.S.

T-Mobile

T-MOBILE NORTHEAST LLC
A DELAWARE LIMITED LIABILITY COMPANY

15 COMMERCE WAY, SUITE B
NORTON, MA 02716
PHONE: (508) 286-2700
FAX: (508) 286-2883

NANEPASHEMET
PROJECT MANAGEMENT

328 WEST SHORE DRIVE, SUITE 1-A
MARBLEHEAD, MA 01945
PHONE: (781) 632-0265
FAX: (781) 631-6267

Dewberry

Dewberry Engineers Inc.

280 SUMMER STREET
10TH FLOOR
BOSTON, MA 02210
PHONE: 617.695.3400
FAX: 617.695.3310



SITE CONFIGURATION:
702CC

APPROVALS

LANDLORD _____

LEASING _____

R.F. _____

ZONING _____

CONSTRUCTION _____

A/E _____

PROJECT NO: 50037672

JOB NO: 50074282

DRAWN BY: MR

CHECKED BY: OAS

SUBMITTALS

NO.	DATE	DESCRIPTION
0	07/23/15	FOR SUBMITTAL
A	06/16/15	FOR REVIEW

4BN0035B
BN035/HARRY S. TRUMAN
25 EIGHTH ST.
CAMBRIDGE, MA 02141

SHEET TITLE

GROUNDING NOTES & DETAILS

SHEET NUMBER

E-1

4



15 Commerce Way
Norton, MA 02766

PHOTO SIMULATION

4BN0035B
BN035/HARRY S. TRUMAN
Address:
25 EIGHT STREET
CAMBRIDGE, MA 02141

Date:
24 August 2015

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

PHOTO LOCATION MAP

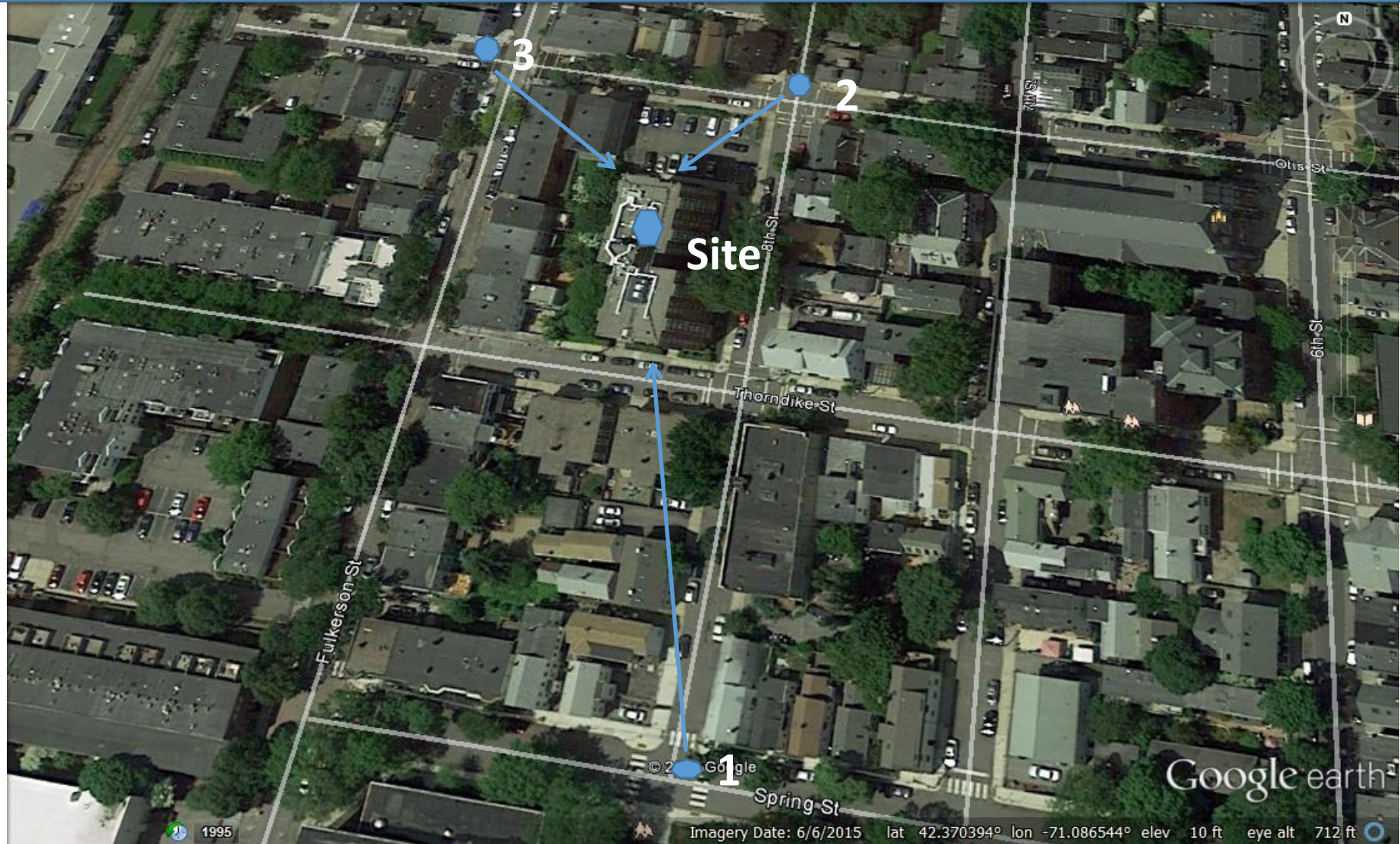


PHOTO LOCATION 1 - EXISTING



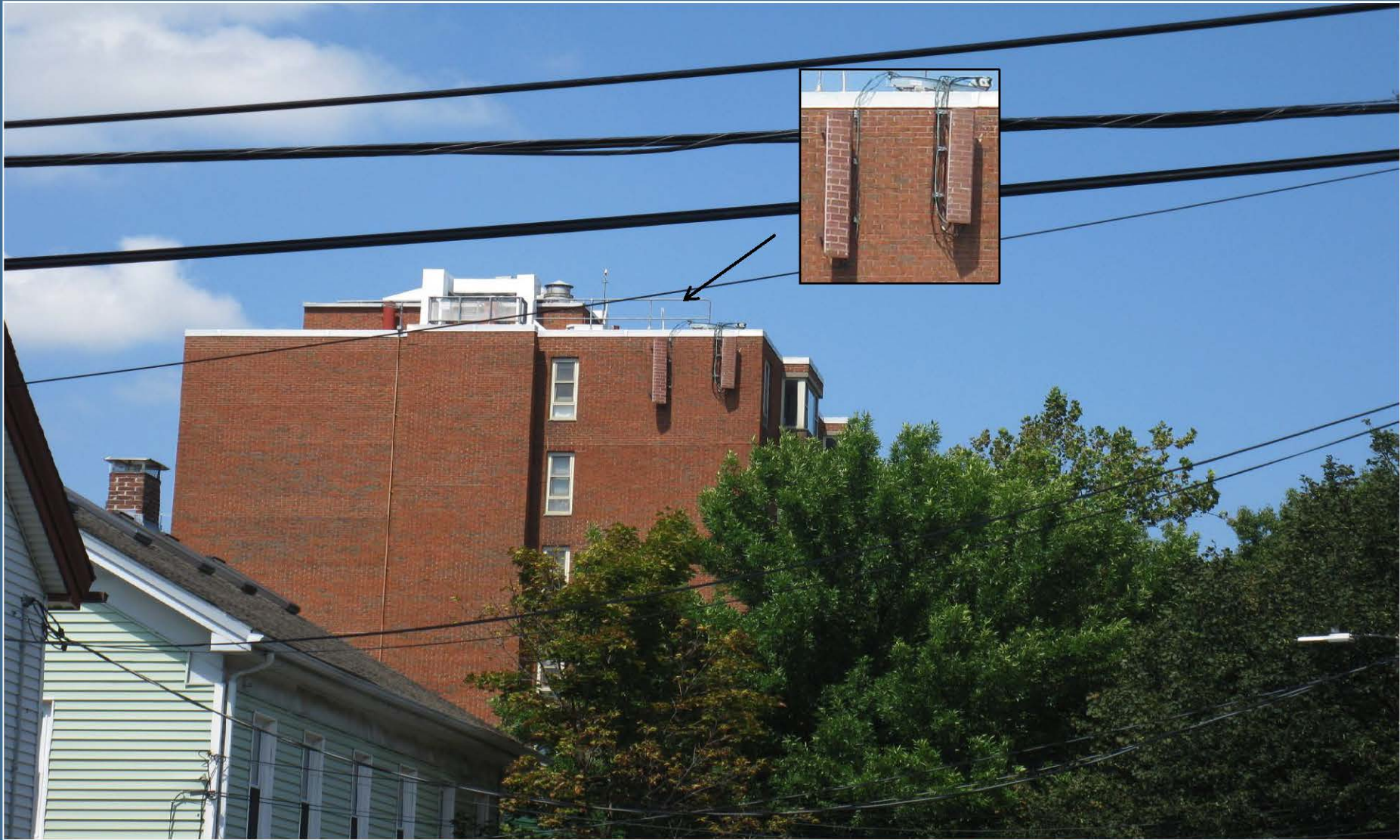
EXISTING ANTENNA

T . . Mobile . . .

