

Commission Members:

Nicole Murati Ferrer  
Chairperson

Jeya Niranjana  
Acting Superintendent of Streets

Stephen Lenkauskas  
City Electrician

# CAMBRIDGE LICENSE COMMISSION

831 Massachusetts Avenue, First Floor, Cambridge, Massachusetts 02139

## POLE AND CONDUIT COMMISSION



City of Cambridge

Elizabeth Y. Lint  
Executive Director

### MEETING MINUTES

For the Pole and Conduit Commission held on  
Thursday, August 16, 2018  
Michael J. Lombardi Building, 831 Massachusetts Avenue  
Basement Conference Room

Meeting started at approximately 10:03 a.m.

**Commission Board Members (all present):** Nicole Murati Ferrer, Stephen Lenkauskas, and Jeya Niranjana.

**Staff Members Present:** Elizabeth Y. Lint, Executive Director.

### Public Testimony Matters

Matters may have been called out of the order in which they were listed on the posted agenda. The Board first hears all matters where members of the public wish to be heard and the representatives from the utilities are present.

**Documents considered by the Board:** As to all applications, the Board considered the application submitted to the Board and all documents attached thereto.

**Decisions:** All votes were 3-0.

In addition, if the petition was "granted with typical conditions," those conditions are:

- (1) Must obtain Electrical Department Utility Permit and Department of Public Works ("DPW") Permits and comply with the provisions therein.
- (2) Must pay sidewalk preservation off-set fee.
- (3) Must coordinate site visit with DPW.
- (4) Must commence work within sixty (60) days of the grant and complete within six (6) months of the date of the approval.
- (5) Must comply with any amendment City agencies make to the issued permits after the *Acceptance Without Reservations* is filed.

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**1) Continuation from April 19, 2018, to get information as to who owns third conduit. Comcast, 426 E. First Street, Boston, MA 02127, for the following: 24 Winter Street – From the existing Pole #16 on Winter Street, trench southerly 5' in the public way installing 1-2" PVC conduit. No sidewalk removal. Homeowners contractor will install conduit.**

**Present:** Anthony Vatalaro on behalf of the applicant.

**Summary:** The matter had been continued to determine the ownership of the third conduit. The conduit was installed by the owner/owner's contractor without Pole and Conduit approval. The owner and contractor have been put on notice and have been requested to appear before the Pole and Conduit Commission and/or to reach out to the Department of Public Works but have failed to do so.

**Decision:** Denied.

**2) Continuation from July 19, 2018. Contractor needs to come to meeting and resolve issues with the Department of Public Works. Comcast, 426 E. First Street, Boston, MA 02127, for the following: From Pole 10 on **Regent Street**, trench westerly 35' to the PP line of **55 Regent Street**. Installing 1-2" PVC conduit in the public way and 1 PP hand hole. This will include the removal and replacement of 1 sidewalk panel by the contractor.**

**Present:** Anthony Vatalaro on behalf of the petitioner.

**Summary:** This was with regard to a conduit that was installed without permission. The contractor has been in touch with the City and has removed the conduit and capped it.

**Decision:** Granted.

**3) Continuation from July 19, 2018. Either diagram fixed, or description fixed – they do not match. Comcast, 426 E. First Street, Boston, MA 02127, for the following: **399 Binney Street** – From existing Comcast manhole on **Cardinal Medeiros Avenue**, trench northerly 56' then turning easterly 28' to the private property line of **399 Binney Street**. installing 1-4" PVC conduit in the public way. Trench will continue easterly on private property an additional 66' to newly install Comcast manhole. Continue trenching easterly 158' then 12' northerly to existing MH on private property installing 1-4" PVC conduit.**

**Present:** Anthony Vatalaro for the petitioner.

**Summary:** This had been continued because the petition's description and plan contradicted each other. A revised plan was submitted which shows the work is required to service 399 Binney Street. Due to other projects in the area and a City project, this work will not be able to start until the beginning of 2019. There is a need for an 8M permit for Cardinal Medeiros. There also must be coordination with the city project.

**Decision:** Continued to January 2019 agenda. In the meantime, petitioner to obtain 8M permit and coordinate with the City regarding ongoing projects in the area. If there is a possibility that the work can commence prior to January 2019, petitioner shall request for the matter to be placed on an earlier agenda for the Commission's consideration.

**4) New Petition Comcast, 426 E. First Street, Boston, MA 02127, for the following: **1780 Massachusetts Avenue** - From existing Comcast manhole, trench northerly 51' then westerly 69' and install (1) new 24"**

x 34" sidewalk vault. Continue trench 5' westerly to the private property line of **1780 Massachusetts Avenue**. Installing (1) 4" PVC conduit. This will include the removal and replacement of (2) sidewalk panels.

