

Commission Members:

Nicole Murati Ferrer

Chairperson

Stephen Lenkauskas

City Electrician

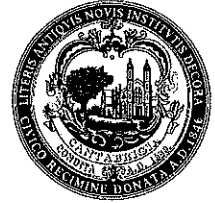
Terrence J. Shea

Superintendent of Streets

CAMBRIDGE LICENSE COMMISSION

831 Massachusetts Avenue, First Floor, Cambridge, Massachusetts 02139

POLE AND CONDUIT COMMISSION



City of Cambridge

Elizabeth Y. Lint
Executive Director

POLE AND CONDUIT COMMISSION'S MEETING MINUTES

For Meeting of Thursday, May 16, 2019 at 10:00 a.m.

Michael J. Lombardi Building
831 Massachusetts Avenue
Carmelia M. Vicente Conference Room
Cambridge, Massachusetts

Meeting started at 10:02 a.m.

Commission Board Members (all present): Nicole Murati Ferrer, Stephen Lenkauskas and Terrance J. Shea.

Commission Staff Member Present: Elizabeth Y. Lint.

Noticed Matters:

After discussing Item # 1 on the agenda, the Commission heard matters for which residents were present first.

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

Decisions: Unless otherwise indicated, all votes were 3-0. When matters are granted with "typical conditions," the Board is imposing the following conditions:

- (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. Discussion of Draft Policy regarding small cell wireless attachments on public ways (attached).
[Time Stamp: 00:45]

Present: Michael Giaimo, Verizon Wireless; Marty Cohen and Haran Rashes, Extenet Systems; Edmund Donnelly, AT&T; and Kyung-Ju Oh, resident.

Additional Documents Considered: Draft policy as amended on May 16, 2019.

Summary: This item was added to the agenda after its initial posting on May 10, 2019. It relates to the draft policy the City of Cambridge seeks to implement in accordance with the new FCC Regulations regarding small cell attachments. The agenda was amended on May 14, 2019 and the draft policy was attached to it. The draft policy was sent to all current utilities and any applicant on the agenda with small cell installation applications.

Further edits were made to the draft policy on the morning of May 16. The edits included: language added to section I(A); deleted I(F); added language to I(G); deleted I(M); added II(C) and the current II(C) became II(D); added IV(E); removed the word "not" in V(B)(xi) and (xii).

There was discussion as to whether the policy applies to attachments on utility owned poles, City owned poles or both. There was discussion on the need to adopt the policy prior to voting on any pending small cell attachment application.

Kyung-Ju Oh, expressed she was concerned about the safety of small cell installations. She stated there should not be any deployment of them until there is more investigation.

Decision: Matter taken under advisement. The vote was deferred to allow for further discussion and for feedback to be provided. A meeting will be scheduled, posted and with notice to all known utilities and anyone who provides their information. Comments may be submitted to the office. Agreement made with Extenet to defer hearing/taking any action on pending small cell attachment applications for 60 days.

2. **Petition (#30801) continued from January 31, 2019, Cambridge Network Solutions LLC, 35 McGrath Highway, Somerville, MA 02143, for the following:** Hurley Street and First Street - Starting at Verizon MH#26/598 at the intersection of Hurley Street and First Street, trench and install 468' +/- of (2) 4" PVC conduits in a northerly direction on First Street, and place a new 3'x3' Cambridge Network Solutions Manhole to intercept the existing Cambridge Network Solutions conduit recently placed from the Crown Castle common trench at 1 Canal Park. VP 30801 [Time Stamp: 49:50]

Present: Jeffrey Harrington, on behalf of Cambridge Network Solutions.

Additional Documents Considered: License uploaded to the electronic record.

Summary: The matter had been continued because the petitioner was waiting for the lease from Verizon lease and responses to common trench letter. The Verizon license was received and uploaded to the electronic record. Common trench letters were sent but there was no interest. Requests for a City conduit and site visit to view the corridor were made.

Decision: Granted with all typical conditions, site visit with DPW to review the corridor and adding one 4-inch conduit for the City.