4BN0035B - BN035/ HARRY S. TRUMAN
Spring and 8th Street, 279' +/- Away



PHOTO LOCATION 1 - PROPOSED



T · · Mobile · · ·

4BN0035B - BN035/ HARRY S. TRUMAN
Spring and 8th Street, 279' +/- Away



PHOTO LOCATION 2 - EXISTING



T · · Mobile · · ·

4BN0035B - BN035/ HARRY S. TRUMAN
8th and Otis Street, 130' +/- Away



PHOTO LOCATION 2 - PROPOSED



T · · Mobile · · ·

4BN0035B - BN035/ HARRY S. TRUMAN
8th and Otis Street, 130' +/- Away



PHOTO LOCATION 3 - EXISTING



EXISTING ANTENNA

PHOTO LOCATION 3 - PROPOSED



T · · Mobile · · ·

4BN0035B - BN035/ HARRY S. TRUMAN
Fulkerson and Otis Street, 160' +/- Away



5

Federal Communications Commission
Wireless Telecommunications Bureau

Radio Station Authorization (Reference Copy Only)

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

Licensee: T-Mobile License LLC

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

FCC Registration Number (FRN): 0001565449	
Call Sign: KNLF954	File Number: 0002991471
Radio Service: CW - PCS Broadband	

Grant Date 06/05/2007	Effective Date 06/05/2007	Expiration Date 06/27/2017	Print Date 09/06/2007
--------------------------	------------------------------	-------------------------------	--------------------------

