

### CITY OF CAMBRIDGE

#### **BZA Application Form**

#### **General Information**

	BOARDOR	ZONING APPEAL
		ZONING AFFEAL
	831 Massachusetts Av	venue, Cambridge MA 02139
And Andrew	617	-349-6100
BZA Number: 184987	BZA App	lication Form
	Genera	al Information
The undersigned hereb	y petitions the Board of Zoning	Appeal for the following:
Special Permit:X	Variance:	renue, Cambridge MA 02139 -349-6100  calication Form  al Information  Appeal for the following:  Appeal:  Appea
PETITIONER: <u>T-Mobile</u> Tye LLP	e Northeast LLC, for The Parks	side Place Company C/O Adam F, Braillard of Prince Lobel
PETITIONER'S ADDRE	ESS: One International Place,	Boston, MA 02110
LOCATION OF PROPE	RTY: 700-704 Huron Avenue	, Cambridge, MA
TYPE OF OCCUPANC	Y: Telecommunications and	ZONING DISTRICT: Residence C-3 Zone
REASON FOR PETITIO	ON:	
Telecommunication Fa	acility (antenna)/	
DESCRIPTION OF P	ETITIONER'S PROPOSAL:	
existing panel antennas adding 1 (one) new equ All antenna sectors will	with six (6) new panel antenna ipment rack; and modifying an continue to be concealed behin	ntly operating on the Building by replacing six (6) of the as; replace three (3) existing RRHs with three (3) new RRHs; cillary equipment within an equipment room of the Building, and new transparent enclosures, and painted to match the I change to the Applicant's existing facility will be de minimus
SECTIONS OF ZONING	G ORDINANCE CITED:	
Article: 10.000 Sect	ion: 4.32.G.1 and 4.40 (Footno ion: 10.40 (Special Permit) ion: Middle Class Tax Relief Ad	te 49) (Telecommunications Facilities)
	Original Signature(s):	(Petitioner (s) / Owner)
Date:July 14, 202	Address: Tel. No. E-Mail Address:	Adam F. Braillard of Prince Lobel Tye LLP for Petitioner (Print Name)  One International Place, Suite 3700, Boston, MA 02110  617-456-8153 abraillard@princelobel.com

#### **BZA Application Form**

#### DIMENSIONAL INFORMATION

Applicant:

T-Mobile Northeast LLC, for The Parkside Place

Company

Present Use/Occupancy: Telecommunications and Residential

Zone: Residence C-3 Zone

Location: Phone: 617-456-8153

700-704 Huron Avenue , Cambridge, MA

Requested Use/Occupancy: Telecommunications

Requested Conditions Ordinance **Existing Conditions** TOTAL GROSS FLOOR AREA: N/A no change (max.) LOT AREA: N/A No Change N/A (min.) RATIO OF GROSS FLOOR AREA TO LOT N/A No Change N/A AREA: 2 LOT AREA OF EACH N/A No Change N/A DWELLING UNIT SIZE OF LOT: WIDTH N/A No Change N/A DEPTH N/A No Change N/A SETBACKS IN FEET FRONT N/A No Change N/A REAR N/A No Change N/A LEFT SIDI N/A N/A No Changes RIGHT N/A No Change N/A SIDE SIZE OF BUILDING: HEIGHT N/A No Change N/A N/A No Change N/A **MDTH** RATIO OF USABLE OPEN SPACE TO LOT N/A N/A No Change AREA: NO. OF DWELLING UNITS: N/A No Change N/A NO. OF PARKING SPACES: N/A No Change N/A NO, OF LOADING AREAS: N/A No Change N/A DISTANCE TO NEAREST No Change

### 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 The Parkside Place Company (OWNER)
Address: c/o First Realty Management 151 Tremont Street Boston, MA 02111
State that I/We own the property located at $\_704\ Huron\ Ave\ Cambridge,\ MA$ , which is the subject of this zoning application.
The record title of this property is in the name of Huron Towers Company
*Pursuant to a deed of duly recorded in the date $4/16/1970$ , Middlesex South County Registry of Deeds at Book $11821$ , Page $356$ ; or Middlesex Registry District of Land Court, Certificate No.
Book Page .
Jank Citelle
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 Suffilk
The above-name Frank Cevedello personally appeared before me,
this 1240 July, 2000, and made oath that the above statement is true.
My commission expires 01/04/06 (Notary Seal).
• If ownership is not shown in recorded deed, e.g. if by controller mecent deed, or inheritance, please include documentation.

July 14, 2022

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: 704 Huron Avenue, Cambridge, MA 02138

Assessor's Map 257, Lot 60 (the "Property")

Applicant: T-Mobile Northeast, LLC ("Applicant" or "T-

Mobile")

Dear Honorable Members of the Board of Zoning Appeals:

This firm represents T-Mobile Northeast LLC 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 Residence C-3 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 Board<sup>1</sup>. 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

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<sup>&</sup>lt;sup>1</sup> 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.

Request permit application form attached hereto and incorporated herein by reference (the "EFR").

The Applicant seeks to modify its existing wireless communications facility by replacing existing panel antennas with new like kind panel antennas and installing additional new Remote Radio Head (RRUs), as well as modifying existing ancillary equipment (the "Proposed Facility"). The Applicant's Proposed Facility is described in more detail bellow and is 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

The Applicant's existing Facility consists of three (3) sectors (A, B and C), with each sector having three (3) panel antennas and three (3) RRHs each. All of the antennas are mounted on the Building's façade. All of the sectors are behind stealth transparent enclosures, painted to match the color of the Building facade. As noted above, the Applicant proposes to modify its existing Facility currently operating on the Building by replacing six (6) of the existing panel antennas with six (6) new panel antennas; replace three (3) existing RRHs with three (3) new RRHs; adding 1 (one) new equipment rack; and modifying ancillary equipment within an equipment room of the Building. All sectors will continue to be concealed behind new transparent enclosures, and painted to match the color of the Building's façade. Consequently, the visual change to the Applicant's existing facility will be de minimus.

The Applicant's proposal is consistent with the previous decisions of the Board

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for this facility, the first of which is dated January 12, 2006 (Case No. 9227) (the "Original Decision"), a second dated September 27, 2012 (Case No. 10326) (the "2<sup>nd</sup> Decision"), a third decision dated April 30, 2015 (Case No. BZA-006489-2015) (the "3<sup>rd</sup> Decision") and a fourth decision dated February 14, 2019 (Case No. BZA-017060-2019) (the "4<sup>th</sup> Decision" and together with the Original Decision and 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> Decisions shall hereafter be referred to as the "Decisions").

#### 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 Residence C-3 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.

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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 Residence C-3 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 Residence C-3 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 Proposed Facility will have no additional visual impact on the existing facility and Building. The Proposed Facility will be installed on the façade of the Building, removing six (6) of the existing antennas and replacing them with six (6) new antennas, and in conformity with the Decision.

As stated above, federal law now preempts many of the permit applications

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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.

Tre Proposed Facility is located in the Residential C-3 Zoning District but nonresidential uses predominate in the area. Pursuant to the requirement that the Board shall grant a special permit to erect a Telecommunications Facility only upon a finding that non-residential uses predominate in the vicinity of the proposed facility's location the Applicant hereby states that this is a modification of an existing wireless facility and as such respectfully submits to the Board that it has previously found that nonresidential uses predominate in the vicinity of this Proposed Facility. The Board has reached a decision to grant a special permit for the Applicant's Existing Facility the previous Decisions. As such, the Applicant respectfully requests that, in keeping with its prior decisions, the Board find that nonresidential uses predominate in the vicinity of the Proposed Facility and that the Proposed Facility is not inconsistent with the character that does prevail in the surrounding neighborhood.

Further, notwithstanding anything contained herein to the contrary, and in agreement with the aforementioned predominately nonresidential use finding, upon an inspection of the vicinity of the Proposed Facility the Applicant respectfully submits that Prince Lobel Tye LLP said finding is reasonable as the character of the surrounding neighborhood consists of nonresidential uses such as, the Fresh Pond Cambridge Municipal Golf Course, at 691 Huron Avenue, the West Cambridge Mayor Sheila Doyle Russell Youth and Community Center at 680 Huron Avenue and the Belmont Cemetery.

Moreover, the proposed changes to the Existing Facility are de minimis and

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therefore, the Proposed Facility is not inconsistent with the character that does prevail in the surrounding neighborhood. Finally, as noted above, the proposed installation is a modification to the Applicant's Facility and as such is the preferred location for additional equipment, pursuant to the TCA, as referenced above.

# B. The Applicant complies with the Special Permit Criteria set forth in Section 10-43 of the Ordinance<sup>2</sup>:

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

<sup>2</sup> 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.

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# 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.

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

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Suite 3700

intrusive wireless telecommunications facilities in all districts (other than Open Space), including the Residence C-3 District.

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,

Adam F. Braillard Direct: 617-456-8153

Email: abraillard@princelobel.com

Prince Lobel Tye LLP
One International Place
Suite 3700

Boston, MA 02110

TEL: 617 456 8000 FAX: 617 456 8100

about:blank 7/22/22, 9:31 AM

Tel. No.

617-456-8153 E-Mail Address: abraillard@princelobel.com

Date:		

### **BZA Application Form**

#### **DIMENSIONAL INFORMATION**

T-Mobile Northeast LLC, for The Parkside Place **Applicant:** 

Present Use/Occupancy: Residential

Telecommunications and

**Company** 

Location: 700-704 Huron Avenue, Cambridge, MA Zone: Residence C-3 Zone

Phone: 617-456-8153 Requested Use/Occupancy: Telecommunications

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

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

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).

2/4 about:blank

PROJECT INFORMATION

SCOPE OF WORK: UNMANNED TELECOMMUNICATIONS FACILITY MODIFICATIONS

704 HURON AVENUE CAMBRIDGE, MA 02138 SITE ADDRESS:

LATITUDE: 42.38121255" N 71.15468800" W LONGITUDE:

JURISDICTION: NATIONAL, STATE & LOCAL CODES OR ORDINANCES

TELECOMMUNICATIONS FACILITY CURRENT USE: PROPOSED USE: TELECOMMUNICATIONS FACILITY

PROJECT TYPE: ANCHOR

DESIGN GUIDELINE: 67D5A997DB HYBRID

## **SITE NUMBER: 4BN0111A** SITE NAME: BN111/PARKSIDEPLACEAPTS

704 HURON AVENUE CAMBRIDGE, MA 02138 MIDDLESEX COUNTY

DESIGN GUIDELINE: 67D5A997DB HYBRID

#### **REV** LOCUS MAP DRAWING INDEX **GENERAL NOTES**



- 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.
- THE FACILITY IS AN UNMANNED PRIVATE AND SECURED EQUIPMENT INSTALLATION. IT IS ONLY ACCESSED BY TRAINED TECHNICIANS FOR PERIODIC ROUTINE MAINTENANCE AND THEREFORE DOES NOT REQUIRE ANY WATER OR SANITARY SEWER SERVICE. THE FACILITY IS NOT GOVERNED BY REGULATIONS REQUIRING PUBLIC ACCESS PER ADA REQUIREMENTS.
- CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE T-MOBILE REPRESENTATIVE IN WRITING OF DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

#### **APPROVED**

By Justin Vivieors at 8:34 am, Feb 03, 2022

**APPROVED** 

By Ryan Monte de Ramos at 9:37 am, Feb 08, 2022

ZONING / SITE ACQ. DATE

OPERATIONS DATE

LANDLORD DATE





DIG SAFE SYSTEM, INC.

CALL BEFORE YOU DIG



CALL TOLL FREE: 811 OR 888-DIG-SAFE

#### **UNDERGROUND SERVICE ALERT**





SITE NUMBER: 4BN0111A

SITE NAME: BN111/PARKSIDEPLACEAPTS

704 HURON AVENUE CAMBRIDGE, MA 02138 MIDDLESEX COUNTY

T-MOBILE NORTHEAST LLC

15 COMMERCE WAY, SUITE B NORTON, MA 02766 OFFICE: (508) 288-2700 FAX: (508) 286-2893

NO.	DATE	REVISIONS	BY	CHK	Γ
۰	09/15/20	ISSUED FOR REVIEW	MER	MRC	1
	11/01/2		MER	MRC.	1
	12/07/21		MER	8	
73	02/01/22	2 REVISED	MER	g	L
					Γ

TITLE SHEET

SHEET NO. T-1

#### **GENERAL NOTES**

- 1. 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.
- 2. 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
- 3. THE CONTRACTOR OR BIODER SHALL BEAR THE RESPONSIBILITY OF NOTIFYING (IN WRITING) THE LESEE/LICENSEE REPRESENTATIVE OF ANY CONFLICTS, ERRORS, OR GUISSIONS PRIOR TO THE SUBMISSION OF CONTRACTOR'S PROPOSAL OR PERFORMANCE OF WORK, IN THE EVENT OF DOSCEPANIOES THE CONTRACTOR SHALL PRICE THE MORE COSTLY OR EXTENSIVE WORK, UNLESS DIRECTED IN WRITING
- 4. THE SCOPE OF WORK SHALL INCLUDE FURNISHING ALL MATERALS, EQUIPMENT, LABOR AND ALL OTHER MATERALS AND LABOR DEEMED NECESSARY TO COMPLETE THE WORK/PROJECT AS
- 5. THE CONTRACTOR SHALL VISIT THE JOB SITE PRIOR TO THE SUBMISSION OF BIDS OR PERFORMING WORK TO FAMILLARIZE HIMSELF WITH THE FIELD CONDITIONS AND TO VERIFY THAT THE PROJECT CAN BE CONSTRUCTED IN ACCORDANCE WITH THE CONTRACT. DOCUMENTS.
- 6. THE CONTRACTOR SHALL OBTAIN AUTHORIZATION TO PROCEED WITH CONSTRUCTION PRIOR TO STARTING WORK ON ANY ITEM NOT CLEARLY DEFINED BY THE CONSTRUCTION DRAWINGS / CONTRACT
- 7. 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
- 8. THE CONTRACTOR SHALL PROMDE A FULL SET OF CONSTRUCTION DOCUMENTS AT THE SITE UPDATED WITH THE LATEST REVISIONS AND ADDENOURS OR CLARIFICATIONS AVAILABLE FOR THE USE BY ALL
- 9. THE CONTRACTOR SHALL SUPERVISE AND DIRECT THE PROJECT DESCRIBED HERBIN. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SECUENCES AND PROCEDURES AND FOR COORDINATING ALL PORTIONS THE WORK UNDER THE CONTRACT.
- 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROMING ALL NECESSARY CONSTRUCTION CONTROL SURVEYS, ESTABLISHING AND MAINTAINING ALL LINES AND GRADES REQUIRED TO CONSTRUCT ALL
- 11. 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
- 12. THE CONTRACTOR SHALL MAKE NECESSARY PROVISIONS TO PROTECT EXISTING IMPROVEMENTS, SESSEMENTS, PHANKS, CURRING, ETC. DURING CONSTRUCTION, LIPON COMPLETION OF WORK, THE CONTRACTOR SHALL REPAIR ANY DAMAGE THAT MAY HAVE OCCURRED DUE TO CONSTRUCTION OF 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

- 14. THE CONTRACTOR SHALL COMPLY WITH ALL OSHA REQUIREMENTS AS THEY APPLY TO THIS PROJECT.
- 15. THE CONTRACTOR SHALL NOTIFY THE LESSEA KENSEE THE CONTRACTOR STAND.