3. **Petition (#33891) continued from April 25, 2019, Level 3 Communications/Century Link, 300 Bent Street, Cambridge, MA 02141, for the following:** North Point Boulevard and Museum Way - Starting at existing Level 3 MH on North Point Boulevard at North Street, trench and install (1) 4" conduit 138' +/- easterly to proposed 3'x3' MH#1. from proposed mh#1 continue 57' +/- northerly to stubbed conduit from building 10. Also, from proposed MH#1 continue 188' +/- easterly to proposed 3'x3' MH#2. from proposed MH#2 continue 99' +/- southerly on Museum Way to proposed 3'x3' MH#3. from proposed MH#3 continue 26' +/-easterly to 1 Education Street building. **[Time Stamp: 52:08]**

Present: Ben Whitaker, on behalf of Level 3 and Shawn Alles, on behalf of Crown Castle.

Summary: The matter was continued because the common trench letter needed to be sent, there was a need to coordination with DPW, and a lead company for the work needed to be identified. Common trench letters were sent, and Crown Castle and Cambridge Network Solutions will participate. Level 3 will be the lead company. Crown Castle and Cambridge Network Solutions must submit applications. A site visit is not necessary as Level 3 has already spoken with Paul Almeida at DPW concerning the project. The new street names must be put on the plans. Northpoint Boulevard is now Education Circle.

Decision: Granted with typical conditions, and the additional condition that Level 3 must attend the Monday morning construction meetings at DPW, the addresses be updated and correct, and a 4-inch conduit for the City is added.

4. **New Petition (#45924) Level 3 Communications/Century Link, 300 Bent Street, Cambridge, MA 02141, for the following:** Education Circle at North Street - Continuation from petition 33891 - starting at existing Level 3 MH on Education Circle at Museum Way trench and install (1) 4" conduit 370'+/- southeasterly to proposed 3'x3' Level 3 MH. From proposed level 3 MH continue 230' northeasterly on Education Street to existing private telecom mh. **[Time Stamp: 58:28]**

Present: Ben Whitaker, on behalf of Level 3.

Summary: This is around the same area as Petition #33891, but it relates only to get service to the new building at 8 Education Circle. It also relates to Level 3 service only. Common trench letter was sent but no interest expressed. There is no 8M permit.

Decision: Continued to obtain an 8M permit.

5. **Petition (#30738) continued from January 31, 2019, Crown Castle NG East LLC, 67 Sharp Street – Unit 5, Hingham, MA 02043, for the following:** Ellery Street - This Eligible Facilities Request involves an effort to collocate Transmission Equipment at an existing Base Station within a public right of way on a Utility Pole #227/24 on Ellery Street near the corner of Ellery St. and Broadway (Lat:42.37287/-71.10969). Pursuant to this Eligible Facilities Request, Crown Castle proposes to replace the existing shroud with a new 50"H x 30"W x 18"D shroud, and the existing 24" x 15" Ø antenna with a new 24" x 15" Ø antenna. **[1:01:50]**

Present: Amanda Cornwall, on behalf of Crown Castle.

Summary: This matter had been continued to obtain clarification/confirmation from Eversource that it would allow an antenna to be added to a pole which already has an Eversource antenna on it. Crown Castle received a letter from Eversource confirming Eversource was approving the attachment of a Crown Castle antenna on a pole with an Eversource antenna on it.

Decision: No action. Matter continued until July 2019 meeting to allow the Pole and Conduit Commission an opportunity to clarify/adopt a small cell attachment policy.

6. **Petition (#44042) continued from April 25, 2019, Crown Castle Fiber**, 80 Central Street, Boxborough, MA 01719, for the following: North Point Boulevard and Museum Way – (Continuation from approved petition #31788) Starting at proposed 3'x3' Crown Castle MH#10 on Museum Way, trench and install 218'+/- of (2) 4" communication conduit in a northeasterly direction to proposed 3'x3' Crown Castle MH#11, continuing 278'+/- in a northeasterly direction on Museum Way to proposed 3'x3' Crown Castle MH#12 on North Point Boulevard, from proposed Crown Castle MH#12 continue 202'+/- in a westerly direction to proposed 3'x3' Crown Castle MH#13 to intercept future telecommunication system for the building located at 10 North Point Boulevard. VP 44042 [Time Stamp: 1:08:42]

Present: Shawn Alles, on behalf of Crown Castle and Bill Conway.

Summary: The matter was continued because the common trench letter needed to be sent, there was a need to coordination with DPW, and a lead company for the work needed to be identified. This petition is related to petition # 3 on the agenda (#33891). Crown Castle intends to be the lead company for this portion of the work. It would be a continuation of the trench from Monsignor O'Brien Highway up to 10 North Point. Part of the trench is Level 3 and Crown Castle jointly. Level 3 must file a petition. DPW has already walked the site and approved it.