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

1st Build-out Date 06/27/2002	2nd Build-out Date	3rd Build-out Date	4th Build-out Date
----------------------------------	--------------------	--------------------	--------------------

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

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

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

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

FCC 601 - MB

6



2013 00007536

Bk: 60934 Pg: 510 Doc: DECIS
Page: 1 of 4 01/09/2013 01:44 PM



City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

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

2012 DEC 12 AM 11 01
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

CASE NO: 10344

LOCATION: 25 Eighth Street Residence C-1 Zone
Cambridge, MA

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

*Cambridge Housing Authority
675 Mass Ave.
Cambridge, Ma 02139*

PETITION: Special Permit: In-kind replacement of existing 3 antennas with new antennas; addition of 3 additional antennas, 1 per sector adjacent to existing antennas at each location; and in-kind replacement of 1 existing cabinet with smaller cabinet in equipment area. All antennas will be mounted in the same location and painted to match façade of building.

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

DATE OF PUBLIC NOTICE: October 11 & 18, 2012

DATE OF PUBLIC HEARING: October 25, 2012

*Jackie Slaga
95 Indian Trail
Saunderstown, RI
02874*

MEMBERS OF THE BOARD:

BRENDAN SULLIVAN - CHAIR	<input checked="" type="checkbox"/>
CONSTANTINE ALEXANDER - VICE-CHAIR	<input checked="" type="checkbox"/>
TIMOTHY HUGHES	<input type="checkbox"/>
THOMAS SCOTT	<input checked="" type="checkbox"/>
JANET O. GREEN	<input checked="" type="checkbox"/>

ASSOCIATE MEMBERS:

MAHMOOD R. FIROUZBAKHT	<input type="checkbox"/>
DOUGLAS MYERS	<input checked="" type="checkbox"/>
SLATER W. ANDERSON	<input type="checkbox"/>
LINDSEY T. THORNE-BINGHAM	<input type="checkbox"/>
ANDREA A. HICKEY	<input type="checkbox"/>
KEVIN C. McAVEY	<input type="checkbox"/>

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.

Owner: Cambridge Housing Authority

Bk 11493 Pg 634

Case No. 10344
Location: 25 Eighth Street
Petitioner: T-Mobile Northeast, LLC c/o Jackie Slaga, Agent

On October 25, 2012, Petitioner's attorney Ricardo Sousa appeared before the Board of Zoning Appeal requesting a special permit in order to allow the in-kind replacement of three existing antennas with three new antennas and to add three more antennas in the same location as the other antennas with all antennas painted to match the façade of building, and the in-kind replacement of an existing cabinet with a smaller cabinet. The Petitioner requested relief from Article 4, Section 4.32.G.1 of the Cambridge Zoning Ordinance ("Ordinance"). The Petitioner submitted application materials including information about the project, plans, and photographs.

Mr. Sousa stated that the Petitioner wished to upgrade its existing specially permitted wireless facility as part of a system wide upgrade. He stated that in response to the wishes of the Planning Board, the new antennas would be mounted on low profile brackets, and would be painted with a flat finish and placed so as to reduce visual impacts. He stated that there was an increasing need for more coverage. He stated that while the site was located in a residential district, residential uses did not predominate in the area.

The Chair asked if anyone wished to be heard on the matter, no one indicated such. The Chair read a letter from the Planning Board suggesting that if the special permit were granted it should be conditioned to require a flat finish on the new equipment and the antennas should be installed lower on the building façade to minimize visual impacts and to preserve an unbroken roof line.

After discussion, the Chair moved that the Board grant the special permit for relief in order to allow the in-kind replacement of three existing antennas with three new antennas and the addition of three more antennas, one per sector in each location as the other antennas with all antennas painted a flat finish to match the façade of building, and the in-kind replacement of an existing cabinet with a smaller cabinet in the equipment area based on the finding that the requirements of the Ordinance were met. The Chair moved that the Board find that the petitioner was duly licensed by the FCC and that there were no the limitations imposed by its FCC license that would bar the application. The Chair moved that the Board find that the visual impacts of the installation would be minimized by the lowering and painting of the antennas with a flat finish as per the comments of the Planning Board. The Chair moved that the Board find that the traffic generated or patterns of access or egress would not cause congestion, hazard, or substantial change in the established neighborhood character. The Chair moved that the Board find that antennas and facilities already existed on the building. The Chair moved that the

Board find that the continued operation of or development of adjacent uses as permitted in the Ordinance would not be adversely affected, but rather would be enhanced by the upgraded equipment and service. The Chair moved that the Board find that there would be no nuisance or hazard created to the detriment of the health, safety, and/or welfare of the occupant of the proposed use or to the citizens of the city. The Chair moved that the Board find that the proposed use would not impair the integrity of the district or adjoining districts or otherwise derogate from the intent and purpose of the Ordinance. The Chair moved that the Board grant the special permit on the following conditions;

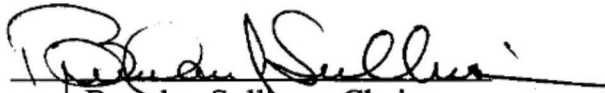
1. that the work proceed as per the plans and photo simulations submitted, which reflect the comments of the Planning Board, and
2. that should the equipment be rendered useless or not viable, it be removed within 60 days and the building surface be restored to its original condition.

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

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

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

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


Brendan Sullivan, Chair

Attest: A true and correct copy of decision filed with the offices of the City Clerk and Planning Board on 12/12/12 by Maria Pacheco, Clerk.

Twenty days have elapsed since the filing of this decision.