  THE CONTRACT 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 LESEE/LICENSEE
- 16. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, ELEVATIONS, PROPERTY LINES, ETC. ON THE JOB.
- 17. ALL UNDERGROUND UTILITY INFORMATION WAS DETERMINED FROM SURFACE INVESTIGATIONS AND EXISTING PLANS OF RECORD. THE CONTRACTOR SHALL LOCATE ALL UNDERGROUND UTILITIES IN THE FIFTO PRIOR TO ANY SITE WORK, CALL THE FOLLOWING FOR ALL RE-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 (CT): 1-800-922-4455
- 18. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING ALL NECESSARY CONSTRUCTION CONTROL SURVEYS AND MAINTAINING ALL LINES AND GRADES REQUIRED TO CONSTRUCT ALL IMPROVEMENTS
- 19. ALL DIMENSIONS SHOWN THUS  $\pm$  ARE APPROXIMATE. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND ELEVATIONS WHICH EFFECT THE CONTRACTORS WORK, CONTRACTOR TO VERIFY ALL DIMENSIONS WITH PROJECT OWNER PRIOR TO CONSTRUCTION.
- 20. NORTH ARROW SHOWN ON PLANS REFERS TO APPROXIMATE TRUE NORTH, PRIOR TO THE START OF CONSTRUCTION, ORDERING OR FABRICATING OF ANTENNA MOUNTS, CONTRACTOR SHALL CONSULT WITH PROJECT OWNER'S RF ENGINEER AND FIELD VERIFY ALL ANTENNA SECTOR LOCATIONS AND ANTENNA AZMUTHS.
- 21. THE CONTRACTOR AND OR HIS SUB-CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS AND INSPECTIONS WHICH WAY BE REQUIRED FOR THE WORK BY THE ARCHITECT/ENGINEER, THE STATE COLINTY OR LOCAL COVERNMENT AUTHORITY.
- 22. ANTENNA INSTALLATION SHALL BE CONDUCTED BY FIELD CREWS EXPERIENCED IN THE ASSEMBLY AND ERECTION OF RADIO ANTENNAS, TRANSMISSION LINES AND SUPPORT STRUCTURES.
- 23. COAXUAL CABLE CONNECTORS AND TRANSMITTER EQUIPMENT SHALL BE PROMDED BY THE PROJECT OWNER AND IS NOT INCLUDED IN THESE CONSTRUCTION DOCUMENTS. A SCHEDULE OF PROJECT OWNER SUPPLIED WATERIALS IS ATTACHED TO THE BID DOCUMENTS (SEE EXHIBIT 3) ALL OTHER HARDWARE TO BE PROMISED BY THE
- 24. WHEN "PAINT TO MATCH" IS SPECIFIED FOR ANTENNA CONCEALMENT. PAINT PRODUCT FOR ANTENNA RADOME SHALL BE SHERMIN WILLIAMS CORDITIONE II. SURFACE PREPARATION AND APPLICATION SHALL BE IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS AND PROJECT OWNER'S GUIDELINE'S.
- 25. COORDINATION, LAYOUT, AND FURNISHING OF CONDUIT, CABLE AND ALL APPURTENANCES REQUIRED FOR PROPER INSTALLATION OF ELECTRICAL AND TELECOMMUNICATION SERVICE SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
- 26. ALL UTILITY WORK SHALL BE IN ACCORDANCE WITH LOCAL UTILITY COMPANY REQUIREMENTS AND SPECIFICATIONS.
- 27. ALL (E)ACTIME SEWER, WATER, GAS, ELECTRIC, AND OTHER UNLITES WHERE ENCOUNTERED IN THE WORK, SHALL BE PROTECTED AT ALL THES, AND WHERE REQUIRED FOR THE PROPER EXECUTION OF THE WORK, SHALL BE RELOCATED AS DIRECTED BY ENGINEERS. EXTREME CAUTION SHOULD BE USED BY THE CONTRACTOR WHEN EXCAVATING OR PIER DRILLING AROUND OR NEAR UTILITIES.

  CONTRACTOR SHALL PROVIDE SAFETY TRAINING FOR THE WORKING

- 28. ALL (E)NACTIVE SEWER, WATER, GAS, ELECTRIC AND OTHER UTILITIES,
  1. ALL ELECTRICAL WORK SHALL CONFORM TO THE REQUIREMENTS OF
  WHICH INTERFERE WITH THE EXECUTION OF THE WORK, SHALL BE
  THE NATIONAL ELECTRICAL CODE (NEC) AS WELL AS APPLICABLE STATE WHICH INTERFERE WITH THE EXECUTION OF THE WINNE, STALLD AT PENNIS WHICH WILL NOT INTERFERE WITH THE EXECUTION OF THE WORK, SUBJECT TO THE APPROVAL OF UTILITY COMPANY ENGINEERING. THE AREAS OF THE PROPERTY USTURBED BY THE WORK AND NOT COMPRED BY THE EQUIPMENT, DRIVEWAY OR
- 29. GRAVEL, SHALL BE GRADED TO A UNIFORM SLOPE, FERTILIZED, SEEDED AND COVERED WITH MULCH UNLESS OTHERWISE NOTED. THE CONTRACTOR SHALL ESTABLISH AND MAINTAIN SOIL EROSION AND SEDMENTATION CONTROLS AT ALL TIMES
- 30. DURING CONSTRUCTION, PER FCC MANDATE, ENHANCED EMERGENCY (E911) SERVICE IS REQUIRED TO MEET NATIONWIDE STANDARDS
- 31. FOR WIRELESS COMMUNICATIONS SYSTEMS, PROJECT OWNER'S IMPLEMENTATION REQUIRES DEPLOYMENT OF EQUIPMENT AND ARTENIANS GENERALLY DEPICTED ON THIS PIJAL, ATTACHED TO OR MOUNTED IN CLOSE PROJUNITY TO THE BTS ROUND CAMBRETS, PROJECT OWNER RESERVES THE RIGHT TO MAKE REASONABLE MODIFICATIONS TO E911 EQUIPMENT AND LOCATION AS TECHNOLOGY EVOLVES TO MEET REQUIRED
- 32. SUBCONTRACTOR'S WORK SHALL COMPLY WITH THE LATEST EDITION OF THE FOLLOWING STANDARDS:
  - AMERICAN CONCRETE INSTITUTE (ACI) 318; BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE;
  - AMERICAN INSTITUTE OF STEEL CONSTRUCTION (AISC)
  - MANUAL OF STEEL CONSTRUCTION, ASD, NINTH EDITION;
  - TELECOMMUNICATIONS INDUSTRY ASSOCIATION (TIA) 222-H, STRUCTURAL STANDARDS FOR STEEL
  - ANTENNA TOWER AND ANTENNA SUPPORTING STRUCTURES; REFER TO ELECTRICAL DRAWINGS FOR SPECIFIC ELECTRICAL STANDARDS.
- FOR ANY CONFLICTS BETWEEN SECTIONS OF LISTED CODES AND STANDARDS RECARDING MATERIAL, METHODS OF CONSTRUCTION, OR OTHER 11. ALL EQUIPMENT LOCATED OUTSIDE SHALL HAVE NEWA 3R ENCLOSURE. REQUIREMENTS, THE MOST RESTRICTIVE REQUIREMENT SHALL GOVERN.
  WHERE THERE IS CONFLICT BETWEEN A GENERAL REQUIREMENT AND A SPECIFIC REQUIREMENT, THE SPECIFIC REQUIREMENT SHALL GOVERN.
- APPLICABLE BUILDING CODES:
- SUBCONTRACTOR'S WORK SHALL COMPLY WITH ALL APPLICABLE NATIONAL STATE, AND LOCAL COORS AS ADOPTED BY THE LOCAL AUTHORITY HAVING OWNER. JURISDICTION (AHJ) FOR THE LOCATION. THE EDITION OF THE AHJ
  ADOPTED CODES AND STANDARDS IN EFFECT ON THE DATE OF CONTRACT AWARD SHALL GOVERN THE DESIGN.
- MASSACHUSETTS STATE BUILDING CODE 780 CMR, 9TH EDITION ELECTRICAL CODE: MASSACHUSETTS 527 CMR 12.00 (NEC 2020)

#### **ELECTRICAL AND GROUNDING NOTES**

- THE NATIONAL ELECTRICAL CODE (NEC) AS WELL AS APPLICABLE STATE
- 2. ALL ELECTRICAL ITEMS SHALL BE U.L. APPROVED OR LISTED AND PROCURED PER SPECIFICATION REQUIREMENTS.
- 3, THE ELECTRICAL WORK INCLUDES ALL LABOR AND MATERIAL DESCRIBED BY DRAWINGS AND SPECIFICATION INCLUDING INCIDENTAL WORK TO PROVIDE COMPLETE OPERATING AND APPROVED ELECTRICAL SYSTEM.
- 4. GENERAL CONTRACTOR SHALL PAY FEES FOR PERMITS, AND IS RESPONSIBLE FOR OBTAINING SAID PERMITS AND COORDINATION OF
- 5. 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 NETAL OR NONMETALLIC CONDUITS.
- 6. BURIED CONDUIT SHALL BE SCHEDULE 40 PVC.
- 7. ELECTRICAL WIRING SHALL BE COPPER WITH TYPE XHHW, THWN, OR
- 8. RUN ELECTRICAL CONDUIT OR CABLE BETWEEN ELECTRICAL UTILITY DEMARCATION POINT AND PROJECT OWNER CELL SITE PPC AS NOCATED ON THIS DRAWING. PROVIDE FULL LENGTH PULL ROPE, COORDINATE INSTALLATION WITH UTILITY COMPANY.
- 9. Run telco conduit or cable between telephone utility demarcation point and project owner cell site telco cabinet and BTS cabinet as indicated on this drawing, provide full length PULL ROPE AND GREENLEE CONDUIT MEASURING TAPE IN EACH INSTALLED TELCO CONDUIT.
- 10. WHERE CONDUIT BETWEEN BITS AND PROJECT OWNER CELL SITE PPC AND BETWEEN BITS AND PROJECT OWNER CELL SITE TELCO SERVICE CABINET ARE UNDERGROUND USE PVC, SCHEDULE 40 CONDUIT. ABOVE THE GROUND PORTION OF THESE CONDUITS SHALL BE PVC CONDUIT.
- 12. PPC SUPPLIED BY PROJECT OWNER.
- 13 CROUNDING SHALL COMPLY WITH NEC ART 250
- 14. GROUND COAXIAL CABLE SHIELDS MINIMUM AT BOTH ENDS USING MANUFACTURERS COAX CABLE GROUNDING KITS SUPPLIED BY PROJECT

  - ADDITIONAL NOTE: GROUNDING, BONDING AND LIGHTNING PROTECTION SHALL BE DONE IN ACCORDANCE WITH "T-MOBILE HIS SITE GROUNDING STANDARDS".

- 15. USE #6 COPPER STRANDED WIRE WITH GREEN COLOR INSULATION FOR ABOVE GRADE GROUNDING (UNLESS OTHERWISE SPECIFIED) AND \$2 SOLID TINNED BANE COPPER WIRE FOR BELOW GRADE GROUNDING AS INDICATED ON THE DRAWING.
- 16, 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
- 17. ROLITE GROUNDING CONDUCTORS ALONG THE SHORTEST AND STRAIGHTEST PATH POSSIBLE, EXCEPT AS OTHERWISE INDICATED.
  GROUNDING LEADS SHOULD NEVER BE BENT AT RIGHT ANGLE. ALWAYS WAKE AT LEAST 12" RADIUS BENDS. #6 WIRE CAN BE RENT AT 8" RADIUS WHEN NECESSARY, ROND ANY METAL OBJECTS. WITHIN B FEET OF PROJECT OWNER EQUIPMENT OR CABINET TO MASTER GROUND BAR OR GROUNDING RING.
- 18. CONNECTIONS TO GROUND BARS SHALL BE MADE WITH TWO HOLE COMPRESSION TYPE COPPER LUGS. APPLY OXIDE INHIBITING
- 19. BOND ANTENNA MOUNTING BRACKETS, COAXIAL CABLE GROUND KITS, AND ALNA TO EGB PLACED NEAR THE ANTENNA LOCATION.
- 20. APPLY OXIDE INHIBITING COMPOUND TO ALL COMPRESSION TYPE GROUND CONNECTIONS.
- 21. CONTRACTOR SHALL PROVIDE AND INSTALL OWNI DIRECTIONAL ELECTRONIC MARKER SYSTEM (EMS) BALLS OVER EACH GROUND ROD AND BONDING POINT BETWEEN EXISTING TOWER/ (E) MONOPOLE GROUNDING RING AND EQUIPMENT GROUNDING RING.
- 22. CONTRACTOR SHALL TEST COMPLETED GROUND SYSTEM AND RECORD RESULTS FOR PROJECT CLOSE-OUT DOCUMENTATION. 5 OHIS MAXIMUM RESISTANCE REQUIRED.
- 23.CONTRACTOR SHALL CONDUCT ANTENNA, COAX, AND LNA RETURN—LOSS AND DISTANCE— TO—FAULT MEASUREMENTS (SWEEP TESTS) AND RECORD RESULTS FOR PROJECT CLOSE OUT.