Decision: Granted with all typical conditions, and the additional conditions that Level 3 also file a petition, and a 4-inch conduit is added for the City.

7. **New Petition (#45834) Crown Castle NG East LLC**, 1800 West Park Drive, Floor 2, Westborough, MA 01581, for the following: Spring Street and Second Street - Proposing to attach small cell site equipment to existing 35'5" wood utility pole (Pole #16) on the NE corner of Spring Street and Second Street (nearest address 9 Spring Street). Fiber optic cable will feed aerial via overlashing to currently licensed poles on Spring Street.

Decision: No action. Matter continued until July 2019 meeting to allow the Pole and Conduit Commission an opportunity to clarify/adopt a small cell attachment policy.

8. **New Petition (#45830) Crown Castle NG East LLC**, 1800 West Park Drive, Floor 2, Westborough, MA 01581, for the following: 78 Spring Street - Proposing to attach small cell site equipment to existing

29'1" utility pole (Pole #645/18) in front of 78 Spring Street. Fiber will be fed aerial via overlashing to currently licensed poles on Spring Street. VP 45830 [Time Stamp: 28:14]

Present: Amanda Cornwall, Crown Castle; Mike Buccini, UC Synergetic; and Ana Camayd, resident.

Summary: This petition is for AT&T coming in as a first-time installation to expand their coverage in the area. The concern is why this pole was picked as there are other available poles in the area. When determining which pole to use they look at tree cover and the ability to use the pole top and not the side. There is a parking lot with no abutters which would be a better location but there is no pole at that site. Further up is Pole # 23 which is not near a residence. There is also a question as to whether this is a historical area.

Decision: Continued to determine if there are other poles that can be used, including but not limited to, Pole 23. The matter is also continued until July 2019 meeting to allow the Pole and Conduit Commission an opportunity to clarify/adopt a small cell attachment policy.

9. **New Petition (#45816) Crown Castle NG East LLC**, 1800 West Park Drive, Floor 2, Westborough, MA 01581, for the following: Gore Street and Lambert Street - Proposing to attach small cell site equipment to existing 26'8" wood utility pole(Pole #30) at NW corner intersection of Gore Street and Lambert Street. Fiber optic cable will feed aerial via overlashing to currently licensed poles on Gore Street.

Decision: No action. Matter continued until July 2019 meeting to allow the Pole and Conduit Commission an opportunity to clarify/adopt a small cell attachment policy.

10. **New Petition (#45824) Crown Castle NG East LLC**, 1800 West Park Drive, Floor 2, Westborough, MA 01581, for the following: Jay Street - Proposing to attach small cell site equipment to existing 28'2" wood utility pole(Pole #22) in front of 71 Jay Street. Fiber optic cable will feed aerial via overlashing to currently licensed poles on Bay Street and Kinnard Street. GOL to include 4 poles on Kinnaird Street and 1 pole on Jay Street.

Decision: No action. Matter continued until July 2019 meeting to allow the Pole and Conduit Commission an opportunity to clarify/adopt a small cell attachment policy.

11. **New Petition (#45808) Crown Castle NG East LLC**, 1800 West Park Drive, Floor 2, Westborough, MA 01581, for the following: Columbia Street - Proposing to attach small cell site equipment to existing 33'8" wood utility pole (P.NT) in front of 266 Columbia Street. Fiber optic cable will feed aerial via overlashing on two currently licensed poles on Market Street, north on Columbia Street on Pole #20, to cell site on Pole NT. GOL to include the two poles on Columbia Street.

Decision: No action. Matter continued until July 2019 meeting to allow the Pole and Conduit Commission an opportunity to clarify/adopt a small cell attachment policy.

Note: Matters #12-17 were considered together.