No appeal has been filed ✓.

Appeal has been filed and dismissed or denied.

Date: January 9, 2013 Deanna P. Kopy City Clerk.

3 B



City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

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



2006 00060759
Bk: 47237 Pg: 519 Doc: DECIS
Page: 1 of 3 04/08/2008 09:49 AM

2006 MAR -9 P 2:28

CITY CLERK
CAMBRIDGE, MASSACHUSETTS

CASE NO: 9197

LOCATION: 25 Eighth Street Residence C-1 Zone
Cambridge, MA

PETITIONER: Omnipoint Holdings, Inc.
Adam Braillard, Esq.

*Mail to: Prince, Lobel, Glassky + Tye
Attn: Adam Braillard
100 Cambridge St., Suite 2200
Boston, MA 02114*

PETITION: Special Permit: To install and operate a Wireless Communication Facility, to consist of (3) panel antennas, base station equipment cabinets and coaxial cables, all camouflaged and painted to match the color & texture of existing building features.

VIOLATIONS: Art. 4.000, Sec. 4.32.G.1 (Telecommunication Facility).
Art. 10.000, Sec. 10.40 (Special Permit).

*BK: 35409
Pg: 362*

DATE OF PUBLIC NOTICE: October 28 & November 4, 2005

DATE OF PUBLIC HEARING: November 17, 2005

MEMBERS OF THE BOARD:	THOMAS SIENIEWICZ - CHAIR	<input checked="" type="checkbox"/>
	JENNIFER PINCK - VICE CHAIR	<input checked="" type="checkbox"/>
	SUSAN SPURLOCK	<input type="checkbox"/>
	KEEFE B. CLEMONS	<input type="checkbox"/>
	CONSTANTINE ALEXANDER	<input checked="" type="checkbox"/>

ASSOCIATE MEMBERS:	BRENDAN SULLIVAN	<input type="checkbox"/>
	CHRISTOPHER CHAN	<input type="checkbox"/>
	PAUL D. GRIFFIN	<input type="checkbox"/>
	EDWARD W. WAYLAND	<input checked="" type="checkbox"/>
	TIMOTHY HUGHES	<input checked="" type="checkbox"/>

Owner: Cambridge Housing Authority

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. 9197
Location: 25 Eighth Street
Petitioner: Omnipoint Holdings, Inc. c/o Adam Braillard, Esq.

On February, 9, 2005, Petitioner's attorney Adam Braillard appeared before the Board of Zoning Appeal requesting a special permit to install and operate a Wireless Communication Facility, to consist of three panel antennas, base station equipment cabinets and coaxial cables, all camouflaged and painted to match the color and texture of existing building features. The Petitioner submitted plans and photographs.

This case had been continued in order to allow the petitioner an opportunity to adjust its design to accommodate recommendations of the Planning Board.

Mr. Braillard stated that the Petitioner had moved the location of the equipment cabinets and antenna to satisfy the Planning Board's requests. Mr. Braillard stated that residential uses did not predominate in the area and that currently there existed another permitted telecommunication array on the building.

After discussion, the Chair moved that the Board find that residential uses do not predominate at the site, that the site already has telecommunications antennae and equipment, and that these findings are consistent with previous findings of the Board that the site was suitable for the installation of wireless telecommunications equipment.

The five member Board voted unanimously in favor of the findings (Sieniewicz, Pinck, Alexander, Hughes, and Wayland).

The Chair moved that the Board find that the installation will not increase the traffic significantly at the site, will not significantly impact the ability of abutting property owners to enjoy their property, nor substantially derogate from the intent or purpose of the ordinance. The Chair moved that the Board find that the proposal meets all special permit requirements. The Chair moved that the Board grant the special permit on the following conditions:

1. that the work be consistent with the revised drawings submitted in support of this application, being three sheets of 11x17 drawings, titled T1, Z1, and Z2, dated the 15th of December 2005, stamped with Bradford A. Mills, civil engineer registered in the Commonwealth of Massachusetts, Registration No. 33966, as marked up in blue pen and dated and initialed by the proponent,
2. that the equipment cabinet be painted to match the other structures at the site,

- 3. that, should the lease expire or should the equipment become obsolete, it be removed from the premises at that date.

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

The Board based its decision upon the above findings and upon the following:

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

The Board of Zoning Appeal is empowered to waive local zoning regulations only. This decision therefore does not relieve the petitioner in any way from the duty to comply with local ordinances and regulation 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.

Thomas Sieniewicz

Thomas Sieniewicz, Chair

John C. Brown
Atty. Middlesex S. Register

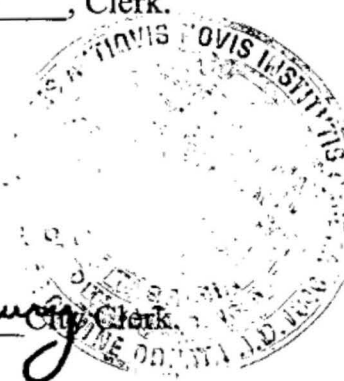
Attest: A true and correct copy of decision filed with the offices of the City Clerk and Planning Board on 3/9/06 by Maria Pacheco, Clerk.

Twenty days have elapsed since the filing of this decision.

No appeal has been filed

Appeal has been filed and dismissed or denied.