**Present:** Anthony Vatalaro for the petitioner.

**Summary:** Mr. Vatalaro stated that the building has service fed from 5 Lancaster Street aerially. It continues to the back of the building at 1780. When Comcast did this work about eight years ago they had permission to do the work, but no easement was granted. The new owners want it removed, and this is necessary as it is now a trespass issue. However, the proposed area was paved two years ago.

**Decision:** Continued to confirm path and also for the Commission to further look into petition.

**5) New Petition Lighttower Fiber Networks, LLC, 80 Central Street, Boxborough, MA 01719**, for the following: **Sidney Street** - Starting at utility pole #635/38 on **Sidney Street** install 25' +/- of (1) 4" communication conduit northeasterly to the building located at **200 Sidney Street**.

**Present:** Jay Mirkazemi, Crown Castle; and Bill Conway, Access Engineering on behalf of the petitioner.

**Summary:** They are bringing their fiber from pole 38 to the building. This will be an aerial installation. The customer is requiring a diverse path, which is why they need to go on to this pole.

**Decision:** Granted with all typical conditions.

**6) Continuation from June 27, 2018, to allow applicant to obtain all necessary licenses. Also, the applicant needs to submit a petition which shows the entire proposed route and excavation. Lighttower Fiber Networks, LLC, 300 Meridian Center, Rochester, NY 14618**, for the following: **Pleasant Street Extension** – Proposing to attach fiber optic infrastructure and wireless equipment to existing 33'-10" wooden utility pole along **Pleasant Street Extension** near **Memorial Drive** (nearest address = **784 Memorial Drive**).

**Present:** Matthew Girard, Crown Castle; and Mike Buccini, UC Synergetic.

**Summary:** This had been continued to allow the petitioner to obtain all necessary licenses, and for the submission of a complete route. The full route was submitted, and there is no excavation. This is an aerial project to attach to a Verizon pole.

**Decision:** Granted with all typical conditions.

**7) Continuation from June 27, 2018. Applicant needs to verify whether the proposed pole is the appropriate one since it is a riser pole and Eversource does not tend to allow attachment to riser**

**poles. Also, the applicant needs to submit a petition which shows the entire proposed route and excavation. Lightower Fiber Networks, LLC, 300 Meridian Center, Rochester, NY 14618, for the following: **Douglass Street** – Proposing to attach fiber optic infrastructure and wireless equipment to existing 30’-11” wooden utility pole along **Douglass Street** (nearest address = **9 Douglass Street**).**

**Present:** Matthew Girard, Crown Castle; and Mike Buccini, UC Synergetic.

**Summary:** This had been continued because the proposed attachment is to a riser pole and there was a question as to whether Eversource would allow this. Confirmation was submitted showing Eversource will allow the attachment to the riser pole. This will require excavation and that petition has not yet been submitted. The excavation and route petition should accompany the attachment petition. There are many projects going on at this location and this will require the petitioner to contact the project manager and coordinate.

**Decision:** Continued and removed from agenda until related petition regarding the dig and complete route is submitted. Petitioner to contact License Commission once both petitions are ready to be heard.

**8) Continuation from June 27, 2018. Applicant needs to verify proposed routing and location. Also, the applicant needs to submit a petition which shows the entire proposed route and excavation. Lightower Fiber Networks, LLC, 300 Meridian Center, Rochester, NY 14618, for the following: **Columbia Street** – Proposing to attach fiber optic infrastructure and wireless equipment to existing 37’-1” wooden utility pole along **Columbia Street** near **Bishop Allen Drive** (nearest address = **25 Columbia Street**).**

**Present:** Matthew Girard, Crown Castle; Joe Shannon, Government Relations Manager for Crown Castle; and Mike Buccini, UC Synergetic.

**Summary:** This would be a new installation and it is aerial only. Both Lightower and Crown Castle have fiber and installations in this area/street. However, AT&T, the customer for this installation will not co-locate or share. Now that Lightower and Crown Castle are the same company, there is an issue with allowing small cell installations on every pole if servicing the same company. Also, there is a 10-15 floor building going up in this location and the proposed location may not work once that building is completed (or it may end up being right next to someone’s window which would not be a preferred location).

**Decision:** Continued to allow the Commission to further assess the petition and also to allow petitioner additional time to confirm with AT&T as to the possibility of co-sharing.

