

Commission Members:

Nicole Murati Ferrer
Chairperson

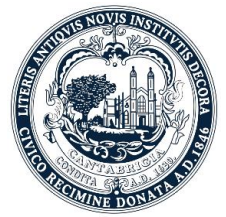
William Dwyer
Superintendent of Streets

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 Meeting of Thursday, September 28, 2017 at 10:00 A.M.
Michael J. Lombardi Building, 831 Massachusetts Avenue
Basement Conference Room**

Commission Board Members Present: Nicole Murati Ferrer and Stephen Lenkauskas

Meeting Started at 10:02 a.m.

[Audio Begins: 00:00:22]

Minutes of August 17, 2017 approved (2-0).

Public Testimony Matters:

Matters were called out of the order in which they were listed on the posted agenda. The Board first heard all matters where residents or members of the public wished to be heard. Thereafter, the matters were called in the order listed on the agenda.

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 matters granted had, at a minimum, the following conditions (also known as "typical 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.

1. **New Petition Comcast, 426 E. First Street, Boston, MA 02127**, for the following: **859 Massachusetts Avenue** – From existing Pole #3 on **Clinton Street**, trench northerly 5’ in the sidewalk installing 1-18”X31” sidewalk vault. From new SW vault, trench westerly 6’ then turning southerly 71’, then turning westerly 20’ to the PP line of **859 Massachusetts Avenue**, installing 2-4” Schd 40 PVC conduits – one for the City, one for Comcast. This will include the removal and replacement of 1 sidewalk panel by the contractor.

[Audio Begins: 00:01:43]

Testimony Presented by: Anthony Vatalaro, Comcast; and Alex Steinberg, Trustee of Clinton Street Apartments.

Summary: Comcast requires the work to service the area. The anticipated timeline to complete the work is 2 days. The resident is concerned about the disruption of access to the building. He requested the Board impose a condition on working hours so that the residents can get out in the morning to work in a timely fashion.

Decision: Granted (2-0) with all typical conditions and the additional conditions that work can only be performed between 9 a.m. – 5 p.m., access will not be impeded to Clinton Street Apartments between 7 a.m. and 9 a.m., and there must be continued coordination of Comcast with the neighbors.

2. **Continuation from August 17, 2017, to verify that 4-inch conduit goes to the hand hole in question. Nstar Electric Company, 101 Linwood Street, Somerville, MA 02143**, for the following: **Fayerweather Street** – At **Reservoir Street** and northwesterly from Pole 255/11 a distance of about 66 feet – conduit. This work is necessary to supply power to **37 Fayerweather Street** (W.O. #2203686).

[Audio Begins: 00:09:59]

Testimony Presented by: Jacqueline Duffy, NSTAR d/b/a Eversource; Susan Barroso, NSTAR d/b/a Eversource; and John Greenup, resident.

Summary: It was confirmed that the conduit goes into the proposed handhold. Contractor installed the conduit about 2 years ago. The grant is necessary so that power can be supplied to 37 Fayerweather Street.

Decision: Granted (2-0) with all typical conditions. Applicant reminded that street opening permits are necessary.

3. **New Petition Beals and Thomas, Inc., Reservoir Corporate Center, 14 Turnpike Road, Southborough, MA 01772-2104**, for the following: **West Boulevard** – Conduit will be laid in the following streets: **West Boulevard** easterly from terminus to intersection with **Water Street**. **Water Street** southerly from intersection with **West Boulevard** to intersection of **Monsignor O’Brien Highway**. **Gore Street** westerly from intersection of **Monsignor O’Brien Highway** to Somerville/Cambridge city line. All work proposed is for installation of 2 new conduits for communication.

[Audio Begins: 00:12:35]

Testimony Presented by: Mark Johnson, DIVCO West; Matt Cote, Beals and Thomas, Inc.; Michael Scannell, DHYM; Jim Wilcox, DPW; Betty Lee Saccoccio, resident; Rose Marie Rosenberger, resident; Audrey Cunningham, resident; and Dennis Ferrick, resident.

Summary: The proposed location and route was the one agreed upon in coordination with the MWRA. There is no other way to service the North Point project. There will be considerable work performed on the street and all manholes will be installed on one side of the street. The Gore Street residents of the area do not like the project and disruptions. They were informed this part of the project should not cause disruptions to their service. Future work may cause disruption to their water service but they will be informed.

Decision: Granted (2-0) with all typical conditions and additional conditions of taking conduit to the property line and forwarding updated plans in electronic form or 8 X11 ½.