Date: April 5, 2006 D. Margaret Drury City Clerk



Federal Communications Commission
Wireless Telecommunications Bureau

Radio Station Authorization (Reference Copy Only)

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

Licensee: T-Mobile License LLC

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

FCC Registration Number (FRN): 0001565449	
Call Sign: KNLF954	File Number: 0002991471
Radio Service: CW - PCS Broadband	

Grant Date 06/05/2007	Effective Date 06/05/2007	Expiration Date 06/27/2017	Print Date 09/06/2007
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Market Number: BTA051	Channel Block: D	Sub-Market Designator: 0
Market Name: Boston, MA		

1st Build-out Date 06/27/2002	2nd Build-out Date	3rd Build-out Date	4th Build-out Date
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Special Conditions or Waivers/Conditions This authorization is subject to the condition that the remaining balance of the winning bid amount will be paid in accordance with Part 1 of the Commission's rules, 47 C.F.R. Part 1.

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

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

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

FCC 601 - MB

7



February 22, 2016

VIA HAND DELIVERY

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

Re: Eligible Facilities Request to Modify Transmission Equipment at an Existing Base Station located at **25 Eighth Street, Cambridge, MA 02141.**

Dear Mr. Singanayagam:

A. T-Mobile is Filing an Eligible Facilities Request

Prince Lobel Tye LLP, on behalf of T-Mobile Northeast LLC is submitting the attached Eligible Facilities Request application to add, remove, modify, or replace Transmission Equipment at an Existing Base Station located at 25 Eighth Street, Cambridge, MA 02141.

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

Section 6409(a) of the Spectrum Act mandates that state and local governments "*may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station.*" Under Section 6409(a)(2)(A)-(C) an Eligible Facilities Request is any request to modify a Tower or Base Station that involves "collocations of new Transmission Equipment," "removal," or "replacement" of Transmission Equipment.

B. Why this Eligible Facilities Request Must Be Granted

This Eligible Facilities Request involves an effort to collocate, remove, modify, or replace Transmission Equipment at an existing Base Station operated by an FCC licensed wireless carrier. The FCC has defined Base Station as “the equipment and non-tower supporting structure at a fixed location that enable Commission-licensed or authorized wireless communications between user equipment and a communications network . . . the term includes equipment associated with wireless communications service including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supply, and comparable equipment.” The term existing base station also includes a structure that currently houses or supports an antenna, transceiver or other associated equipment that constitutes part of a Base Station at the time the application is filed even if the structure was not built solely or primarily to provide such support. The existing Base Station in this application is seventy-two feet (72’) high and presently contains wireless facilities. The existing Base Station meets the Federal Communications Commission (“FCC”) definition of a Base Station.

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

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

1. *The modifications to the Transmission Equipment do not increase the height of the Base Station by more than 10 percent (10%) or ten (10) feet, whichever is greater.*
 - a. The height of the Base Station is currently seventy-two feet (72’) high. The proposed addition of three (3) replacement panel antennas will not affect the height of the Base Station.
2. *The modifications to the Transmission Equipment do not protrude from the edge of the support structure by more than six (6) feet.*
 - a. The four (4) proposed antennas will not protrude from the edge of the building and therefore will not exceed the six (6) foot limitation. All of the proposed replacement antennas will be mounted on the existing façade of the building,

replacing three (3) existing antennas and adjacent to the remaining T-Mobile antennas. As such, the proposed modification will not protrude from the edge of the building by more than six (6) feet.

3. *The modifications to the Transmission Equipment do not involve the installation of more than the standard number of equipment cabinets for the technology involved, not to exceed four.*
 - a. The Applicant does not propose to install any additional equipment cabinets.
4. *The modifications to the Transmission Equipment do not entail any excavation or deployment outside of the Base Station site.*
 - a. The Applicant is proposing to install three (3) replacement antennas consistent with its existing antennas. There will be no excavation or deployment outside of the Base Station site.
5. *The modifications to the Transmission Equipment do not defeat any existing concealed or stealth-design.*
 - a. Pursuant to the original decision by the Zoning Board of Appeal for the City of Cambridge (the “Board”) for this facility, dated November 17, 2005 (Case No. 9197) (the “Original Decision”) and a decision by the Board dated October 25, 2012 (Case No. 10344) (the “2012 Decision”) (together, the Original Decision and the 2012 Decision are hereafter referred to as the “Decisions”) attached hereto as Tab 6, the existing antennas are located in the preferred location on the facade of the building and comply with the required conditions for a stealth design, including the requirement that the antennas be painted to match the façade of the building. The replacement of three (3) existing antennas with three (3) new panel antennas will not defeat the existing stealth design as they will be located in the same location as the existing antennas, immediately adjacent to the three (3) remaining T-Mobile antennas and will be painted to match the existing facade of the Building. As such, the proposed modification will not defeat any existing concealed or stealth design.
6. *The modifications to the Transmission Equipment comply with prior conditions of approval of the Base Station, unless the non-compliance is due to an increase in height, increase in width, addition of equipment cabinets, or new excavation that does not exceed the corresponding “substantial change” thresholds in numbers 1-4.*
 - a. Based on the foregoing, the proposed modifications to the Base Station fully conform to Section 6409(a) of the Spectrum Act and comply with the prior conditions of approval of the Base Station.

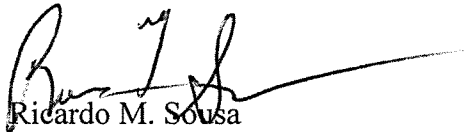
There is a certification attached to the accompanying Eligible Facilities Request that identifies how each of the six review criteria identified by the FCC is met. The modifications to the Transmission Equipment at the Base Station located at 25 Eighth Street contained in this Eligible Facilities Request fully conform to Section 6409(a) as enacted by Congress and as interpreted by the FCC. Accordingly, this Eligible Facilities Request must be approved within 60 days, as required by federal law and FCC implementing regulations.