		AB	<b>BRE</b>	VI.	A.	TIONS		
	AGL AWG BCW	ABOVE GRADE LEVEL AMERICAN WIRE GAUGE BARE COPPER WIRE	G.C. MGB MIN	GEI MAS MIN	NER.	L CONTRACTOR CONTRACTOR CONTRACTOR	RF TBD	RADIO FREQUENCY  TO BE DETERMINED
	EGR	BASE TRANSCEIVER STATION EXISTING EQUIPMENT GROUND EQUIPMENT GROUND RING	(P) N.T.S. REF REQ	NOT REF	гπ	SED/NEW ) SCALE INCE ED	TBR TBRR TYP	TO BE REMOVED TO BE REMOVED AND REPLACED TYPICAL
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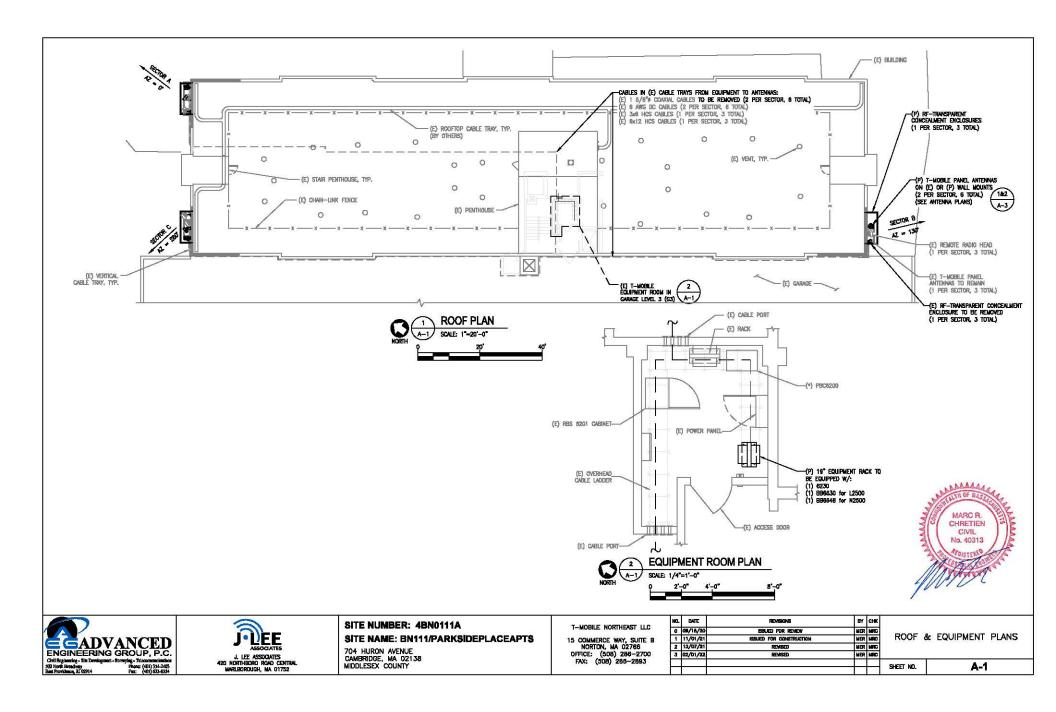
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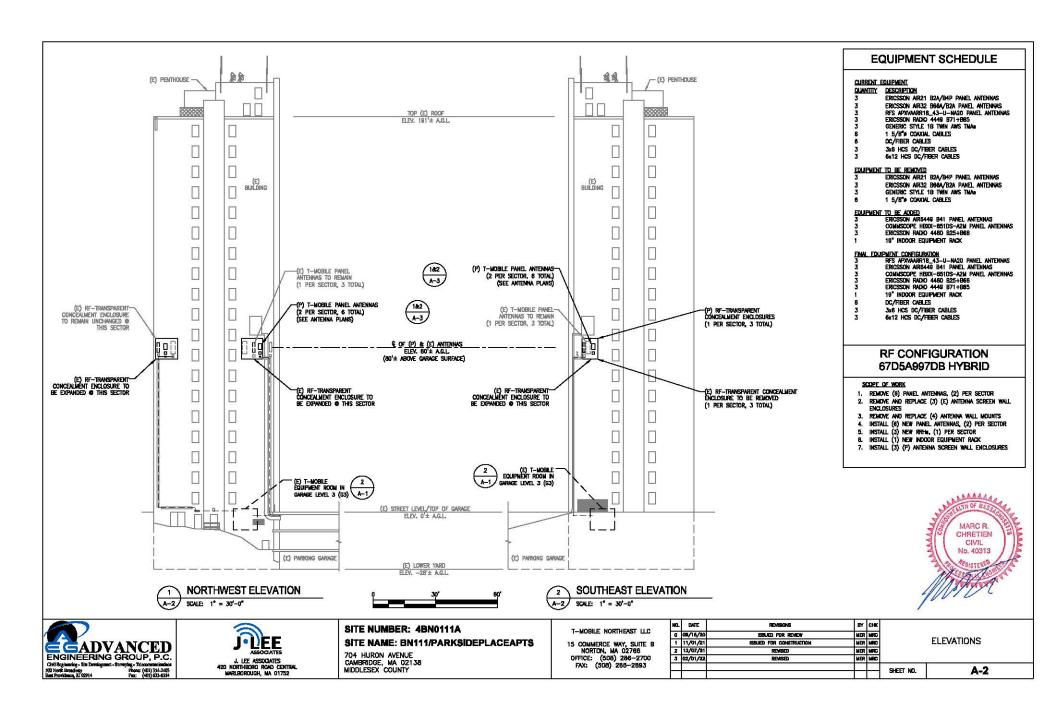
704 HURON AVENUE CAMBRIDGE, MA 02138 MIDDLESEX COUNTY

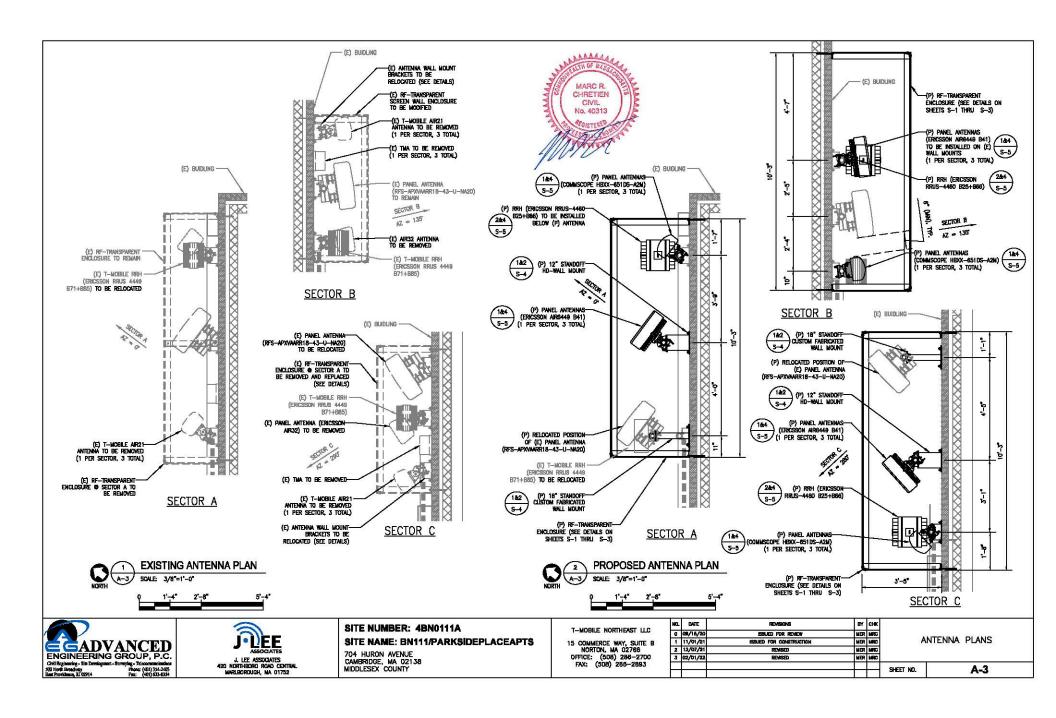
T-MOBILE NORTHEAST LLC

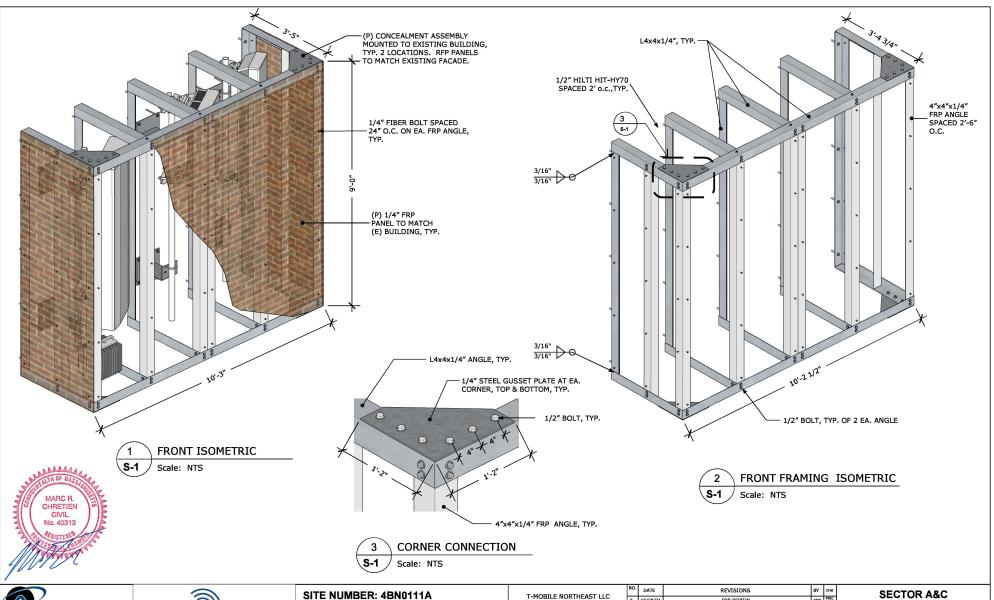
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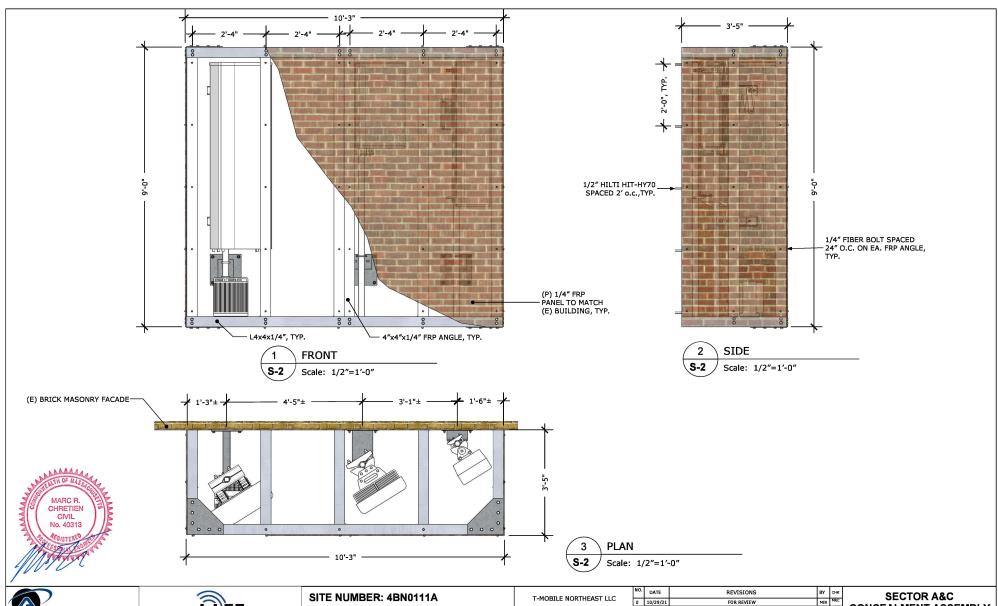


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1-HOBILE HORTHLAST LLC
15 COMMERCE WAY, SUITE B
NORTON, MA 02766
OFFICE: (508) 286-2700
FAX: (508) 286-2893

NO.	DATE	REVISIONS	BY	CHK	9	SECTOR A&C
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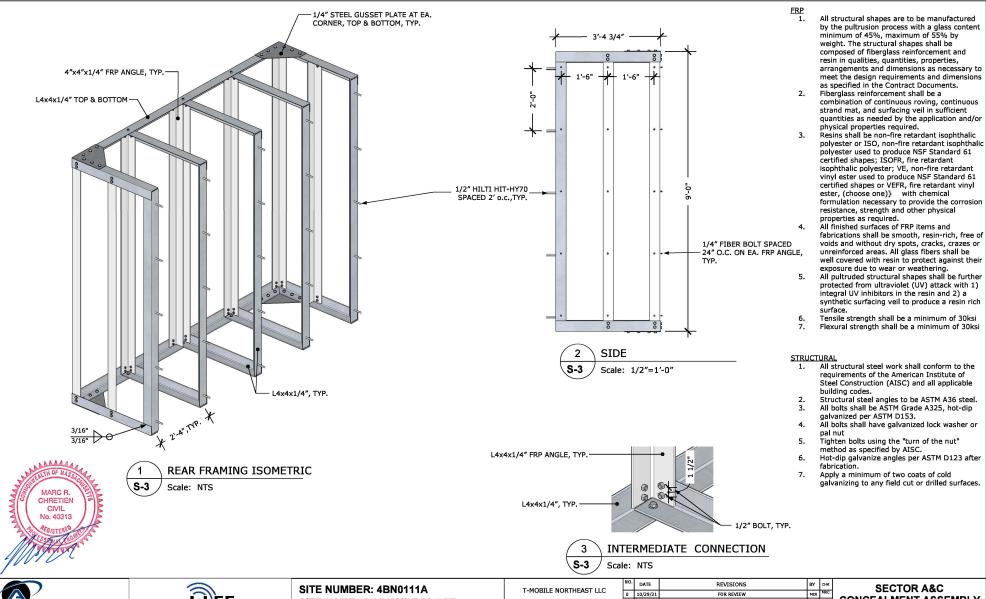
ENGINEERING GROUP, P.C. 500 North Broadway East Providence, RI 02914 Phone: (401) 354-2403 Fax: (401) 633-6354