4. **New Petition Nstar Electric Company, 101 Linwood Street, Somerville, MA 02143**, for the following: **Hurley Street** – Southerly from Pole 694/38 approximately 204 feet west of **Fifth Street** a distance of about 10 feet – conduit. This work is necessary to supply service to **310-312-316 Hurley Street** (W.O. #2220270).

[Audio Begins: 00:27:49]

Testimony Presented by: Jacqueline Duffy, NSTAR d/b/a Eversource; Susan Barroso, NSTAR d/b/a Eversource; Kyle Dexter, General Contractor; and Daniel Adelson, resident.

Summary: Proposal is necessary to supply 310-312-316 Hurley Street, new buildings in rear of development, service.

Decision: Granted (2-0) with all typical conditions.

5. **Continuation from July 20, 2017, to coordinate between companies to see if the duct can go under each other. Applicants were informed of DPW’s request to have them coordinate to make sure the Massachusetts Avenue and Albany Street could be paved at the**

same time. Nstar Electric Company, 101 Linwood Street, Somerville, MA 02143, for the following: **Albany Street** – At **Massachusetts Avenue** and northeasterly from MHC3498 to MHC3503 a distance of about 479 feet – conduit. **Albany Street** – At **Massachusetts Avenue** and northeasterly from MHC3499 to MHC3503 a distance of about 560 feet – conduit. This work is necessary to support M.I.T. construction of a new station (W.O. #2014470).

[Audio Begins: 00:31:16]

Testimony Presented by: Jacqueline Duffy, NSTAR d/b/a Eversource; and Susan Barroso, NSTAR d/b/a Eversource.

Summary: Companies were able to coordinate and the conduits will be installed on top of each other and existing ones.

Decision: Granted (2-0) with all typical conditions. Eversource reminded that it must continue to coordinate with DPW for the paving of the way.

6. Continuation from July 20, 2017, to go over facility lightings (meeting with Electrical Department); also need to provide DCR permits. Nstar Electric Company, 101 Linwood Street, Somerville, MA 02143, for the following: **Concord Avenue** – Northerly from MHC3020 approximately 130 feet south of a new public way a distance of about 792 total feet – conduit. Install two (2) new manholes MHC30238 & MHC30239. This work is necessary to supply power to **75 New Street** (W.O. #2109130).

[Audio Begins: 00:33:33]

Testimony Presented by: Jacqueline Duffy, NSTAR d/b/a Eversource; and Susan Barroso, NSTAR d/b/a Eversource.

Summary: Eversource applied for the DCR permit the day prior to the hearing and is not sure of when the permit will be issued. The work will be necessary to provide power to 75 New Street.

Decision: Granted (2-0) contingent upon receipt of DCR permit. The grant is also with all typical conditions and additional condition that Eversource must include a conduit for the City of Cambridge. If at some point the project requires something other than directional drilling, Eversource must first address the issue with the City of Cambridge and obtain additional approvals.

7. New Petition Nstar Electric Company, 101 Linwood Street, Somerville, MA 02143, for the following: **Cardinal Medeiros Avenue** At **Binney Street** and northerly from MHC32, thence turning easterly a distance of about 242 feet – conduit. This work is necessary to supply service to **399 Binney Street** (W.O. #2200395).

[Audio Begins: 00:35:11]

Testimony Presented by: Jacqueline Duffy, NSTAR d/b/a Eversource; Susan Barroso, NSTAR d/b/a Eversource; Terry Tolosko, Crystal Engineering; Matt Cody, Beals and Thomas; and Jim Wilcox, DPW.

Summary: Since the filing, the applicant has changed the proposed route from MHC32 to MHC35-45. The work will need to be performed to provide service to 399 Binney Street.

Decision: Continued to next month (2-0) because of change of route. A new plan needs to be submitted, there must be a determination of whether there is conduit in the area, and MWRA sewer conceptual planning also needed.

8. Continuation from August 17, 2017, so that there can be a meeting with DPW because there will be a lot of issues and coordination needed. In addition, the applicant is also ordered to start talking to others about common trench. Comcast, 426 E. First Street, Boston, MA 02127, for the following: **190 Massachusetts Avenue** – From the existing Level 3 manhole on **Massachusetts Avenue**, trench westerly 250' installing 1 new 3x5" manhole. From newly installed manhole, trench 20' southerly installing 1 new Comcast sidewalk vault. From same manhole, continue 400' westerly installing 1 new 2x4' manhole at the intersection of **Massachusetts Avenue and Landsdowne Street**. Continue from newly installed manhole, 220' westerly to an existing sidewalk vault. From newly installed manhole at **Massachusetts Avenue/Landsdowne Street**, trench westerly on **Landsdowne Street** 275' installing 1 new 3x5' manhole at green street. Continue an additional 300' to existing manhole on Franklin street. From new manhole at **Massachusetts Avenue/Landsdowne Street**, trench northerly then turning easterly 240' to Pole #44 on Front Street. Install 4-4' conduit 2 over 2 for all trenches.