12. **Petition (#25038) continued from November 15, 2018, Extenet Systems, Inc.,** 100 Apollo Drive, Suite 303, Chelmsford, MA 01824, for the following: 57 Gorham Street - Attach small cell antenna shroud just above top of the pole; attach radio shroud approximately 13.5' above the ground and connect to existing power supply. Third party vendor to bring fiber to the pole.
13. **New Petition (#43891) Extenet Systems, Inc.,** 100 Apollo Drive, Suite 303, Chelmsford, MA 01824, for the following: 1341 Massachusetts Avenue - Installation of a small cell wireless facility on a replacement city street light pole, including an antenna in a cylindrical shroud at the top of the pole, three radios in a shroud enclosure 12' above the ground. The replacement structure is designed to accommodate existing attachments and the proposed small cell facility. Electric service will be provided from the nearest electric manhole via underground handhole. Fiber optic cable will be provided from the nearest telecom manhole via a new handhole.
14. **New Petition (#43925) Extenet Systems, Inc.,** 100 Apollo Drive, Suite 303, Chelmsford, MA 01824, for the following: Right-of-way adjacent to 1341 Massachusetts Avenue - Installation of a small cell wireless facility on a replacement city street light pole, including an antenna at the top of the pole, and one radio in a shroud 12' above the ground. The replacement structure is designed to accommodate existing attachments and the proposed small cell facility. Electric service will be provided from the nearest electric manhole via underground handhole. Fiber optic cable will be provided from the nearest manhole via a new handhole.
15. **New Petition (#43971) Extenet Systems, Inc.,** 100 Apollo Drive, Suite 303, Chelmsford, MA 01824, for the following: Right-of-way adjacent to 1607-1611 Massachusetts Avenue - Installation of a small cell wireless facility on a replacement city street light pole, including an antenna in a cylindrical shroud at the top of the pole and three radios in a shroud 12' above the ground. The replacement structure is designed to accommodate existing attachments and the proposed small cell facility. Electric service will be provided from the nearest electric manhole via underground handhole. Fiber optic cable will be provided from the nearest telecom manhole via a new handhole.
16. **New Petition (#43979) Extenet Systems, Inc.,** 100 Apollo Drive, Suite 303, Chelmsford, MA 01824, for the following: Right-of-way adjacent to 1651 Massachusetts Avenue - Installation of a small cell wireless facility on a replacement city street light pole, including an antenna in a cylindrical shroud at the top of the pole and three radios in a shroud 12' above the ground. The replacement structure is designed to accommodate existing attachments and the proposed small cell facility. Electric service will be provided from the nearest electric manhole via underground handhole. Fiber optic cable will be provided from the nearest telecom manhole via a new handhole.
17. **New Petition (#43999) Extenet Systems, Inc.,** 100 Apollo Drive, Suite 303, Chelmsford, MA 01824, for the following: Right-of-way adjacent to 1972 Massachusetts Avenue - Installation of a small

cell wireless facility on a replacement city street light pole, including an antenna in a cylindrical shroud at the top of the pole and three radios in a shroud enclosure 12' above the ground. The replacement structure is designed to accommodate existing attachments and the proposed small cell facility. Electric service will be provided from the nearest electric manhole via underground handhole. Fiber optic cable will be provided from the nearest telecom manhole via a new handhole.

Present: Marty Cohen and Haran Rashes, Extenet Systems; and Kyung-Ju Oh, resident.

Summary: Extenet's representatives agreed to a continuance of all matters for sixty days based on: Extenet's requests to allow additional time to submit edits to the proposed draft policy regarding small cell attachments, the Commission's request for additional time to receive comments on the draft policy and for it to make additional edits to it, and for the opportunity for the Commission to host a meeting to further discuss the proposed small cell attachment policy.

As to petition #43999, the resident expressed concern for any type small cell attachment until there is information on how the attachments affect health. A resident also spoke against the installation on petition # 43971 and asked that the petitioner look at an alternate location farther away from residences.

Decision: No action. Extenet agreed to a continuance on all matters for sixty days. Matter continued until July 2019 meeting to allow the Pole and Conduit Commission an opportunity to clarify/adopt a small cell attachment policy.

18. **Petition (#43722) continued from April 25, 2019, TC Systems, Inc.,** 157 Green Street, Suite 2, Foxboro, MA 02035, for the following: Massachusetts Avenue and Temple Street - Proposed break out at Existing VZ Manhole #26/99, thence 266+/- ft along Massachusetts Avenue to a proposed 3'X3' TC Systems Manhole, thence approx. 124' NE/LY across Massachusetts Avenue, and a distance down Temple Street to a proposed 5" core at 727 Massachusetts Avenue. TC Systems is proposing (1) 4" conduit, and (1) 4" City shadow conduit, together, both approximately 390' in the same trench.

Decision: None – matter continued by the applicant prior to the hearing.

19. **Petition (#44604) continued from April 25, 2019, Nstar Electric Company,** 10 Linwood Street, Somerville, MA 02143, for the following: 113 Webster Avenue - Northerly from Pole 551/14, at the intersection of Plymouth Street, to install approximately 70 feet -- conduit, and install a new manhole (MHC30831). **[Time Stamp: 42:31]**

Present: Jackie Duffy and Susan Barroso, on behalf of Eversource; Lee Thomas, represents property owner (RAFI); and Jack Grant, RAFI properties.