J. LEE ASSOCIATES 420 NORTHBORO ROAD CENTRAL MARLBOROUGH, MA 01752 SITE NAME: PARKSIDE PLACE

704 HURON AVENUE CAMBRIDGE, MA 02478 MIDDLESEX COUNTY

15 COMMERCE WAY, SUITE B NORTON, MA 02766 OFFICE: (508) 286-2700 FAX: (508) 286-2893

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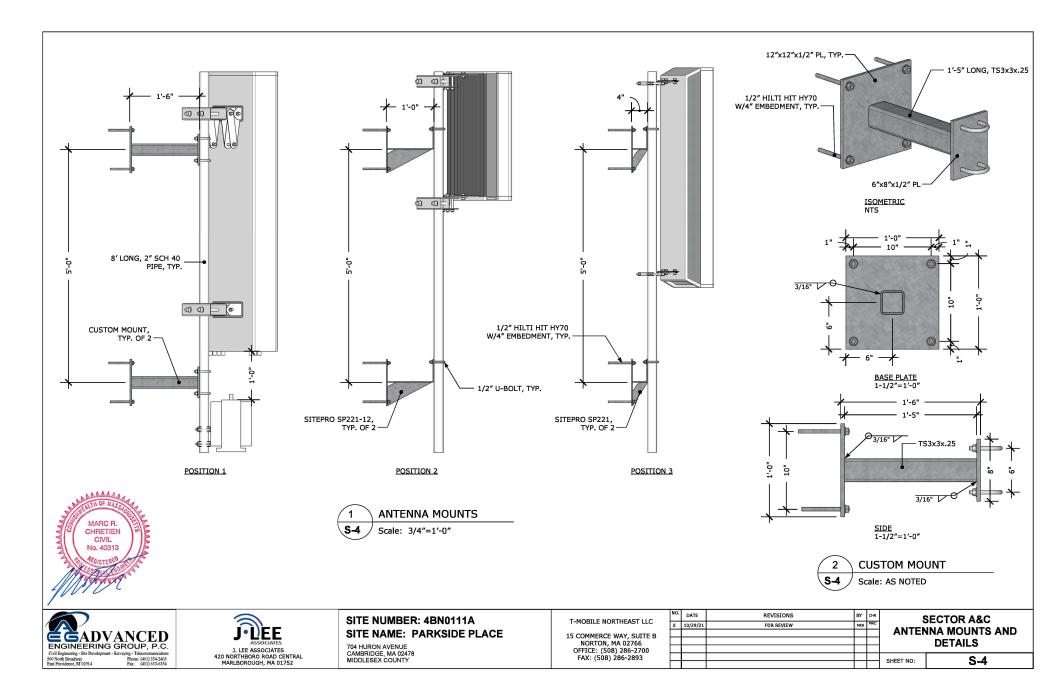
ENGINEERING GROUP, P.C.
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500 North Brooking:
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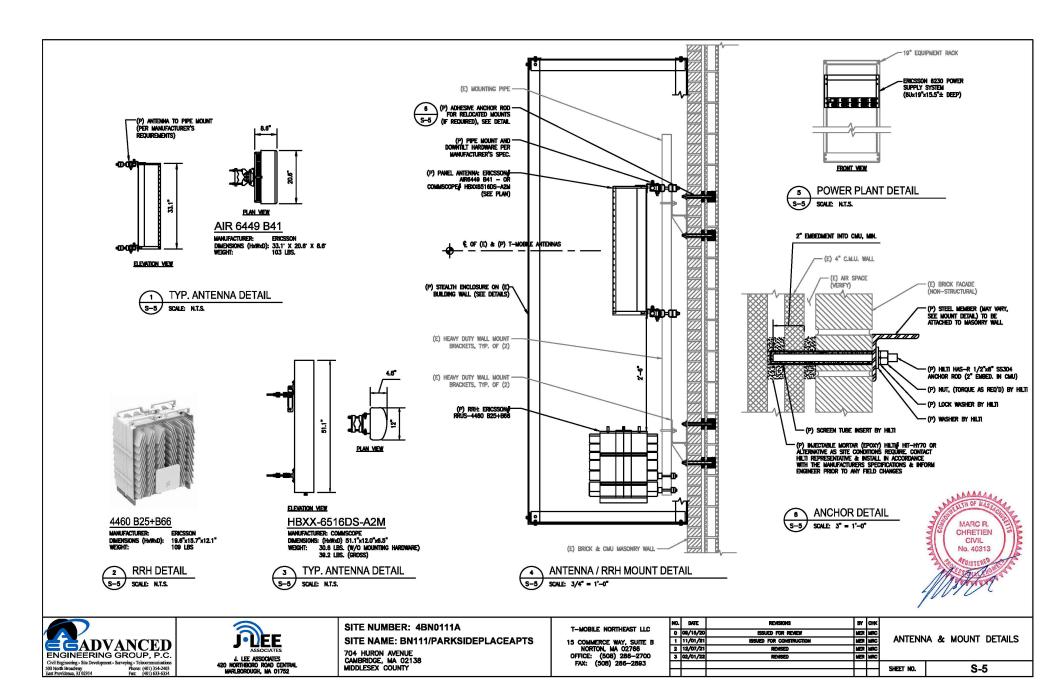


SITE NAME: PARKSIDE PLACE

704 HURON AVENUE CAMBRIDGE, MA 02478 MIDDLESEX COUNTY 15 COMMERCE WAY, SUITE B NORTON, MA 02766 OFFICE: (508) 286-2700 FAX: (508) 286-2893

		DATE	REVISIONS	BY	CHK	SECTOR A&C	
	0	10/29/21	FOR REVIEW	MER	MRC		
R						CONCEALMENT ASSEMBLY	
						DETAILS AND NOTES	
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- RF-TRANSPARENT STRUCTURAL NOTES

  1. ALL STRUCTURAL STEEL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE AMERICAN INSTITUTE OF STEEL CONSTRUCTION (AISC) AND ALL APPLICABLE
- AMERICAN INSTITUTE OF STEEL CONSTRUCTION (AVSC) AND ALL APPLICABLE BULDING CODES.

  2. STRUCTURAL STEEL ANGLES TO BE ASTIN A38 STEEL.

  3. ALL BOILTS SHALL BE ASTIN GRADE A325, HOT-OIP CALVANIZED PER ASTIN D153, ALL BOILTS SHALL BE 1/2" DIAMETER UNILESS OTHERWISE NOTED.

  4. ALL BOILTS SHALL BASE GALVANIZED LOCK WASHER OR PAIL NUT.

  5. TICHTEN BOLTS LISING THE "TILING OF THE NUT" METHOD AS SPECIFED BY ASC.

  6. HOT-DIP CALVANIZE ANGLES PER ASTIN D123 AFTER PARRICATION.

  7. APPLY A MINIMUM OF TWO COATS OF COLD CALVANIZING TO ANY FIELD CUT OR DISTRICTS DISSOCRES.
- DRILLED SURFACES.
- Drilled Suffaces.

  Structural Connection Bolts shall be high strength Bolts (Bearing 1995) and conform to astm A225 "High Strength Bolts for Structural.

  Sonts, including Sutable Huts and Plan Hardeney Washers".

  All Bolts Anchors and Moscellandous Hardeney Swales".

  ACOGRAMOE WITH ASTM A155 "Zinc-Coating (Hot-op) on Iron and Steel Hardeney Harden.
- HARDWARE", UNLESS OTHERWISE NOTED.
- OF STEEL, PRESENT CONTROL TO ASTIM ASON "COLD-FORMED WELDED & SEMILESS CARBON STEEL STRUCTURAL TUBING", GRADE A, OR ASTIM ASS PIPE STEEL BLOCK AND OHT OPPED ZING-CONTED WELDEN ON SEMILESS TYPE E OR S, GRADE B, PIPE SIZES INDICATED ARE MOMINAL ACTUAL OUTSIDE DIAMETER IS LIAGOSP.
- EXPANSION BOLTS SHALL CONFORM TO FEDERAL SPECIFICATION FF-S-325, GROUP II, TYPE 4, CLASS 1, HILTI KWIK BOLT II OR APPROVED EQUAL. INSTALLATION SHALL BE IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS. MINIMUM EMBEDMENT SHALL BE THREE AND ONE HALF (3 1/2) INCHES.
- 1/2) INCHES.

  1. PODY MACIOR ASSEMBLY SHALL CONSIST OF 1/2" DAMETER STAINLESS STEEL ANCHOR ROD WITH HUTS & WASHERS, AN INTERNALLY THREADED INSERT, A SCREEN TUBE MAD AN EPODY ADMENIA. THE ROUTE INSERT IN STREAM SHALL BE THE HILT-HIT HY-20 AND OR HY-150 SYSTEMS (AS SPECIFED IN DWG.) OR ENCHMERGE APPROVED COLLAL WITH 4-1/4" MIN. ENBEDMORT DEPTH.

  13. FELD WELDS, DRILL HOLES, SWA CUTS AND ALL DAMAGED GALVANIZED SURFACES SHALL BE REPARED WITH AN ORGANIC ZINC REPAIR PAINT COMPLYING WITH REDUREDHENS OF ASTIM APRO. GALVANIZED REPAIR PAINT SHALL HWE 88 PERCENT ZINC BY WEIGHT, ZIPC BY DUNCAN GALVANIZING, CALVAN BRIGHT PREMIUM BY ORDINA OR CHILD HE TO AND AND THE SHALL HWE SHALL BY COMPANIZED OR SHALL BE REPAIRED. Percent zero by Weshi, 2009 to duncan grayanzing, gaya bershi Panti Be yorown or Equal, Thickness of Appled Galvarizing refair Paint Shall Be not less than 4 coats (allow time to dry between coats) with a resulting coating thickness required by Astim A123 or A153 AS
- 1.4. CONTROCTOR SHULL COMPLY WITH AWS CODE FOR PROCEDURES, APPEARANCE AND QUALITY OF WELDS, AND FOR METHODS SEED IN CORRECTION WELDING. ALL WELDERS AND WELDING FORCESSES SHALL BE QUALIFIED IN ACCORDANCE WITH AWS "STANDARD QUALIFICATION PROCEDURES". ALL WEDDING SHALL BE DONE USING EYOOK ELECTRODES AND WELDING SHALL CONFORM TO ASSC AND 11.1. WHERE FILL WELD SIZES ARE NOT SHOWN, PROVIDE THE MINIMUM SIZE PER TABLE 12.4 IN THE AISC "MANUAL OF STEEL CONSTRUCTION", 9TH EDITION.

- FRP NOTES

  1. ALL STRUCTURAL SHAPES ARE TO BE MANUFACTURED BY THE PULTRUSON PROCESS WITH A CLASS COMTENT MINIMUM OF 45%, MAXIMUM OF 55% BY WORST. THE STRUCTURAL SHAPES SHALL BE COMPOSED OF FIBERCLASS PRINTORECEMENT AND RESIN IN COLUMES, OWNITTIES, PROPERTIES, ARRANGEMENTS AND DIMENSIONS AS NECESSARY TO MEET THE DESIGN REQUIREMENTS AND DIMENSIONS AS SPECIFIED IN THE CONTRACT DOCUMENTS.
- 2. FIBERCIASS REINFORCEMENT SHALL BE A COMBINATION OF CONTINUOUS ROVING, CONTINUOUS STRAND MAT, AND SURFACING VEIL IN SUFFICIENT QUANTITIES AS NEEDED BY THE APPLICATION AND/OR PHYSICAL
- OWNTHES AS REQUIRED.

  3. RESINS SHALL BE NON-FIRE RETARDANT ISOPHTHALIC POLYESTER OR ISO, NON-FIRE RETARDANT SOPHTHALIC POLYESTER USED TO PRODUCE NOT STANDARD 81 CERTIFIED SAMPES. SORR, FIRE RETARDANT SOPHTHALIC POLYESTER USED TO PRODUCE SET STANDARD 81 CERTIFIED SAMPES. SORR, FIRE RETARDANT SOPHTHALIC POLYESTER USED TO PRODUCE THE PROPERTY OF THE NSF STANDARD 61 CERTIFIED SHAPES OR VEFR, FIRE RETARDANT VINYL ESTER, (CHOOSE ONE)) WITH CHEMICAL FORMULATION NECESSARY TO PROVIDE THE CORROSION RESISTANCE, STRENGTH AND OTHER PHYSICAL
- PROVICE THE CORNISION RESISTANCE, STREMETH AND OTHER PHYSICAL PROPERTIES & REQUIRED. 
  ALL FINSHED SURFACES OF FRO TIEMS AND FABRICATIONS SHALL BE SHOOTH, RESIN-TICH, FREE OF VOIDS AND WITHOUT DRY SPOTS, CRACKS, CRAZES OR UNRESPORCED AREAS, ALL GLASS FEEDS SHALL BE WELL, COMPETED WITH RESIN TO PROTECT AGAINST THEIR EXPOSURE DUE TO WEAR OR WEATHERING.
  ALL PULTINGED STRUCTURAL SHAPES SHALL BE FURTHER PROTECTED FROM ULTIFAROLET (JA) ATTACK WITH 1) MITEGRAL UV INHIBITORS IN THE
- RESIN AND 2) A SYNTHETIC SURFACING VEIL TO PRODUCE A RESIN RICH
- SURFACE.
  TENSILE STRENGTH SHALL BE A MINIMUM OF 30KSI
  FLEXURAL STRENGTH SHALL BE A MINIMUM OF 30KSI
  FLEXURAL STRENGTH SHALL BE A MINIMUM OF 30KSI
  - FRP FIBER BOLTS SHALL BE TIGHTENED TO 1/2 TURN PAST SNUG AND
- FRY FIBER BULLS AT THE CONTROL OF TH

ENGINEERING GROUP, P.C.



SITE NUMBER: 4BN0111A

SITE NAME: BN111/PARKSIDEPLACEAPTS

704 HURON AVENUE CAMBRIDGE, MA 02138 MIDDLESEX COUNTY

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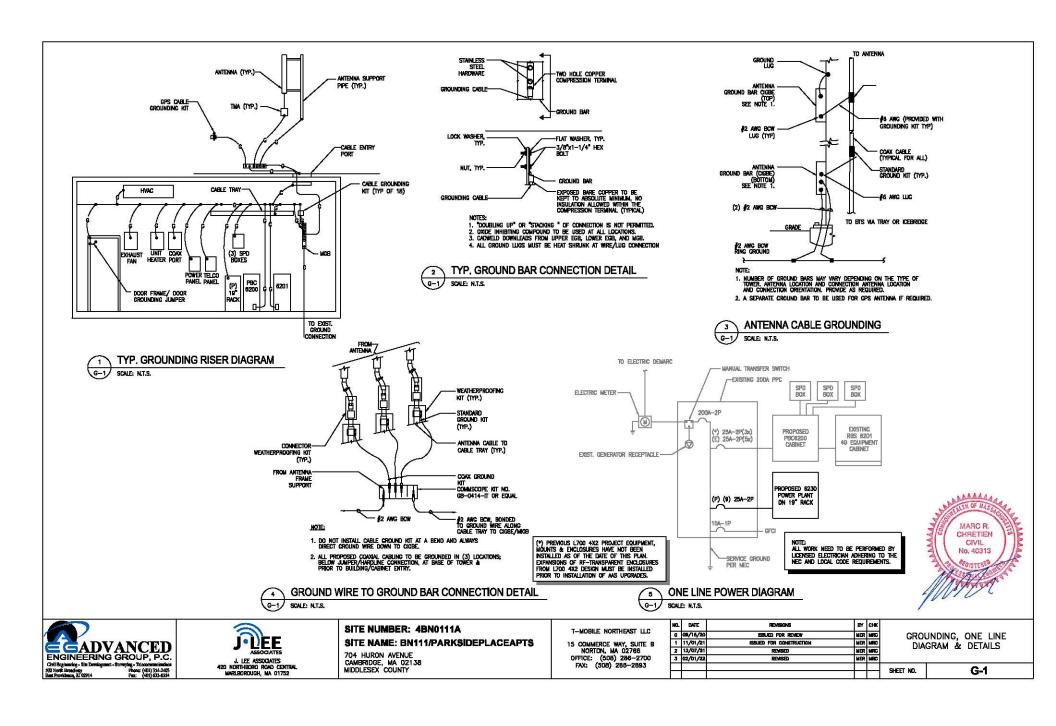
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HO.	DATE	REVISIONS	BY	CHK
Ø	09/15/20	ISSUED FOR REVIEW	MER	MPEC
1	11/01/21	ISSUED FOR CONSTRUCTION	MER	MRC
2	12/07/21	REMISED	MER	MEC
3	02/01/22	REVISED	MER	MRC

MODIFICATIONS TO RF-TRANSPARENT ENCLOSURE & NOTES

SHEET NO.