[Audio Begins: 00:41:04]

Testimony Presented by: Anthony Vatalaro, Comcast.

Summary: Applicant has sent out the common trench inquiry and all responses have been in the negative (no participation). Doesn't have Level 3 permission. In addition, has not met with DPW regarding the proposed project.

Decision: Continued to next month (2-0) to allow applicant to complete site meeting with DPW and coordinate with them about the proposed route.

9. New Petition Comcast, 426 E. First Street, Boston, MA 02127, for the following: **52-56 Reed Street** – From Pole 11 on Reed Street, trench westerly 40' to the PP line of **52-56 Reed 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.

[Audio Begins: 00:43:06]

Testimony Presented by: Anthony Vatalaro, Comcast.

Summary: The request is made to provide service to 52-56 Reed Street.

Decision: Granted (2-0) with all typical conditions.

10. New Petition Comcast, 426 E. First Street, Boston, MA 02127, for the following: **47 Bishop Allen Drive** – In front of **47 Bishop Allen Drive**, install one new 3'X5' Comcast manhole over existing conduit. Trench northerly 19' installing 1-4" PVC conduit in the public way ending at **47 Bishop Allen Drive**. This will include the removal and replacement of 1 sidewalk panel.

[Audio Begins: 00:44:02]

Testimony Presented by: Anthony Vatalaro, Comcast. New residential building.

Summary: This is necessary to provide service to 47 Bishop Allen Drive. Installation of an additional conduit for the City of Cambridge discussed.

Decision: Granted (2-0) with all typical conditions and additional condition that there must be a 2-inch PVC conduit for the City of Cambridge.

11. New Petition Comcast, 426 E. First Street, Boston, MA 02127, for the following: **21 [sic] Ware Street** – From existing Comcast manhole in front of **2 Ware Street**, enlarge manhole to 5'X5'. Trench westerly 6' to an existing L3 manhole located on **Ware Street** installing 2-4" PVC conduit in the public way.

[Audio Begins: 00:45:46]

Testimony Presented by: Anthony Vatalaro, Comcast.

Summary: The work is at 2 Ware Street not 21 Ware Street. Will be necessary to provide service to the area.

Decision: Granted (2-0) with all typical conditions; site meeting with DPW regarding restoration. Need a breakout letter from Level 3. Joining systems together.

[On the Record Conversation with Comcast not related to petitions heard during the meeting. Anthony Vatalaro asked about the 907 Main Street project and whether decisions had been made regarding the aerial connections for the hotel. Stephen Lenkauskas informed that the power lines have been removed and the only connections left are that of the City's and Comcast. There needs to be further discussion as to what will happen. In addition, the node on the pole

that belongs to Crown Castle must be relocated. Crown Castle has not yet petitioned for that relocation. Still in discussion with the City as to aerial span. The developer of the 907 Main Street project will have to coordinate the work.]

12. New Petition Lighttower Fiber Networks, LLC, 80 Central Street, Boxborough, MA 01719, for the following: **Alewife Brook Parkway** -Installation of 485' +/- of (1) 4" PVC conduit and other supporting and protecting equipment from Level 3 MH#3302 northerly on **Alewife Brook Parkway**, transitioning easterly on **Whittemore Avenue** to the rear of the building located at **1 Alewife Center**.

[Audio Begins: 00:50:13]

Testimony Presented by: Chris Finneran, Lighttower; and Bill Conway, Access. Alewife Center. DPW (Paul Almeida) recommended this path because of the environmental cap.

Summary: Applicant explained that the proposed route is necessary for the new project and that the owner will not allow the conduit to be placed through the driveway because of an environmental cap. Although the applicant has not met with DPW, conversations about the issue have been had with Paul Almeida. The Board is concerned about the suggested route as it is on newly paved street and seems unnecessarily long route. The applicant should look at alternate routes and have a meeting with DPW regarding the proposed route.

Decision: Continued to next month (2-0) to allow the applicant time to discuss with DPW the proposed route. In addition, the applicant must submit a letter from the property owner confirming that it will not allow the applicant to go through the driveway because of the environmental cap. Applicant also needs a breakout letter from Level 3.