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

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

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

Sincerely,



Ricardo M. Sousa

Direct: 617-456-8123

Email: rsousa@princelobel.com

**ELIGIBLE FACILITIES REQUEST CERTIFICATION FOR NON-SUBSTANTIAL
CHANGES
TO AN EXISTING BASE STATION**

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

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

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

Site Address: 25 Eighth Street

Existing Facilities

The Existing Facility is comprised of six (6) panel antennas mounted to the façade of the building.

Height of Base Station

Height above ground level of the tallest point on the existing base station: 72 (feet)

Height above ground level of the tallest point of the existing base station after the installation of the *proposed* equipment: 72(feet)

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

Yes No

Width of Base Station

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

Yes No

Excavation or Equipment Placement

- 3) Will the proposed changes in Transmission Equipment involve excavation or placement of new equipment outside the existing Base Station site or outside any access or utility easements currently related to the site?

Yes No

Equipment Cabinets

- 4) Will the proposed modification in Transmission Equipment involve installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four?

Yes No

Concealed or Stealth-Designed Wireless Facilities

5)

- a) Is the existing wireless facility concealed or stealth- designed?

Yes No

- b) If the answer to 5a) is “Yes,” will the proposed modification in Transmission Equipment defeat the existing concealed or stealth-design?

Yes No

Compliance with Preexisting Conditions of Approval for the Base Station

6)

- a) Were there any conditions of approval stated in the original government approval of the Base Station?

Yes No

- b) Will the proposed modification in Transmission Equipment comply with conditions of approval imposed on the Base Station prior to February 22, 2012?

Yes No

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

Yes No

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

Explanatory Comments:

Question No.5 (b)


Comment: Pursuant to the previous decision by the Board of Zoning Appeal for the City of Cambridge (the “Board”) for this site, dated November 17, 2005 (Case No. 9197) (the “Original Decision”) and a decision by the Board dated October 25, 2012 (Case No. 10344) (the “2012 Decision”) (together, the Original Decision and the 2012 Decision are hereafter referred to as the “Decisions”) attached hereto as Tab 6, the existing panel antennas are located in the preferred location on the façade of the building. The replacement of three (3) existing antennas with three (3) new panel antennas will not defeat the existing stealth design as they will be located in the same location as the existing antennas, immediately adjacent to the three (3) remaining T-Mobile antennas and will be painted to match the existing facade of the Building. As such, the three (3) new replacement antennas will be in conformity with the Decisions. The proposed installations will not substantially increase the facility and as such the proposed visual impact will be de minimus for many of the same reasons stated in the Original Decision attached hereto.

Question No.6 (c)

Comment: Notwithstanding the aforementioned showing that the proposed modification to this site does not substantially change the physical dimensions of the existing Base Station and is subject to the Spectrum Act, this site is the proper location for a wireless installation pursuant to the Decisions. Furthermore, in the Decisions the Board stated that continued operation of

adjacent uses would not be adversely affected by the previously proposed equipment addition, and no nuisance or hazard would be created to the detriment of the health, safety or welfare of the occupant or the citizens of the City of Cambridge. The proposed modification to this site is very similar to the previous modification approved by this board and as such, we submit will have the same de minimis impact. Moreover, the proposed installation is necessary to accommodate the existing and future customer base as demand for data and cell service has steadily increased and continues to do so.

This certification is dated this 22nd day of February, 2016.


Signature

Ricardo M. Sousa, Esq., Attorney for Applicant
Name & Title

Eligible Facilities Request (EFR) Application Form

[Attach this EFR form to the local jurisdiction form used to process cell site modifications.]

Date of Submittal: _____

Submitted by:

Name: _____

Title: _____

Contact information: _____

Name of Jurisdiction: _____

Address of Jurisdiction: _____

Contact Name for Jurisdiction: _____

Name of Local Government Permit Application: _____

Local Government File #: _____

Street Address of Site: _____

Tax Parcel # of Site: _____

Latitude/Longitude of Site: _____

List Each Piece of Transmission Equipment that will be Collocated or Added:

List Each Piece of Transmission Equipment that will be Removed:

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

List Cabinets that will be Removed at the Site:

Permit Application Deposit Amount: _____

Municipal Consultant Review Fee Deposit (if applicable): _____



INSPECTIONAL SERVICES DEPARTMENT

City of Cambridge • 831 Massachusetts Avenue • Cambridge, Massachusetts 02139

617-349-6100 • TTY 617-349-6112 • Fax 617-349-6132

ujjit Singanayagam - Commissioner

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

Building Address 25 EIGHTH STREET, CAMBRIDGE, MA 02141
Building Owner CAMBRIDGE HOUSING AUTHORITY Phone # 617-520-6256
Owner Address 362 GREEN STREET, CAMBRIDGE, MA 02139
Contractor NAVAPASHEMET PROJECT MANAGEMENT Phone # 781-727-6516
Contractor Address 328 W. SHORE DRIVE, MARBLEHEAD, MA 01945
Architect/Engineer DEWBERRY ENGINEERS Phone # 617-695-3400
Address 280 SUMMER STREET, BOSTON, MA 02210

TYPE OF WORK: New Construction Addition Change of Occupancy
 Repair Alteration Level 1 Alter Level 2 Alter Level 3 Roof