S-6







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ENGINEERING GROUP, P.C.

Civil Engineering - Site Development Surveying - Telecommunications

500 NORTH BROADWAY EAST PROVIDENCE, 02914 PH: (401) 354-2403 FAX: (401) 633-6354

SITE NUMBER: 4BN0111A

SITE NAME: PARKSIDE PLACE APARTMENTS

704 HURON AVENUE ADDRESS:

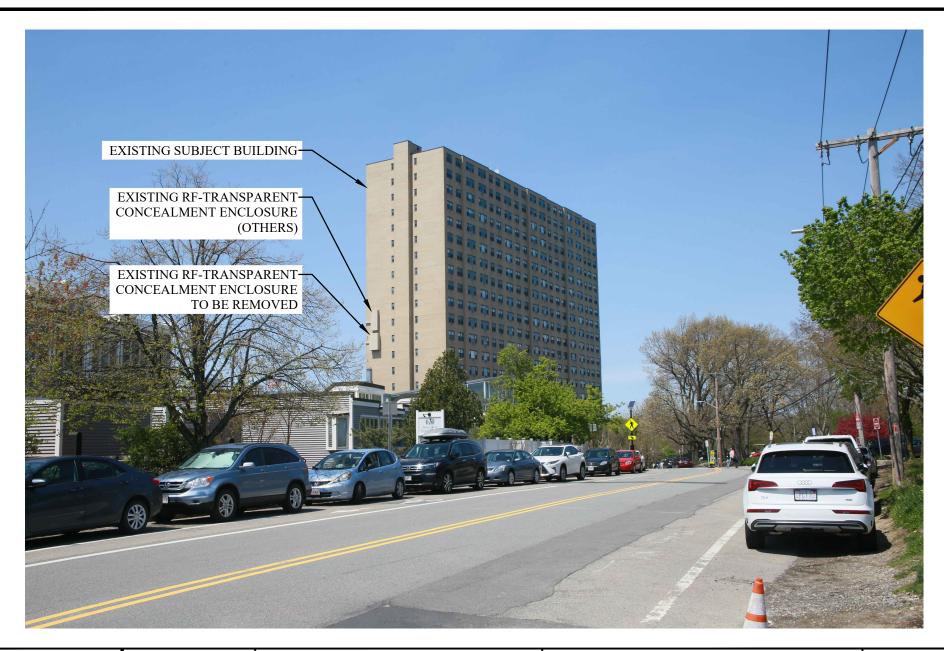
CAMBRIDGE, MA 02138

**KEY MAP OF PHOTOS** 

PAGE: MAP1

DATE: 5/10/2022

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ENGINEERING GROUP, P.C

Civil Engineering - Site Development Surveying - Telecommunications

500 NORTH BROADWAY EAST PROVIDENCE, 02914 PH: (401) 354-2403 FAX: (401) 633-6354 SITE NUMBER: 4BN0111A

SITE NAME: PARKSIDE PLACE APARTMENTS

ADDRESS: 704 HURON AVENUE CAMBRIDGE, MA 02138

VIEW #1
EXISTING VIEW FROM THE SOUTHEAST,
ON HURON AVENUE

PAGE: V-1E

DATE: 5/10/2022

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CADVANCEI

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500 NORTH BROADWAY EAST PROVIDENCE, 02914 PH: (401) 354-2403 FAX: (401) 633-6354 SITE NUMBER: 4BN0111A

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ADDRESS: 704 HURON AVENUE CAMBRIDGE, MA 02138

VIEW #1
PROPOSED VIEW FROM THE SOUTHEAST,
ON HURON AVENUE

PAGE: V-1P

DATE: 5/10/2022

DRAWN BY: MR



T-MOBILE NORTHEAST, LLC

15 COMMERCE WAY, SUITE B NORTON, MA 02766 OFFICE: (508) 286-2700 FAX: (508) 286-2893 PREPARED BY:

ENGINEERING GROUP, P.C. Civil Engineering - Site Development Surveying - Telecommunications

urveying - Telecommunication 500 NORTH BROADWAY EAST PROWDENCE, 02914 PH: (401) 354-2403 FAX: (401) 633-6354 SITE NUMBER: 4BN0111A

SITE NAME: PARKSIDE PLACE APARTMENTS

ADDRESS: 704 HURON AVENUE CAMBRIDGE, MA 02138

VIEW #2
EXISTING VIEW FROM THE WEST ON
CEMETERY GROUNDS

PAGE: V-2E

DATE: 5/10/2022

DRAWN BY: MR



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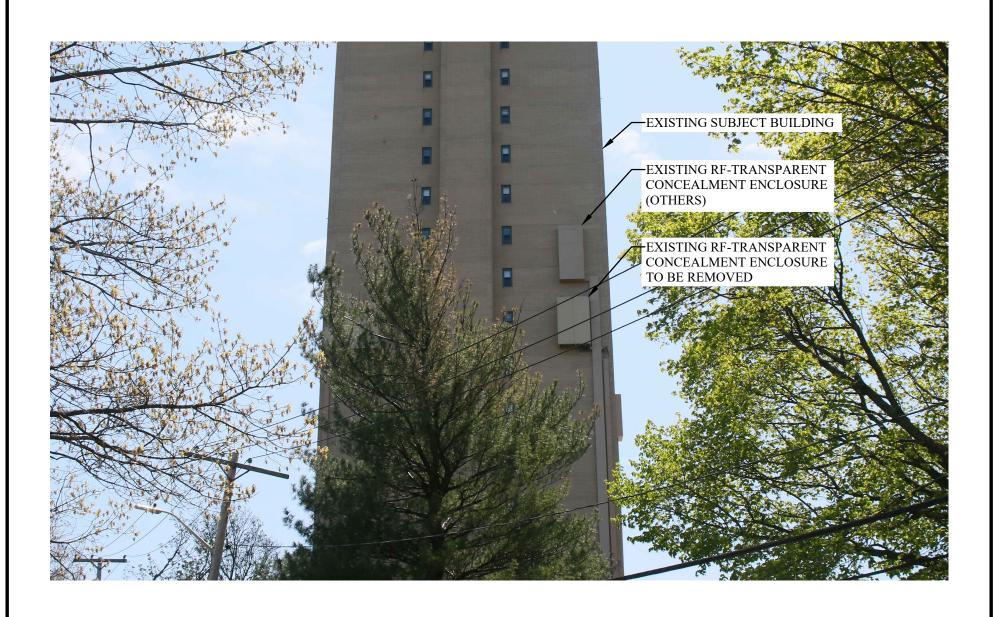
ADDRESS: 704 HURON AVENUE CAMBRIDGE, MA 02138

VIEW #2
PROPOSED VIEW FROM THE WEST ON
CEMETERY GROUNDS

PAGE: V-2P

DATE: 5/10/2022

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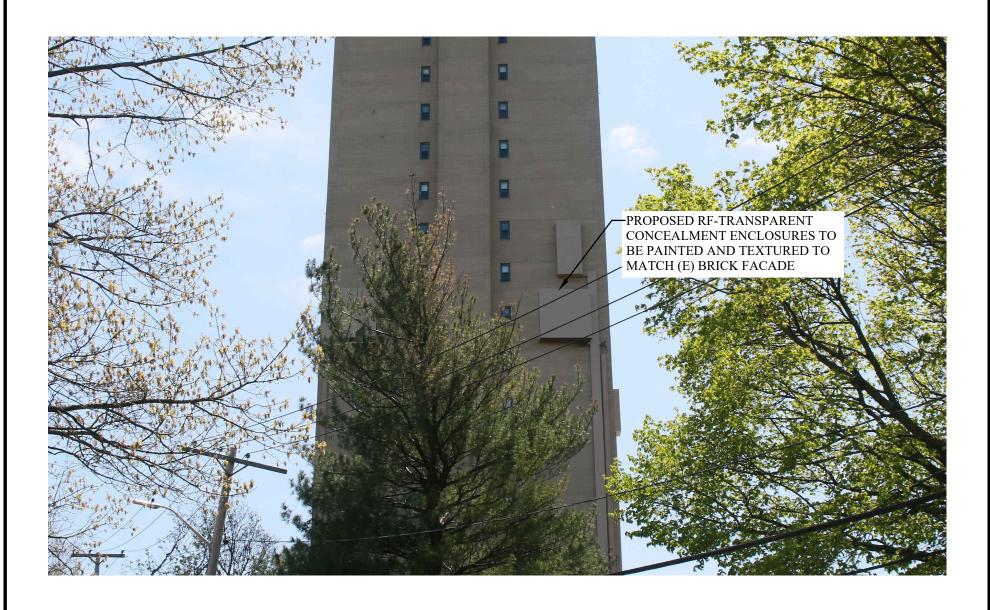
ADDRESS: 704 HURON AVENUE CAMBRIDGE, MA 02138

VIEW #3 EXISTING VIEW FROM THE NORTHWEST, ON HURON AVENUE

PAGE: V-3E

DATE: 5/10/2022

DRAWN BY: MR



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SITE NUMBER: 4BN0111A

SITE NAME: PARKSIDE PLACE APARTMENTS

704 HURON AVENUE ADDRESS: CAMBRIDGE, MA 02138

VIEW #3 PROPOSED VIEW FROM THE NORTHWEST, ON HURON AVENUE

PAGE: V-3P

DATE: 5/10/2022

DRAWN BY: MR

July 14, 2022

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: 704 Huron Avenue, Cambridge, MA 02138

Assessor's Map 257, Lot 60 (the "Property")

Applicant: T-Mobile Northeast, LLC ("Applicant" or "T-

Mobile")

Dear Honorable Members of the Board of Zoning Appeals:

This firm represents T-Mobile Northeast LLC 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 Residence C-3 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 Board<sup>1</sup>. 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

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<sup>&</sup>lt;sup>1</sup> 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.

Request permit application form attached hereto and incorporated herein by reference (the "**EFR**").

The Applicant seeks to modify its existing wireless communications facility by replacing existing panel antennas with new like kind panel antennas and installing additional new Remote Radio Head (RRUs), as well as modifying existing ancillary equipment (the "**Proposed Facility**"). The Applicant's Proposed Facility is described in more detail bellow and is 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

The Applicant's existing Facility consists of three (3) sectors (A, B and C), with each sector having three (3) panel antennas and three (3) RRHs each. All of the antennas are mounted on the Building's façade. All of the sectors are behind stealth transparent enclosures, painted to match the color of the Building facade. As noted above, the Applicant proposes to modify its existing Facility currently operating on the Building by replacing six (6) of the existing panel antennas with six (6) new panel antennas; replace three (3) existing RRHs with three (3) new RRHs; adding 1 (one) new equipment rack; and modifying ancillary equipment within an equipment room of the Building. All sectors will continue to be concealed behind new transparent enclosures, and painted to match the color of the Building's façade. Consequently, the visual change to the Applicant's existing facility will be de minimus.

The Applicant's proposal is consistent with the previous decisions of the Board

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for this facility, the first of which is dated January 12, 2006 (Case No. 9227) (the "Original Decision"), a second dated September 27, 2012 (Case No. 10326) (the "2<sup>nd</sup> Decision"), a third decision dated April 30, 2015 (Case No. BZA-006489-2015) (the "3<sup>rd</sup> Decision") and a fourth decision dated February 14, 2019 (Case No. BZA-017060-2019) (the "4<sup>th</sup> Decision" and together with the Original Decision and 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> Decisions shall hereafter be referred to as the "Decisions").

#### III. <u>Legal Arguments</u>

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 Residence C-3 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.

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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 Residence C-3 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 Residence C-3 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 Proposed Facility will have no additional visual impact on the existing facility and Building. The Proposed Facility will be installed on the façade of the Building, removing six (6) of the existing antennas and replacing them with six (6) new antennas, and in conformity with the Decision.

As stated above, federal law now preempts many of the permit applications

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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.

Tre Proposed Facility is located in the Residential C-3 Zoning District but nonresidential uses predominate in the area. Pursuant to the requirement that the Board shall grant a special permit to erect a Telecommunications Facility only upon a finding that non-residential uses predominate in the vicinity of the proposed facility's location the Applicant hereby states that this is a modification of an existing wireless facility and as such respectfully submits to the Board that it has previously found that nonresidential uses predominate in the vicinity of this Proposed Facility. The Board has reached a decision to grant a special permit for the Applicant's Existing Facility the previous Decisions. As such, the Applicant respectfully requests that, in keeping with its prior decisions, the Board find that nonresidential uses predominate in the vicinity of the Proposed Facility and that the Proposed Facility is not inconsistent with the character that does prevail in the surrounding neighborhood.

Further, notwithstanding anything contained herein to the contrary, and in agreement with the aforementioned predominately nonresidential use finding, upon an inspection of the vicinity of the Proposed Facility the Applicant respectfully submits that Prince Lobel Tye LLP said finding is reasonable as the character of the surrounding neighborhood consists of nonresidential uses such as, the Fresh Pond Cambridge Municipal Golf Course, at 691 Huron Avenue, the West Cambridge Mayor Sheila Doyle Russell Youth and Community Center at 680 Huron Avenue and the Belmont Cemetery.