13. Continuation from August 17, 2017, with the overall condition and understanding that the applicant must provide a clear schedule of when it will complete the work that is currently ongoing in the City of Cambridge. Although the previous Verizon petition was granted, it was only done so because of the magnitude. However, the Commission will not be issuing permits for any more Verizon work when it is clear it has a lot of unfinished work. Applicant was provided a list of all poles and locations as well as the letter Verizon provided on January 10, 2017, promising that 76 poles would be removed by March 2017. Those poles were not removed and right now there are 103. Verizon New England, Inc., 144A Rangeway Road, N. Billerica, MA 01862, for the following: **Galileo Galilei Way** – Install approximately 75 feet +/- of 2-4" PVC conduit from existing Verizon Manhole #521 in **Galileo Galilei Way** southeasterly through the property line (westerly sideline) of **145 Broadway** to continue service to renovated structure and property.

[Audio Begins: 00:54:26]

Testimony Presented by: Elizabeth Kelly, Verizon New England, Inc.

Summary: The work is necessary to provide service to the area. Verizon removed 20 of the 24 double poles requested at the last meeting but there are more double poles to be removed.

Decision: Granted (2-0) with all typical conditions. Verizon must continue to remove the double poles throughout the City and the Commission expects a good number of them will be removed next month.

14. New Petition TC Systems, Inc., 157 Green Street, Suite 2, Foxboro, MA 02035, for the following: **First Street** – The installation of two (2), four-inch PVC conduits, at an approximate depth of 36 inches, from an existing hand hole located on the property of **239 First Street** to the existing Verizon manhole located at the intersection of **First Street and Binney Street**; a distance of approximately 742 feet.

[Audio Begins: 00:56:52]

Testimony Presented by: Adam Heller, Sierra Engineering Group.

Summary: Applicant wants to be able to provide service to the area and needs to reach 273 First Street. There must be exploration of other options like existing conduit or routes. The road was also recently paved. Verizon has existing conduit on First Street and should be contacted.

Decision: Continued to next month (2-0) to provide applicant opportunity to explore other conduit and route options.

15. New Petition Massachusetts Institute of Technology, 77 Massachusetts Avenue, Cambridge, MA 02139, for the following: **Albany Street** – The proposed project consists of 10-4" diameter conduits encased in concrete crossing **Albany Street** from west to east. The conduits under this petition will run from the existing telecom manhole outside the **235 Albany Street** building, through the property and across **Albany Street**, ultimately terminating at a proposed telecom manhole on the **250 Albany Street** property. These conduits will provide telecom/IT services to the temporary buildings as part of the MIT Grounds location. The approximate telecom/IT excavation crossing **Albany Street** into **250 Albany** site is 135'-0."

[Audio Begins: 01:02:34]

Testimony Presented by: Eric Bradanese, Engineering Alliance, Inc. (MIT); Brian Michalczyk (engineering); and John Morgante (MIT information systems).

Summary: This work will involve the installation of a new manhole on MIT property. The applicant has met with DPW and will be milling and repaving street in the spring per DPW's request.

Decision: Granted (2-0) with all typical conditions, continued coordination with DPW, and 8AM permit, MWRA and all other permits. If work is not going to be performed during regular hours of operation a Noise Variance will be needed.

16. New Petition 186 Communications, 10 North Southwood Drive, Nashua, NH 03063, for the following: **Bent Street** – Lease a single inch and a quarter (in diameter) inner-duct from Verizon that runs within the current Verizon manhole system. 186 Communications would like to install a new 288 count fiber optic cable within the conduit to provide service to our customers at **320 Bent Street**. The path will run from an existing Verizon MH at the intersection of **Fulkerson Street** and **Bent Street** to the basement level of **320 Bent Street** within existing Verizon conduit.

[Audio Begins: 01:07:30]

Testimony Presented by: Jeff Harrington, 186 Communications; Erin Joyce, Joyce Consulting Group.

Summary: Applicant knows it is early to request a grant as no licenses have been negotiated or obtained but filed the application to start the process to contact other utilities to lease. Applicant has done research and there is ample conduit in the location.

Decision: Continued indefinitely (2-0) until licenses are obtained from utilities and route is confirmed.