EXISTING BUILDING INFORMATION (Required - MSBC Ch. 34 Sec 101.5.4.0 Amended)

Current Use ^{BB-CSA} TELECOMMUNICATION INSTALL Proposed Use ^{BB-CSR} TELECOMMUNICATION INSTALL
 For Residential Use: Current number of dwelling units _____ Proposed number of dwelling units _____
 Building Construction type:
 Non-Combustible (Type I/II) Masonry/Wood (III) _____ Wood (IV,V) _____
 Building Equipped with : Sprinkler System / No Fire Alarm: / No Smoke Detection: / No
 Provide a description of the building: 8 STORY APARTMENT BUILDING

Description of Proposed Work: Include effects of the proposed work on the structural, egress, fire protection, energy conservation, light, and ventilation systems of the space or building. Include any changes as listed in Zoning Information (pg 2).
T-MOBILE PROPOSAL TO MODIFY THEIR EXISTING INSTALLATION BY SWAPPING
NEW ANTENNAS AND ADDING (3) Radio Heads. Antennas will be painted
to match

Note: 2 sets of construction documents, plus 1 set in digital format, required to be submitted for review.

ESTIMATED COST OF CONSTRUCTION:

Building	<u>\$19,800.00</u>	HVAC	_____
Electric	_____	Sprinklers	_____
Plumbing/Gas	_____	Fire Detection	_____
Gas Fitting	_____	Fire Suppression	_____

Total Estimated Cost of Construction \$19,800.00

Total Construction costs include all work done concurrently with the work contemplated by the Building Permit including demolition, plumbing, heating, electrical, air conditioning, painting, wall to wall carpeting, landscaping, site improvements, etc. Furnishings and portable equipment are not part of the total construction cost. A signed copy of contractor/client contract must be included with Application. A final cost affidavit completed by the owner will be required at construction completion for all projects (affidavit required for final sign-off).

CONSTRUCTION SERVICES (REQUIRED)

Any project proposed for any building over 35000 ft³ must meet the requirements of Sec.107.6 & Chapter 17, MSBC.

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

Name Benjamin B. Revette Phone # 617-531-0822

Firm Dewberry Engineering Cell Phone# 617-947-4855

Address 280 Summer Street, Boston, MA

MA Registration Number 49220 Email Address: brevette@Dewberry.com

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

Structural Peer Review (MSBC 780 CMR 105.9 Amended):

Is Independent Structural Engineering Peer Review required Yes No

If Yes, review must be submitted with application. Peer Review is required for high rise construction or buildings of unusual complexity as determined by the BBRs.

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

Licensed Construction Supervisor

Name John Nestor Phone # 781-727-6516

Address 328 West Shore Drive, Marblehead, MA Cell Phone # 781-727-6516

License Number 047636 Expiration Date 12-6-17 Class unrestricted

Signature  Date 2/18/16

Email Address jnestor@nanepashemet.com

Registered Home Improvement Contractor (required only for 3 or 4 family owner-occupied dwellings)

Name _____ Phone # _____

Address _____ Cell Phone # _____

Registration Number _____ Expiration Date _____

Signature _____ Date _____

Building Owner of Record (application must be signed by OWNER of Building)

Name Gregory P. Russ Phone # 617-864-3020

Address Cambridge Housing Authority, 362 Green Street, Cambridge, MA 02139

Signature  Date 2-5-16

Email Address gruss@cambridge-housing.org

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

ZONING INFORMATION (REQUIRED) The Applicant is responsible for proving Zoning compliance.

Current Use Wireless Telecom Proposed Use Wireless Telecom Zone C-1 BZA/PB Case # TBD

For residential: Current number of dwelling units _____ Proposed number of dwelling units _____

Proposed work includes – reconstruction of an existing exterior building element (porch, deck, etc.). Provide recent photos of existing conditions, and fully dimensioned plans and elevations.

Proposed work includes - enclose a covered porch, build uncovered exterior stairs, build decks at the 1st floor level, build roof decks over existing 1st or 2nd floors, create new windows (including moving existing windows), doors, or skylights. Provide a stamped and scalable surveyor's plot plan, the height of the highest point of the roof, recent photos of existing conditions, and fully dimensioned plans and elevations. If Zoning Appeal case, include copy of registered decision.

Proposed work includes – new construction, additions, dormers, bays, balconies, covered stairs/landings and/or porches, decks at the 2nd floor level or higher, roof decks over the 3rd floor or higher, or to excavate a basement, change any floor or ceiling height, change the use or increase the number of dwelling units of a building, erect an subbuilding, or to do any similar work. Provide all previously listed documents, plus a comprehensive Zoning Analysis showing compliance with all aspects of the Cambridge Zoning Ordinances. If BZA or Planning Board case, include copy of registered decision.

None of the above. The proposed work is not of the types listed above and is not regulated by the Zoning Ordinance.

* x

Certified Plot Plan: For new structures and additions, a certified plot plan shall be submitted after the foundation is poured and before further work commences.

Energy Conservation: Effective July 1, 2010, the City of Cambridge has adopted the Stretch Energy Code, 780 CMR115AA. The Stretch Code requirements are in addition to the requirements of the most recently published version of the ICC International Energy Conservation Code (IECC). Check all applicable:

The proposed project is subject to Stretch Code and/or IECC provisions and documentation indicating compliance has been included with this application.

The proposed work involves changes to the building lighting system and a Lighting Power Density Report has been included with this application.

The proposed work does not access or affect the building energy envelop.