**9) Continuation from June 27, 2018. Applicant needs to obtain an explanation from Eversource as to why it will not allow the applicant to replace the metal guyed pole. Exenet Systems, Inc, 100 Apollo Drive, Suite 303, Chelmsford, MA 01824, for the following: **1663 Massachusetts Avenue** - Attachment**

of a small cell wireless facility to jointly owned Eversource/Verizon metal guyed pole. The facility is necessary to improve wireless capacity and/or coverage in the vicinity.

**Decision:** No action – this petition was withdrawn by the petitioner prior to hearing but after the posting of the agenda.

**10) Continuation from February 22, 2018. Still waiting for submission of utility package. Nstar Electric Company, 101 Linwood Street, Somerville, MA 02143, for the following: **Columbia Street** – Southwesterly from Pole 166/79, approximately 397 feet north of **Webster Avenue**, a distance of about 67 feet – conduit. This work is necessary to supply power to **305 Webster Avenue** (W.O. #2236265).**

**Present:** Jackie Duffy on behalf of the petitioner.

**Summary:** This matter had been continued as Eversource had not yet received the utility package from the developer. Developer needs to contact Verizon and Comcast.

**Decision:** Continued and removed from agenda until the utility package is received.

**11) Continuation from May 17, 2018, to allow applicant time to complete all licensing and permitting requirements for the flammables it stores in the City of Cambridge. Nstar Electric Company, 101 Linwood Street, Somerville, MA 02143, for the following: **Smith Place** – Northwesterly from Pole 640/10, approximately 504 feet north of **Concord Avenue**, a distance of about four (4) feet – conduit. This work is necessary to supply power to a new parking lot (W.O. #2262684).**

**Present:** Jackie Duffy on behalf of the petitioner.

**Summary:** This had been continued because Eversource had not yet come into compliance with the licensing and permitting requirements for the flammables it stores in the City of Cambridge. Eversource has submitted all necessary information and is waiting for the Fire Department to issue the Flammable Materials Permit. There is an outstanding issue with the Alewife permit, but Ms. Duffy is working with the Fire Department on that issue.

As to the current petition, it is a straight forward feed from a pole to give service to the parking lot.

**Decision:** Granted with all typical conditions.

**12) Impromptu discussion with Eversource regarding 55 Regent Street, which relates to Petition # 2 by Comcast.**

**Present:** Jackie Duffy on behalf of Eversource; Bill Snow, contractor; and Anthony Vatalaro, on behalf of Comcast.

**Discussion:** The contractor apologized for his actions which ended up burying the pipe. The pipe is all PVC. The property is currently being serviced by temporary overhead service. This will require conduit of approximately 55 feet. The abutters were already notified and this work can piggy off that notification.

**Decision:** Granted with all typical conditions, and submission of a complete application by Eversource. There is no need to have the matter placed on the agenda, as the submission of the paperwork is to complete the administrative task of submitting the application to have a complete record.

### **13) Discussion of outstanding matters with Eversource.**

**Present:** Jackie Duffy on behalf of Eversource.

**Discussion:** Ms. Duffy informed that at the last meeting, her boss was informed of the issue that Eversource has yet to submit petitions for work that was performed without approval. Specifically, the paperwork is needed for the work performed at 245 Bent Street (which was “emergency” work but requires the submission of a petition), and the section of conduit installed at the corner of Bishop Allen Drive and Norfolk Street (which was installed even though it was not in petition which was submitted for that location).

### **14) Consideration of Change of Fee for petition submission.**

**Discussion:** The current non-refundable charge for a petition is \$110 per street for residential connections and \$180 per street for commercial connections. There are very few, if any, residential connections. The change in fee is due to the amount of costs associated with the review, managing, maintaining and processing of these applications. In addition, the fee has not been changed for over a decade. These petitions have become more complex, thereby demanding additional License Commission staff and Pole and Conduit Commission time and resources to process and maintain. There was no proposal to change the yearly maintenance fee of \$8,500.00.


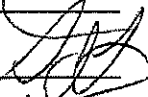

**Decision:** The fee to submit a Pole and Conduit petition will now be \$200.00 per street for all types of connections. The fee is non-refundable. The yearly maintenance fee of \$8,500.00, remains as is.

### **15) Consideration of minutes.**

**Summary & Decision:** There were no minutes circulated for consideration, and therefore, there was no action taken.

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**Board’s Approval of Minutes:**

NMF   
SL   
JN 

Date Minutes Approved: SEP 20 2018

Date Approved Minutes Posted: SEP 20 2018