Moreover, the proposed changes to the Existing Facility are de minimis and

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therefore, the Proposed Facility is not inconsistent with the character that does prevail in the surrounding neighborhood. Finally, as noted above, the proposed installation is a modification to the Applicant's Facility and as such is the preferred location for additional equipment, pursuant to the TCA, as referenced above.

# B. The Applicant complies with the Special Permit Criteria set forth in Section 10-43 of the Ordinance<sup>2</sup>:

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

<sup>2</sup> 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.

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# 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.

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

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intrusive wireless telecommunications facilities in all districts (other than Open Space), including the Residence C-3 District.

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,

Adam F. Braillard Direct: 617-456-8153

Email: abraillard@princelobel.com

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July 14, 2022

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 **704 Huron Avenue**, **Cambridge**, **MA 02138**.

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 704 Huron Avenue, Cambridge, MA 02138.

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

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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 fiberoptic 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 approximately one hundred and ninety-one feet (191') 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 approximately one hundred and ninety-one feet (191') high. The proposed replacement and

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addition of the antennas will not affect the height of the Base Station, as the proposed modifications will take place at a height of eighty feet (80').

- 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 proposed replacement antennas will not protrude from the edge of the building by more than six (6) feet, and therefore the facility will not exceed the six (6) foot limitation. In accordance to the existing configuration, the antennas will be housed in a transparent concealment enclosure and mounted on the Building's façade. 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. There is currently one (1) existing equipment room on garage level, and the Applicant does not propose to install additional equipment cabinets but does propose to install one (1) new indoor equipment rack.
- 4. The modifications to the Transmission Equipment do not entail any excavation or deployment outside of the Base Station site.
  - a. 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 previous decisions by the Board of Zoning Appeal for the City of Cambridge (the "Board") for this site, dated January 12, 2006 (Case No. 9227) (the "Original Decision") and a second decision dated September 27, 2012 (Case No. 10326) (the "2<sup>nd</sup> Decision"), a 3<sup>rd</sup> decision dated April 30, 2015 (Case No. BZA-006489-2015), and a 4<sup>th</sup> decision dated February 14, 2019 (Case No. BZA-017060-2019) (the "4<sup>th</sup> Decision" and together with the Original Decision, the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> Decisions shall hereafter be

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referred to as the "**Decisions**"), the existing panel antennas are located in the preferred location on the building. The replacement of six (6) of the existing panel antennas and three (3) new RRHs will not defeat the intent of the existing design, as all of the new antennas will be installed at the same locations as the existing antennas and concealed behind transparent enclosures. As such, modifications to the existing facility will be in conformity with the Decision and do not defeat the existing 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 704 Huron Avenue, Cambridge, MA 02138 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

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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,

Adam F. Braillard

Direct: 617-456-8153

Email: abraillard@princelobel.com

# ELIGIBLE FACILITIES REQUEST CERTIFCATION 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: 704 Huron Avenue, Cambridge, MA 02138

#### **Existing Facilities**

The Existing Facility is comprised of nine (9) panel antennas all concealed and mounted to the exterior of the building along with supporting equipment.

He	ight of Base Station
He	ight above ground level of the tallest point on the existing base station: _191_(feet)
	ight above ground level of the tallest point of the existing base station after the installation of <i>proposed</i> equipment: 191 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
Wi	dth 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
Ex	cavation 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
Eq	uipment 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 ☐ N
	b)	If the answer to 5a) is "Yes," will the proposed modification in Transmission Equipment defeat the existing concealed or stealth-design?  ☐ Yes ☐ No
Co	mp	liance 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
an mo	swe	answers to questions 1-4 are "No," the answer to either 5a) or b) is "No," and the rs to 6a) is "No" or the answers to either 6b) or 6c) are "Yes," then the proposed ications do not substantially change the physical dimensions of the existing Base in.
Th	is ce	ertification is dated this 14th day of July, 2022
Sig	gnat	ure

Adam F. Braillard, Esq. , Attorney for Applicant

#### 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:



# City of Cambridge



Bk: 47056 Pg: 467 Doc: DECIS Page: 1 of 4 03/03/2006 10:19 AM

MASSACHUSETTS

BOARD OF ZONING APPEAL

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

2006 FEB 10 A 10: 29

CAMERICA: MASSACHUSETTS

			IA.	MERLICA: MASSACHUSET	15
CASE NO:	9227				
LOCATION:	704 Huron Avenue Cambridge, MA	Residence C	C-3 Zone	Owater! Huron Towers Car Go First Realty Me	/ ~pan
PETITIONER:	Omnipoint Holdings C/o Adam Braillard,	•	·	Book 11821 /	mug a
PETITION:	Special Permit: To i Facility.	install and operate a Wir	eless Communi	cation Pg 356	
VIOLATIONS:	Art. 4,000, Sec. 4.32 Art. 10.000, Sec. 10.	2.G.1 (Telecommunication	on Facility).  Adam Br	aillard ube), Glusky + 1 mercial st. MA 02109	Fue
DATE OF PUBLIC N	OTICE: December	23 & 30, 2005	585 con	mercial St.	J
DATE OF PUBLIC H	EARING: January 12	2, 2006	Boston,	MA 02109	
MEMBERS OF THE I	JEN SUS KEI	OMAS SIENIEWICZ – O INIFER PINCK – VICE SAN SPURLOCK EFE B. CLEMONS NSTANTINE ALEXAN	CHAIR		
ASSOCIATE MEMBI	CHI PAU	ENDAN SULLIVAN RISTOPHER CHAN JL D. GRIFFIN WARD W. WAYLAND		<u>/</u>	

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.

TIMOTHY HUGHES

Case No.

9227

Location:

704 Huron Avenue

Petitioner:

Omnipoint Holdings, Inc. c/o Adam Braillard, Esq.

On January 12, 2006, Petitioner's attorney Adam Braillard and engineer Rakesh Goel appeared before the Board of Zoning Appeal requesting a special permit to install and operate a Wireless Communication facility. The Petitioner submitted plans and photographs.

Board member Clemons disclosed his employment with Verizon, a competitor of the petitioner, and offered to recuse himself. The petitioner chose to have him remain.

Mr. Braillard stated that the installation would be in a residential district. He produced an aerial photo and a zoning map and reviewed the uses in the vicinity, stating that residential uses did not predominate. He stated that the antennas would be flush mounted at over 100' high and that the design had been adjusted to accommodate the Planning Board's request regarding camouflage. He stated that the revised design was shown on the photo simulations, but not the plans. He stated that the FCC license was in place and that traffic would be limited to two maintenance visits per moth. He stated that there were no other tall buildings in the area on which to mount the antenna. Mr. Goel stated that the installation would fill a gap in coverage.

Christine Kuta of 7 Fairview Avenue and Philip Long of 17 Fresh Pond Place spoke in favor of the proposal. Ann Howe of 42 Fresh Pond Place, Patricia Barger of 652 Huron Avenue, Maria Marchil Sr. and Maria Marchil Jr. of 172 Cushing Street, and Jeff Loiter of 159 Cushing Street spoke in opposition to the proposal based mostly on health concerns.

After discussion, the Chair moved that the Board find that the antenna is in a residential district and that, based on the supplied air photo and marked city zoning map, residential uses do not predominate in the vicinity. The Chair moved that the Board find that a valid license has been submitted in support of the application, that, based on input from the Planning Board and adjustments made to the design, the visual impact has been minimized at the location, that traffic generated and patterns of access and egress at the site will not cause congestion, hazard, or substantial change in the established neighborhood character because there will be only two visits per month made in a domestic sized vehicle to the property, that the continued operation or development of adjacent uses as permitted in the zoning ordinance will not be adversely affected by the nature of this proposal, based on the fact the antennas are 108' above the ground on a large slab of a building, and that they have been camouflaged, and that no nuisance or

hazard will be created to the detriment of the health, safety, or welfare of the occupants of the proposed building or citizens of the City of Cambridge, based again on the assurance of the federal government's licensing process. The Chair moved that, based on those findings, the Board grant the special permit to install and operate a wireless communications facility at 704 Huron Avenue on the following conditions:

- 1. that the work be consistent with submitted photo simulations,
- 2. that revised construction documents be submitted to the file, which conform to the requirements imposed by the Planning Board,
- 3. that, should the technology become obsolete or the lease expire at the premises, the antennae be removed and the building be restored to its current and existing condition.

The five member Board voted unanimously in favor of granting the special permit (Sieniewicz, Pinck, Sullivan, Clemons, and Hughes) 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.



Attest: A true and correct copy of decision filed with the offices of the City Clerk and Planning Board on
Twenty days have elapsed since the filing of this decision.
No appeal has been filed
Appeal has been filed and dismissed or denied.
Date: Mikih 3,2000 10. Margares Chungty Clerk



A Leas Middleson S. Respinson



# City of Cambridge

MASSACHUSETTS

2712 :00 16 AM 10 27

BOARD OF ZONING APPEAL OFFICE OF THE CITY CLERK CAMBRIDGE, MASSACHUSETTS

831 Mass Avenue, Cambridge, MA.

(617) 349-6100



12/19/2012 02:34 PM

LOCATION:

CASE NO:

704 Huron Avenue

Cambridge, MA

10326

Residence C-3 Zone

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that Co. Huran Tower Co.

PETITIONER:

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

151 Trement St. Besten, MA 02111

PETITION:

Special Permit: In-kind replacement of existing 3 antennas with new

antennas; in-kind replacement of 1 existing cabinet inside interior equipment room. 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:

September 13 & 20, 2012

11821-356

DATE OF PUBLIC HEARING:

September 27, 2012

MEMBERS OF THE BOARD:

**BRENDAN SULLIVAN - CHAIR** 

CONSTANTINE ALEXANDER – VICE-CHAIR

TIMOTHY HUGHES THOMAS SCOTT

**ASSOCIATE MEMBERS:** 

MAHMOOD R. FIROUZBAKHT

**DOUGLAS MYERS** 

SLATER W. ANDERSON

TAD HEUER JANET GREEN

ANDREA A. HICKEY KEVIN C. McAVEY

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. 10

10326

Location:

704 Huron Avenue

Petitioner:

T-Mobile NE, LLC c/o Jackie Slaga

On September 27, 2012, Petitioner's attorney Ricardo Sousa appeared before the Board of Zoning Appeal requesting a special permit in order to replace three existing antennas with new antennas mounted in the same location and painted to match the façade and to replace one existing cabinet inside the building. 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 new antennae would simply replace existing ones and that everything would be painted so as to reduce visual impacts. He also agreed to replace the pole mounts with low profile mounts. He stated that there was no other viable site in the area without putting up a communications tower. He stated that there was an increasing need for more coverage.

The Chair noted that the Petitioner was duly licensed, and that the presentation indicated that the facilities would be painted to match the background as much as possible. The Chair asked if anyone wished to be heard on the matter, no one indicated such.

After discussion, the Chair moved that the Board grant the special permit for relief in order to replace three existing antennas with new antennas mounted in the same location and painted to match the façade and to replace one existing cabinet inside the interior equipment room based on the finding that the requirements of the Ordinance were met. The Chair moved that the Board find that 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 the existing facilities on the building had not had any detrimental effect on the established neighborhood character. The Chair moved that the Board find that continued operation of or development of adjacent uses as permitted under the Ordinance would be not adversely affected by the nature of the proposed use, but would enhance it through upgraded equipment. 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 occupants of the proposed use or to the citizens of the city, and 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 application, photo simulations, and plans as initialed by the Chair, and

2. that should the facility become unused, it be removed in a timely fashion and the background be restored to its condition prior to installation.

The five member Board voted unanimously in favor of granting the special permit (Sullivan, Green, Myers, Anderson, and Firouzbakht) with the above condition. 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.



#### CITY OF CAMBRIDGE **MASSACHUSETTS BOARD OF ZONING APPEAL** 831 MASSACHUSETTS AVENUE **CAMBRIDGE, MA 02139** 617 349-6100



Bk: 65722 Pg: 345 Page: 1 of 5 07/14/2015 01:05 PM

2015 JUN 10 PM 12 22

OFFICE OF THE CITY CLERK Residence 3 (CS3) AZONES ETTS

CASE NO:

BZA-006489-2015

LOCATION:

704 Huron Ave Cambridge, MA

PETITIONER:

T-Mobile Northeast LLC - C/O Ricardo M. Sousa, Esq.

PETITION:

Special Permit: To modify it's existing wireless telecommunication facility by adding six (6) new panel antennas together with three (3) remote radio head (RRH) units and supporting equipment. The proposed equipment will be facade mounted and painted

to match the facade of the building

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VIOLATION:	acon the facade of the ballang.	
Article 4.000	Section 4.32.G.1 (Telecommunica	ation Facility).
Article 4.000	Section 4.40 (Footnote 49) (Telec	ommunication Facility).
Article 10.000	Section 10.40 (Special Permit).	
DATE OF PUBLIC N	OTICE: April 16, 2015 and April 23, 20	015
DATE OF PUBLIC H	EARING: April 30, 2015;	
MEMBERS OF THE BOA	CONSTANTINE ALEXANDER - CHAIR TIMOTHY HUGHES - VICE-CHAIR BRENDAN SULLIVAN THOMAS SCOTT	
ASSOCIATE MEMBERS	JANET O. GREEN : DOUGLAS MYERS SLATER W. ANDERSON ANDREA A. HICKEY ALISON HAMMER JIM MONTEVERDE GEORGE BEST	

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 Huron towers Co.

LAURA WERNICK

Case No. BZA-006489-2015 Location: 704 Huron Avenue

Petitioner: T-Mobile Northeast LLC c/o Ricardo Sousa, Esq.

On April 30, 2015, Petitioner's attorney Anne Reynolds appeared before the Board of Zoning Appeal requesting a special permit in order to modify an existing wireless telecommunication facility by adding six new panel antennas and three remote radio head units with supporting equipment. The Petitioner requested relief under 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.

Ms. Reynolds stated that as a part of a system wide upgrade, the petitioner wished to install additional antennas and equipment at the existing facility. She stated that the antennas would be façade mounted and boxed in order to reduce their visual impact. She stated that the design had the support of the Planning Board. She stated that the petitioner was FCC licensed. She stated that the site was in a residential district, but that the vicinity was not predominantly residential because institutional uses prevailed.