All Residential work requires a completed Energy Star Qualified Homes Thermal Bypass Inspection Checklist at final inspection. This form is available at www.energystar.gov or from the Building Official.

Fire Protection:

For proposed work that may include any fire protection work as regulated by MSBC Ch. 9 Fire Protection Systems, review and approval of the construction documents by the Cambridge Fire Department is required before submittal.

Camb. Fire Dept. has reviewed this application Yes / No

A Narrative Report describing all fire protection systems and their operation is required to be submitted with this application (Sec 902.1 #1a, MSBC Amended). This report has been submitted Yes / No

All Fire Protection design documents and calculations are required to be submitted as part of the Building Permit Application.


Noise Ordinance Affidavit

The undersigned as the Architect/Construction Supervisor for this proposed construction, do hereby certify knowledge of Chap 8.16 of the Cambridge Municipal Code concerning noise control.

I certify that necessary actions will be taken concerning the design, specification of, and location of noise producing equipment: e.g., transformers, air handling units, etc., to insure that this project will not result in noise levels that exceed that allowed by the Municipal Code.

Name John Nestor

Title MA CSL

Signature 

Registration/License # 047363

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

PERMIT NO.

FEE

MASSACHUSETTS GENERAL LAW REQUIREMENTS

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

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

Signed Affidavit Attached Yes x No COI ATTACHED

Construction Debris Affidavit (MGL c 40 §54)

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

The debris will be disposed at/by Marblehead Transfer Station

Roll-Off Dumpster or Container? Yes / No / Specify ON SITE TRUCKS Dumpster Permit #

Signature [Signature] Date 2/18/14

I certify that I will notify the Building Official by 4/18/14 (two months maximum) of the location of the solid waste disposal facility where the debris resulting from said construction activity shall be disposed of, and I shall submit the appropriate form for attachment to the Building Permit

Signature [Signature] Date 2/18/14

OFFICIAL USE ONLY

Department Approvals

Table with 4 columns: Department (BZA, Planning Board, Historic, Fire Dept.), Date, Department (Electrical, Plumbing, D.P.W., Parking), Date.

Application Approval (Subject to the provisions of the Massachusetts State Building Code 780 CMR and the Zoning Laws of the City of Cambridge.)

Application and Plans Accepted By: Bin Date

Zoning Approved By: Date

Plan Review Approved By: Date AAB Review by: Date

Permit Approved/Granted By: Date

Inspection Record

Final Inspection Made Date By:

Certified Foundation Plan submitted: Yes No Certificate of Occupancy issued: Yes No
Final Cost Affidavit: Yes No General Contractor Final Affidavit: Yes No
Architect Final Affidavit: Yes No Structural Engineer Final Affidavit: Yes No
Final as-built drawings submitted in digital format? Yes No



CERTIFICATE OF LIABILITY INSURANCE

9NANE01

OP ID: DP

DATE (MM/DD/YYYY)

02/18/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER John J Walsh Ins Agency, Inc P O Box 4407 Salem, MA 01970-6407 David C Bruett	CONTACT NAME: David C Bruett PHONE (A/C, No, Ext): 978-745-3300 FAX (A/C, No): 978-745-9557 E-MAIL ADDRESS:													
	<table border="1"> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> <tr> <td>INSURER A : The Hartford</td> <td></td> </tr> <tr> <td>INSURER B : Citation Insurance Company</td> <td>40274</td> </tr> <tr> <td>INSURER C :</td> <td></td> </tr> <tr> <td>INSURER D :</td> <td></td> </tr> <tr> <td>INSURER E :</td> <td></td> </tr> <tr> <td>INSURER F :</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : The Hartford		INSURER B : Citation Insurance Company	40274	INSURER C :		INSURER D :		INSURER E :		INSURER F :
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INSURED Nanepashemet Project Management, Inc. 328 West Shore Drive Marblehead, MA 01945														

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			08SBAUQ3098	03/01/2015	03/01/2016	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			RXQ120	03/01/2015	03/01/2016	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	08WECDO7725	01/04/2016	01/04/2017	PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER**CANCELLATION**

Cambridge Housing Authority BN035/Harry S Truman Apt 25 Eighth Street Cambridge, MA 02141	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE David C Bruett
--	--

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Massachusetts Department of Public Safety
Board of Building Regulations and Standards

License: **CS-047636**
Construction Supervisor



JOHN J NESTOR
328 W SHORE DR
MARBLEHEAD MA 01945



Matthew C. Chi
Commissioner

Expiration:
12/06/2017



CAMBRIDGE HISTORICAL COMMISSION

831 Massachusetts Avenue, 2nd Fl., Cambridge, Massachusetts 02139
Telephone: 617 349 4683 Fax: 617 349 3116 TTY: 617 349 6112
E-mail: histcomm@cambridgema.gov URL: http://www.cambridgema.gov/Historic

William B. King, *Chair*, Bruce A. Irving, *Vice Chair*, Charles M. Sullivan, *Executive Director*
William G. Barry, Jr., M. Robert G. Crocker, Chandra Harrington, Jo M. Solet, *Members*
Shary Page Berg, Joseph V. Ferrara, Susannah Barton Tobin, *Alternates*



Jurisdiction Advice

To the Owner of Property at 25 Eighth St.:

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

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

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

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

CHC staff initials ZLB

Date 3/11/2016

Received by Uploaded to Energov
Relationship to project _____

Date "

cc: Applicant
Inspectional Services Commissioner

Demolition Delay Ordinance and Application Information

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

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

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

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

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

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

July 2003

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