Summary: The matter had been continued pending Nstar/Eversource paying all outstanding balances to the City and completing the licensing process for flammables stored in Cambridge. In

addition, the petition had been continued because there was no information that any building permits had been obtained for the location and the petition did not seem imminent.

Payments owed were made. Nstar/Eversource, License Commission and the Fire Department are working to clean up any flammable licensing/permitting issues.

As for the petition, it is to provide upgraded service at the location. The grant is necessary and imminent as the building has been under construction for some time and is very far along in the renovations. The intent is to put up the drywall between June 20 & 25 and they would need to do the upgrade before then. The permits for construction were found.

Decision: Granted with all typical conditions.

20. **New Petition (#45955) Nstar Electric Company**, 10 Linwood Street, Somerville, MA 02143, for the following: 2013 Massachusetts Avenue - Northerly from MHC 233, at the intersection of Regent Street, to install approximately 5 feet- conduit. **[Time Stamp: 1:05:00]**

Present: Jackie Duffy and Susan Barroso, on behalf of Eversource; Michael Burke, Nauset Construction; and Phil Terzis, Acorn Holdings.

Summary: This is for temporary service at a construction site. It would be behind the barriers.

Decision: Granted with all typical conditions and coordination with DPW.

21. **New Petition (#45951) Nstar Electric Company**, 10 Linwood Street, Somerville, MA 02143, for the following: Ellery at Broadway - Northeasterly from MHC 2533, at the intersection of Ellery Street, to install approximately 15 feet-conduit. **[Time Stamp: 1:06:55]**

Present: Jackie Duffy and Susan Barroso, on behalf of Eversource.

Summary: This is for installation of a new traffic signal and constitutes only 2 feet of conduit.

Decision: Granted with all typical conditions.

22. **New Petition (#45950) Nstar Electric Company**, 10 Linwood Street, Somerville, MA 02143, for the following: 22 Magazine Street - Northwesterly from pole 34/26, at the intersection of Magazine Street, to install approximately 70 feet--conduit and install a new manhole (MHC30833). **[Time Stamp 46:18]**

Present: Jackie Duffy and Susan Barroso, on behalf of Eversource; and Alison Crowley representing MIT.

Summary: This is for a 12-unit apartment building which is under construction/renovation. It would be an upgrade in service to be able to install central air conditioner. The transformer is in the manhole and the sidewalk would be affected. The sidewalk where the manhole will be placed has bricks.

Decision: Granted with all typical conditions and the additional condition that the sidewalk bricks must be restored to its existing condition (bricks around the manhole).

23. **New Petition (#45948) Nstar Electric Company**, 10 Linwood Street, Somerville, MA 02143, for the following: 9 Dana Street - Northerly from Pole 196/5, at the intersection of Centre Street, to install approximately 82 feet --conduit. **[Time Stamp: 48:00]**

Present: Jackie Duffy and Susan Barroso, on behalf of Eversource; Jack Grant, RAFI; and Lee Thomas, RAFI.

Summary: The conduit is on the public way, but the manhole will be on private property.

Decision: Granted with all typical conditions.

24. Discussion on tracking "Completion of Work." **[Time Stamp: 1:16:53]**

Summary: There is currently no way to track when the grant of location is going to expire or when a job is completed. Right now, there is no way to track this. A message should be sent to the utilities letting them know the time is going to expire and to ask for an extension. This should be 45 days after grant.

Decision: A request will be made to have IT build this in to the workflow in ViewPoint.




25. Consideration of Minutes from April 25, 2019 Meeting. **[Time Stamp: 1:22:14]**

Decision: Approved.

26. Discussion regarding Commission's jurisdiction on private ways. **[Time Stamp 1:23:45]**

Summary: There is a petition pending before the Commission regarding installing conduit on a private way. Although the Commission is clear that it does not have jurisdiction for installations on private ways, this particular private way is maintained by the City. An opinion from the City Solicitor was requested as to whether this situation changed the Commission's jurisdiction. The opinion received does not address the particulars of the situation.

Decision: Request clarification from the City Solicitor as to whether the Commission has jurisdiction over private ways when such are maintained by the City.

NMF 
SL 
TJS 

Commission's Approval of Minutes:

Date Minutes Approved: JUN 20 2019

Date Approved Minutes Posted: JUN 20 2019