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

After discussion, the Chair moved that the Board grant the special permit for relief in order to modify an existing wireless telecommunication facility by adding six new panel antennas and three remote radio head units with supporting equipment based on the finding that the petitioner was a licensed FCC carrier in good standing. The Chair moved that the Board find that the proposed facility was in a residentially zoned district, that there was a demonstrated need for the facility to provide improved carrier service and that there were no alternative functionally suitable sites in non-residential locations. The Chair moved that the Board find that the character of the prevailing uses in the area would not be affected by what was proposed. The Chair moved that the Board find that nonresidential uses predominated in the vicinity of the proposed facility and that the facility would not be inconsistent with the character that prevailed in the surrounding neighborhood. The Chair moved that the Board find that it had made this finding in two earlier special permit cases and the neighborhood had not changed. The Chair moved that the Board find that in the immediate vicinity of the facility there was a golf course, a community center, and a cemetery, making it an area with a multitude of uses. The Chair moved that the Board find that a special permit was required for the proposed use. The Chair moved that the Board find that traffic generated or patterns of access or egress would not cause congestion, hazard, or substantial change in established neighborhood character. The Chair moved that the Board

find that maintenance trips to the site were only required once or twice a month and so there would not be a constant flow of traffic to the site. The Chair moved that the Board find that the continued operation of adjacent uses would not be adversely affected by what was proposed. The Chair moved that the Board find that there had been no adverse impacts on adjacent uses to date. The Chair moved that the Board find that no nuisance or hazard would be created to the detriment of the health, safety, and welfare of the occupant of the proposed use or 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 district 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 accordance with photo simulations and plans attached to a letter from the petitioner's counsel dated April 24, 2015, as initialed by the Chair.
- 2. that to the extent the equipment is no longer put to use for a period of six months or more, it be removed and the property be restored to its prior state to the extent reasonably possible,
- 3. that the installation be maintained in accordance with the provided photo simulations and should it deteriorate, it be restored to its prior condition.
- 4. Inasmuch as the health effects of the transmission of electromagnetic waves is a matter of ongoing societal concern and scientific study, the special permit is also subject to the following conditions:
  - A. that the petitioner shall file with the Inspectional Services Department each report it files with the federal authorities regarding electromagnetic energy waves emissions emanating from all of the petitioner's equipment on the site. Each such report shall be filed with the Inspectional Services Department no later than ten business days after the report has been filed with the federal authorities. Failure to timely file any such report with the Inspectional Services Department shall ipso facto terminate the special permit.
  - B. that in the event that at any time federal authorities notify the petitioner that its equipment on the site, including but not limited the equipment granted here fails to comply with the requirements of law or governmental regulation, whether with regard to the emissions of electromagnetic energy waves or otherwise, the petitioner, within ten business days of receipt of such notification of such failure, shall file with the Inspectional Services Department a report disclosing in reasonable detail that such failure has occurred, and the basis for such claimed failure. The special permit granted here shall ipso facto terminate if any of the petitioner's federal licenses is or are suspended, revoked, or terminated.
  - C. that to the extent that a special permit has terminated pursuant to the foregoing paragraphs A and B, the petitioner may apply to this Board

for a new special permit provided that the public notice concerning such application discloses in reasonable detail that the application has been filed because of a termination of special permit pursuant to paragraph A or B above. Any such new application shall not be deemed a repetitive petition and therefore will not be subject to the two-year period during which repetitive petitions may not be filed.

D. that within ten business days of the equipment's installation the petitioner shall file with the Inspectional Services Department a sworn Affidavit of the person in charge of the installation of equipment by the petitioner with a geographical area that includes Cambridge. Stating that A, he or she has such responsibility, and B, that the equipment being installed pursuant to the special permit granted here will comply with all federal safety rules and will be situated and maintained in locations with appropriate barricades and other protections such that individuals, including nearby residents and occupants of nearby structures, will be sufficiently protected from excessive radio frequency radiation under federal law.

The five member Board voted unanimously in favor of granting the special permit (Alexander, Hughes, Sullivan, 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.

# Middlesex South Registry of Deeds

# Electronically Recorded Document

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### **Recording Information**

**Document Number** : 47043 **Document Type** : DECIS

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: 6 : 2312954 Receipt Number : \$75.00 Recording Fee

Middlesex South Registry of Deeds Maria C. Curtatone, Register 208 Cambridge Street Cambridge, MA 02141 617-679-6300 www.middlesexsouthregistry.com



# CITY OF CAMBRIDGE MASSACHUSETTS BOARD OF ZONING APPEAL 831 MASSACHUSETTS AVENUE CAMBRIDGE, MA 02139 ZOTS MAR 13 PM 1: 57 617 349-6100 OFFICE OF THE CITY OF FIRE

OFFICE OF THE CITY CLERK CAMBRIDGE, MASSACHUSETTS

C 4	CID	NO:
UΑ		IV.J.

BZA-017060-2019

Residence C-3 Zone

LOCATION:

704 Huron Ave

Cambridge, MA

PETITIONER:

T-Mobile Northeast LLC - C/O Adam F. Braillard, Esq.

PETITION:

Special Permit. To modify its existing Wireless Telecommunications Facility by replacing 6 panel antennas with 6 like kind antenna on the building, together with supporting equipment. The Applicant also proposes to replace 3 remote radio heads (RRU) with 3 new RRHs. All 6 replaced antennas and 3 replaced RRHs, will be facade mounted within the existing enclosures on the building. The Applicant proposes to enlarge the widths of 2 of the 3 existing enclosures by a distance of 1.6-feet to fit the replaced antennas. The 2 enlarged enclosures will be painted to match the facade of the existing building. The Applicant's proposal complies with Section 6409 of the Spectrum Act as the collocation of the antennas is not a substantial change to the existing base station. Moreover, the Applicant's proposal complies with Section 4.32 and 10.4 of the City of Cambridge Zoning Ordinance.

Section 4.32.G.1 (Telecommunication Facility).

#### **VIOLATION:**

Article 4.000

Article 4.0	000	Section	4.40 (Footnote 49) (Telecommunication Facility).	
Article 64	109	Section	(Middle Class Tax Relief Act).	
Article 10	0.000	Section	10.40 (Special Permit).	
DATE OF PU	BLIC NOTICE:	Janu	uary 31, 2019 and February 07, 2019	
DATE OF PU	BLIC HEARING:	Febr	uary 14, 2019;	
MEMBERS OF T	UE BOARD.			
MENIBERS OF 1	TE BUAKU:		S. Market	
CONSTANTINE ALEXANDER - CHAIR				
BRENDAN SULLIVAN - VICE-CHAIR				
	JANET O.	CDEEN		
	ANDREA .	A. HICKEY	<u></u>	
ASSOCIATE MEN	MBERS:			
SLATER W. ANDERSON				
	ALISON H	AMMER		
	NOM MIL	TEVERDE	<u></u>	
LAURA WERNICK				
			<del></del>	

Owner of Record: Huron Towers Company Deed Reference: Book 11821, Page 356

Property Address: 704 Huron Avenue, Cambridge, MA 021387

Case No. BZA-017060-2019 Location: 704 Huron Avenue

Petitioner: T-Mobile Northeast LLC – c/o Adam Braillard, Esq.

On February 14, 2019, Petitioner's attorney Adam Braillard appeared before the Board of Zoning Appeal requesting a special permit in order to modify an existing wireless communications facility by replacing six panel antennas with six like kind antennas, replacing three remote radio heads with three new ones, and installing supporting equipment. The Petitioner requested relief under Article 4, Sections 4.32.G.1 and 4.40 of the Cambridge Zoning Ordinance ("Ordinance"). The Petitioner submitted application materials including information about the project, plans, and photographs.

Mr. Braillard stated that the antennas would be behind screening. He stated that the screening itself would be slightly enlarged but be some 80 feet off the ground and be painted to match the building's façade, so that there would be little change in the visuals of the installation.

The Chair asked if anyone from the public wanted to be heard on the matter, and no one indicated such.

After discussion, the Chair moved that the Board make the following findings based upon the application materials submitted and all evidence before the Board and that based upon the findings the Board grant the requested relief as described in the Petitioner's submitted materials and the evidence before the Board: that the Board find that the requirements of the Ordinance could not be met without a Special Permit; that the Board find that traffic generated or patterns of access or egress resulting from what was proposed would not cause congestion, hazard or substantial change in established neighborhood character; that the Board find that visibly, the proposed work was essentially the same as what existed with the exception of a slight increase in size; that the Board find that the continued operation or development of adjacent uses as permitted in the Ordinance would not be adversely affected by what was proposed; that the Board find that no nuisance or hazard would be created to the detriment of the health, safety, and welfare of the occupant of the proposed use or the citizens of the City; that the Board find that generally what was proposed would not impair the integrity of the district, or adjoining district or otherwise derogate to the intent and purpose of the Ordinance; that the Board find that the modification of the existing telecommunication facility at the site was not a substantial change in the physical dimensions of the existing wireless facility within the meeting of Section 6409 of the middle-class tax relief and job creation act of 2012, also known as the Spectrum Act; that the Board find that the site sat in a residentially zoned district, but that non-residential uses predominated in the area; that the Board note that this special permit was the third at the location, that the Board had made the findings twice before and that nothing

had changed in that area that would cause the prior findings to be no longer accurate.

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

- 1. that the work proceed in accordance with plans submitted by the petitioner, as initialed by the Chair,
- 2. that upon completion of the work, the physical appearance and visual impact of the proposed work be consistent with the photo simulations submitted by the petitioner and initialed by the Chair,
- 3. that the petitioner at all times maintain the proposed work so that its physical appearance and visual impact remain consistent with the photo simulations previously referred to,
- 4. that should the petitioner cease to utilize the equipment approved tonight for a continuous period of six months or more, it promptly thereafter remove such equipment and restore the building on which it was located to its prior condition and appearance to an extent reasonably practicable,
- 5. that the petitioner continue to comply with the conditions imposed by the Board with respect to previous Special Permits granted to the petitioner with regard to the site in question,
- 6. that inasmuch as the health effects of the transmission of electromagnetic energy waves is a matter of ongoing societal concern and scientific study, the Special Permit is also subject to the following conditions:
  - A. that the petitioner shall file with the Inspectional Services Department each report it files with the federal authorities regarding electromagnetic energy wave emissions emanating from all of the petitioner's equipment on the site. Each such report shall be filed with the Inspectional Services Department no later than ten business days after the report has been filed with the federal authorities. Failure to timely file any such report with the Inspectional Services Department shall ipso facto terminate the Special Permit granted tonight.
  - B. that in the event that at any time federal authorities notify the petitioner that its equipment on the site, including, but not limited to the special permit granted tonight, fails to comply with the requirements of law or governmental regulations, whether with regard to the emissions of electromagnetic energy waves or otherwise, the petitioner, within ten business days of receipt of such notification of such failure, shall file with the Inspectional Services Department a report disclosing in reasonable detail that such failure has occurred and the basis for such claimed failure. The special permit shall ipso facto terminate if any of the petitioner's federal licenses are suspended, revoked, or terminated.

C. that to the extent a special permit has terminated pursuant to the foregoing paragraphs A and B, the petitioner may apply to this Board for a new special permit provided that the public notice containing such application discloses in reasonable detail that the application has been filed because of a termination of the special permit pursuant to paragraphs A or B above. Any such new application shall not be deemed a repetitive petition and therefore will not be subject to the two-year period during which repetitive petitions may not be filed.

D. that within ten business days after receipt of a Building Permit for installation of equipment subject to this petition, the petitioner shall file with the Inspectional Services Department a sworn Affidavit of the person in charge of the installation of equipment by the petitioner of the geographical area that includes Cambridge stating that A, he or she has such responsibility, and B that the equipment being installed pursuant to the special permit will comply with all federal safety rules and will be situated and maintained in locations with appropriate barricades and other protections, such that individuals, including nearby residents and occupants of nearby structures, will be sufficiently protected from excessive radio frequency radiation under federal law.

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

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

Constantine Alexander, Chair

ATTEST: A true and accurate copy of the above decision has been filed on with the Offices of the City Clerk and the Planning Board by day authorized representative of the Board of Zoning Appeal! Twenty days have elapsed since the above decision was filed in the office of the City Clerk and: no appeal has been filed; or an appeal has been filed within such twenty days. The person exercising rights under a duly appealed special permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone. This certification shall in no event terminate or shorten the tolling, during the pendency of any appeals, of the periods provided under the second paragraph of G.L. c. 40A, §6. Date: April 12,2019 Roma P. Kapz City Clerk Appeal has been dismissed or denied. City Clerk Date:

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#### **Federal Communications Commission**

**Wireless Telecommunications Bureau** 

#### RADIO STATION AUTHORIZATION

LICENSEE: T-MOBILE LICENSE LLC

T-MOBILE LICENSE LLC 12920 SE 38TH STREET BELLEVUE, WA 98006

<b>Call Sign</b> WQZL853	File Number
<b>Radio</b>	Service
WT - 600 I	MHz Band

FCC Registration Number (FRN): 0001565449

_						
	<b>Grant Date</b> 06-14-2017	Effective Date 06-15-2017	Expiration Date 06-14-2029		Print Date	
	Market Number PEA007	Chann	el Block	Su	b-Market Designator ()	
	Market Name Boston, MA					
	<b>1st Build-out Date</b> 06-14-2023	<b>2nd Build-out Date</b> 06-14-2029	3rd Build-out Date	e	4th Build-out Date	

#### Waivers/Conditions:

**NONE** 

#### **Conditions:**

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

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

Licensee Name: T-MOBILE LICENSE LLC

Call Sign: WQZL853 File Number: Print Date:

700 MHz Relicensed Area Information:

Market Name Buildout Deadline Buildout Notification Status

#### REFERENCE COPY

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#### **Federal Communications Commission**

#### **Wireless Telecommunications Bureau**

#### RADIO STATION AUTHORIZATION

LICENSEE: T-MOBILE LICENSE LLC

ATTN: FCC REGULATORY COMPLIANCE T-MOBILE LICENSE LLC 12920 SE 38TH ST. BELLEVUE, WA 98006

<b>Call Sign</b> WRAM889	<b>File Number</b> 0008585885			
Radio Service CW - PCS Broadband				

FCC Registration Number (FRN): 0001565449

<b>Grant Date</b> 05-30-2019	Effective Date 05-30-2019	Expiration Date 06-30-2029	Print Date 05-31-2019		
Market Number BTA201  Channel Block C Sub-Market Designator 4					
Market Name Hyannis, MA					
1st Build-out Date	2nd Build-out Date	3rd Build-out Dat	e 4th Build-out Date		

#### Waivers/Conditions:

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.

License renewal granted on a conditional basis, subject to the outcome of FCC proceeding WT Docket No. 10-112 (see FCC 10-86, paras. 113 and 126).

#### **Conditions:**

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

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Licensee Name: T-MOBILE LICENSE LLC

Spectrum Lease associated with this license. See Spectrum Leasing Arrangement Letter dated 07/27/2004 and File No. 0001765259.