17. New Petition 186 Communications, 10 North Southwood Drive, Nashua, NH 03063, for the following: **Binney Street** - Lease a single inch and a quarter (in diameter) inner-duct from Verizon that runs within the current Verizon manhole system. 186 Communications would like to install a new 288 count fiber optic cable within the conduit to provide service to our customer at **60 Binney Street**. The path will run from Verizon MH on **Bent Street** to the intersection of **Third Street** and run down **Third Street** to the intersection of **Binney Street**, finally terminating in the parking garage level of **60 Binney Street**.

[Audio Begins: 01:11:38]

Testimony Presented by: Jeff Harrington, 186 Communications; Erin Joyce, Joyce Consulting Group.

Summary: Applicant knows it is early to request a grant as no licenses have been negotiated or obtained but filed the application to start the process to contact other utilities to lease. Terry Tolosko should be contacted to assist with the approval of the proposed route.

Decision: Continued indefinitely (2-0) until licenses are obtained.

18. New Petition 186 Communications, 10 North Southwood Drive, Nashua, NH 03063, for the following: **Brookline Street and Valentine Street** – Install a ¼ inch steel supporting strand and 12 strand fiberoptic cable from existing Utility Pole #E-102/40 at the intersection of **Brookline Street and Valentine Street**, down Brookline Street for approximately 10 poles to the corner of **Allston Street**. The cable will turn southeast on **Allston Street** and run for an additional 6 existing utility poles to the rear entrance of **200 Sidney Street**.

[Audio Begins: 01:14:36]

Testimony Presented by: Jeff Harrington, 186 Communications; Erin Joyce, Joyce Consulting Group.

Summary: Looking for space within communications. Proposing to lease from Crown Castle.

Decision: Continued indefinitely (2-0) until licenses are obtained. It was also noted for the applicant that the poles in this area are very congested. If granted in the future and the work results in a new pole installation, the double pole must be removed.

Note: *Mobilitie matters all heard as one since applicant removed three before the petitions were called.*

[Audio Begins: 01:20:11]

Testimony Presented by: Rosana Ferrante, Mobilitie.

19. New Petition Mobilitie, LLC, 926B Peachtree Street NE, Atlanta, GA 30309, for the following: **Columbia Street** – To attach wireless backhaul transport equipment to an existing utility pole in the right-of-way along **Columbia Street**, between **Bishop Allen Drive** and **Sidney Street**, with electricity connection.

Summary: As the application was being discussed, it was noted that pole 166/16, the proposed site of installation, may not be there after the building next to it is torn and rebuilt. The area at which the installation is being proposed is one where there will be considerable construction and the pole might be removed. In addition, the location must be looked at carefully as there is a Crown Castle node in near proximity. Should try to find a new location.

Decision: Applicant removed the matter until more research is done on the area and the upcoming construction. The applicant will make a determination as to whether it should continue to pursue the installation.

20. New Petition Mobilitie, LLC, 926B Peachtree Street NE, Atlanta, GA 30309, for the following: **Pleasant Street** – To attach wireless backhaul transport equipment to an existing

utility pole in the right-of-way along **Pleasant Street**, between **River Street** and **Pleasant Place**, with electricity connection.

Summary & Decision: Matter removed by applicant at the hearing.

21. **New Petition** **Mobilitie, LLC, 926B Peachtree Street NE, Atlanta, GA 30309**, for the following: **Gardner Road** – To attach wireless backhaul transport equipment to an existing utility pole in the right-of-way along **Gardner Road**, between **Tremont Street** and **Murdock Place**, with electricity connection.

Summary & Decision: Matter removed by applicant at the hearing. It was noted to the applicant that prior to putting the matter back on the agenda, the applicant should look at the proposed location as it appears to be in very close proximity to a resident’s window.

22. **New Petition** **Mobilitie, LLC, 926B Peachtree Street NE, Atlanta, GA 30309**, for the following: **Springfield Street** – To attach wireless backhaul transport equipment to an existing utility pole in the right-of-way along **Springfield Street**, between **Cambridge Street** and **Houghton Street**, with electricity connection.

Summary & Decision: Matter removed by applicant at the hearing.

Board’s General Statement to Mobilitie: *On at least two recent installations, the applicant failed to obtain a Utility Permit. This is a condition of any grant, and the Utility Permits must be obtained prior to any installations. In addition, on the installations where no Utility Permits were obtained, it was noticed a meter was placed on the pole. There should be no meter sockets on any of the poles. Cambridge operates on a flat rate. The Commission expects that Mobilitie will take immediate action to remove the meters and to also ensure that Utility Permits are obtained.*

Board’s Approval of Minutes:

NMF _____

Date Minutes Approved: _____

SL _____

WD _____

Date Approved Minutes Were Posted: _____