Licensee Name: T-MOBILE LICENSE LLC

**Call Sign:** WRAM889 **File Number:** 0008585885 **Print Date:** 05-31-2019

700 MHz Relicensed Area Information:

Market Name Buildout Deadline Buildout Notification Status

#### REFERENCE COPY

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#### **Federal Communications Commission**

#### **Wireless Telecommunications Bureau**

#### RADIO STATION AUTHORIZATION

LICENSEE: T-MOBILE LICENSE LLC

ATTN: FCC REGULATORY COMPLIANCE T-MOBILE LICENSE LLC

12920 S.E. 38TH STREET BELLEVUE, WA 98006

<b>Call Sign</b> KNLH311	<b>File Number</b> 0007725350		
Radio Service CW - PCS Broadband			

FCC Registration Number (FRN): 0001565449

<b>Grant Date</b> 06-08-2017	Effective Date 06-08-2017	Expiration Date 06-27-2027	<b>Print Date</b> 06-09-2017
Market Number BTA201	Chanr	nel Block D	Sub-Market Designator
	Market Hyann	t Name is, MA	
1st Build-out Date 06-27-2002	2nd Build-out Date	3rd Build-out Date	4th Build-out Date

#### Waivers/Conditions:

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.

License renewal granted on a conditional basis, subject to the outcome of FCC proceeding WT Docket No. 10-112 (see FCC 10-86, paras. 113 and 126).

#### **Conditions:**

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

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

Licensee Name: T-MOBILE LICENSE LLC

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.

Licensee Name: T-MOBILE LICENSE LLC

**Call Sign:** KNLH311 **File Number:** 0007725350 **Print Date:** 06-09-2017

700 MHz Relicensed Area Information:

Market Name Buildout Deadline Buildout Notification Status

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#### **Federal Communications Commission**

#### **Wireless Telecommunications Bureau**

#### RADIO STATION AUTHORIZATION

LICENSEE: T-MOBILE LICENSE LLC

ATTN: FCC REGULATORY COMPLIANCE T-MOBILE LICENSE LLC 12920 SE 38TH ST. BELLEVUE, WA 98006

Call Sign WPOJ753	<b>File Number</b> 0008585870		
Radio Service CW - PCS Broadband			

FCC Registration Number (FRN): 0001565449

<b>Grant Date</b> 05-30-2019	Effective Date 05-30-2019	Expiration Date 06-30-2029	<b>Print Date</b> 05-31-2019
<b>Market Number</b> BTA229	Chann	nel Block C	Sub-Market Designator
	<b>Market</b> Kingsport-Johns	- 101	
<b>1st Build-out Date</b> 06-30-2004	2nd Build-out Date	3rd Build-out Date	4th Build-out Date

#### Waivers/Conditions:

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.

License renewal granted on a conditional basis, subject to the outcome of FCC proceeding WT Docket No. 10-112 (see FCC 10-86, paras. 113 and 126).

#### **Conditions:**

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

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Licensee Name: T-MOBILE LICENSE LLC

**Call Sign:** WPOJ753 **File Number:** 0008585870 **Print Date:** 05-31-2019

700 MHz Relicensed Area Information:

Market Name Buildout Deadline Buildout Notification Status

700-704 Suron Thomas P. O'Neill, Jr. Municipal Golf Course Thomas P. O'Neill, Jr. Municipal Golf Course 266-32 Fresh Pond Reservation 691 Huron Ave 700 Hurol 266-34 80 Huron Ave 257-60 15 Fresh Pond Pl<sub>14</sub> Fresh Pond Pl Glacken Field 13 Fresh Pond Pl 688 Huron Ave 257-42 10 Fresh Pond Plg Fresh Pond Pl 8 Fresh Pond PI 670 Huron Ave Muron Ave Pluron Ave 7 Fresh Pond Pl 23 Fresh Pond PI O Fresh Pond Pl19 Fresh Pond Pl5 Fresh Pond Pl 25 Fresh Pond PI 26 Fresh Pond PI 18 Fresh Pond PI<sup>2</sup> Fresh Pond PI 29 Fresh Pond Pl30 Fresh Pond Pl 660 Huron Ave 39 Fresh Polid Ft.
33 Fresh Pond Pl186 Cushing St 5
32 Fresh Pond Pl182 Cushing St 5 35 Fresh Pond Pl257-37 121 Fairview Ave 42 Fresh Pond Pl44 Fresh Pond Pl178 Cushing St 258-44 257-53 46 Fresh Pond Pl58 Fresh Pond Pl172 Cushing St 56 Fresh Pond Pl55 Fresh Pond Pl 257-39 **Town of Belmont Cemetery** 49 Fresh Pond Pl 50 Fresh Pond PI 51 Fresh Pond PI 44 May St May St 257-52 42 May St 162 Cushing S 39 May St257-55 257-61 257-25 257-56 257-29 36 May St 257-19 257-27 257-30 84 May St 257-26 11 Fairview Ave 257-45257-44 257-11 257-10257-9 7 Fairview Ave 17 Vineyard St 257-8 257-31432 May St Fairview Ave 31 Vineyard St33 Vineyard St 8 Fairview Ave 15 Vineyard St 7 Vineyard St 95 Oxford Ave12-1 May St12-2 May St 12 May St Vineyard St 10 Fairview Ave 256-88 12-8 May St 32 Vineyard St 12-7 May St 256-87 256-6 22 Vineyard St 8 Vineyard St 256-46 256-114 256-66 80 Oxford Aye 256-67 256-86 256-34 23 May \$t 256-35 256-102 10-8 May St<sub>256-106</sub> 256-7 14 Vineyard St256-85 10 May St 8-6 May St 8-5 May St 85 Oxford Ave 10-6 May St 256-115 256-103 256-8 8 May St 256-89 81 Oxford Ave 8-3 May St8-4 May St 256-84 7 May St<sub>256-90</sub> 53 Lawn St 256-105 7<mark>5 Lawn St</mark> 53-5 Lawn St<sup>8-1</sup> May St 1 May St<sub>256-91</sub> 3 May St 1-A May 256-92 256-80 Lawn St 75 Lawn St **Haggerty School** 9 Lawn Ct

700-704 Huran Ave

257-27 RESIDENT 11 FAIRVIEW AVE CAMBRIDGE, MA 02138 257-31 BARBER, COLLEEN 91 DALBY STREET NEWTON, MA 02458 PRINCE LOBEL TYE, LLP
C/O ADAM F. BRAILLARD, ESQ.
ONE INTERNATIONAL PLACE – SUITE 3700
BOSTON, MA 02110

257-24
MARCHIO, VINCENT E., MARIO C. MARCHIO &
MARIA A. MARCHIO
166 CUSHING ST
CAMBRIDGE, MA 02138-4582

257-29 WU, THOMAS JAMES & JAMES WU 36 MAY ST CAMBRIDGE, MA 02138 257-19 HUNTER, DEIRDRE J. & BETH A, LEVENTHAL 15 FAIRVIEW AVE CAMBRIDGE, MA 02138

257-47 MARQUEDAUNT, JAYNE TR. OF THE MARQUEDAUNT TRUST OF 2016 676 HURON AVE 1 CAMBRIDGE, MA 02138 257-47 GOLOSKIE, STEVEN D. 2 FRESH POND PL. CAMBRIDGE, MA 02138

257-47
DESIMINI, SABINO N. & CATHERINE A. DESIMINI
92 CONSTITUTION RD
CHARLESTOWN, MA 02129

257-47 TANG, JIMMY X. & PAMELA G. YANG 11 FRESH POND PLACE,. UNIT 11 CAMBRIDGE, MA 02138 257-47 PINTUS, PAUL & SUSAN PINTUS 676 HURON AVE., UNIT #12 CAMBRIDGE, MA 02138-4430 257-47 LYUBASHEVSKIY, IGOR B. & LYUDMILA LUBASHEV 21 FRESH POND PL., #21 CAMBRIDGE, MA 02138

257-47 STEARNS, ANTONIA R. 25 FRESH POND PL CAMBRIDGE, MA 02138 257-47 CRUTHIRDS, DANIEL R. 35 FRESH POND PLACE CAMBRIDGE, MA 02138 257-47 BOTCHWEY, KWESI CITY OF CAMBRIDGE TAX TITLE 40 FRESH POND PL CAMBRIDGE, MA 02138

257-47 TIPPER, DONALD J. & KAREN S. TIPPER 44 FRESH POND PLACE CAMBRIDGE, MA 02138 257-47 LINER, ELLEN F. & ERIC M. LISKIN 45 FRESH POND PL. CAMBRIDGE, MA 02138 257-47 UEBELHOER, DAMIAN 676 HURON AVE, #52 CAMBRIDGE, MA 02138

257-47 HARRIS, ANITA M. TR. OF THE HARRIS FAMILY REALTY TRUST 53 FRESH POND PL #53 CAMBRIDGE, MA 02138 257-47 WEINBERGER, GEORGE M. 55 FRESH POND PLACE CAMBRIDGE, MA 02138 257-47 ALPERT, GARY D. TRS THE GARY D. ALPERT REVOCTR 31 FRESH POND PL CAMBRIDGE, MA 02138

257-47 GOBLE, THEODORE N. & SHIRLEY E. MULFORD 15 FRESH POND PL. CAMBRIDGE, MA 02138 257-47 SUDARSHAN, RAGHUNATHAN & PADMAPRIYA SRINIVASAN 17 FRESHPOND PLACE CAMBRIDGE, MA 02138 257-47 SHAPIRO, JAY M. & RICHARD REINKRAUT 20 FRESH POND PLACE CAMBRIDGE, MA 02138

257-47 TOLEDO, ERIC & YUKIKO ISHII 22 FRESH POND PLACE. CAMBRIDGE, MA 02138 257-47 MILLER, ARNOLD R. & SHARON L. HERMAN 24 FRESH POND PLACE CAMBRIDGE, MA 02138 257-47 GILLASPIE, R. CRAIG & MARY L. ARRIGO 29 FRESH POND PL. CAMBRIDGE, MA 02138-4429

257-47 AYOUB, CATHERINE C. & JOHN E. AYOUB 33 FRESH POND PL CAMBRIDGE, MA 02138 257-47 HERBERT, ELIZABETH A. 38 FRESH POND PLACE UNIT #38 CAMBRIDGE, MA 02138

257-47 HUREL, PIERRE J.R. & NICOLE AGOIS 676 HURON AVE., #39 CAMBRIDGE, MA 02138 700-704 Suren AVE

257-47
FRESH POND PLACE PARTNERSHIP
C/O WILLIAM KAPLAN
48 FRESH POND PL
CAMBRIDGE. MA 02138

257-61 BORELLI, THERESA 158 CUSHING ST CAMBRIDGE, MA 02138

257-47 CLARK, BENJAMIN B. & CLARISSA R. QUINTANILLA 3 FRESH POND PL. CAMBRIDGE, MA 02138

257-47 WEXLER, RUTH M. 23 FRESH POND PL CAMBRIDGE, MA 02138

257-47 ROBINSON, TRINA 91 FRANCIS STREET WORCESTER, MA 01606

257-47 GOODSON, JO MAX & STEVANKA V. GOODSON TRUSTEES, THE GOODSON LIV TRUST 676 HURON AVE., #56 CAMBRIDGE, MA 02138

257-37
SARAO, NATALIE M.,
TRUSTEE OF CUSHING REALTY TRUST
46 IVY LN
WALTHAM, MA 02452

257-47 REINHOLD, ARNOLD G. 14 FRESH POND PLACE CAMBRIDGE, MA 02138-4430

257-47 KIRSANOV, DANIL 676 HURON AVE. UNIT#19 CAMBRIDGE, MA 02138

257-47 VOGMAN, TATYANA L. 676 HURON AVE. UNIT 30 CAMBRIDGE, MA 02138 257-55 PRASAD, RAJIV & SALLY S. PRASAD 39 MAY ST CAMBRIDGE, MA 02138

257-28 KUTA, CHRISTINE M. 7 FAIRVIEW AVE. CAMBRIDGE, MA 02138

257-47 VISWANANTHAN, SUBASHREE 7 FRESH POND PLACE CAMBRIDGE, MA 02138-4429

257-47 PURVIS, KIRK S. 676 HURON AVE., #27 CAMBRIDGE, MA 02138

257-47 LEWONTIN, TIMOTHY A. & AMY LEWONTIN 47 FRESH POND PL. CAMBRIDGE, MA 02138

257-47
BELANGER,MONICA L.&
MICHAEL RUDOLPH WEST
TR THE RUDOLPH AND LINDA WEST IRREV TRUS
C/O LINDA WEST
57 FRESH POND PLACE #57

257-39 MARCHIO, MARIO C. & MARIA A. MARCHIO 174 CUSHING ST CAMBRIDGE, MA 02138-4582

257-47 DANNER, PATRICIA 16 FRESH POND PLACE CAMBRIDGE, MA 02138

257-47 WEISSMAN, LARRY 26 FRESH POND PLACE CAMBRIDGE, MA 02138-4430

257-47 LUEDERS, PENELOPE K. TRUSTEE, 34 FRESH POND PL CAMBRIDGE, MA 02138 257-60 HURON TOWERS COMPANY C/O FIRST REALTY MANAGEMENT CORP. 2001 ROSS AVE, 19TH FLR DALLAS, TX 75201

257-30 GAINES, LAURIE B 34 MAY ST CAMBRIDGE, MA 02138

257-47 GAMBLE, LINCOLN BRADLEY C/O WOLCOTT LORING & COOLIDGE OFFICE 230 CONGRESS ST BOSTON, MA 02110-2437

257-47 SHAMIM, ANNE 42 FRESH POND PLACE CAMBRIDGE, MA 02138

257-47 WANG, YOUBIN & YAN QU 51 FRESH POND PLACE CAMBRIDGE, MA 02138

257-47 ABBENSETTS, MAXWELL KOFI JOHN 676 HURON AVE., #58 CAMBRIDGE, MA 02138

257-47 ESTEPAR, RAUL SAN JOSE 9 FRSH POND PL CAMBRIDGE, MA 02138

257-47 HOUSTON, ERIC & RANKO HOUSTON 18 FRESH POND PL. CAMBRIDGE, MA 02138-4430

257-47
KOHLER, VICTORIA G.
TRUSTEE OF THE VICTORIA G. KOHLER TRUST
P.O BOX 231
BONDVILLE, VT 05340

257-47 ZHAI, QI 676 HURON AVE., #37 CAMBRIDGE, MA 02138 700-704 Huran AR

257-47 AMENECHI, ONA DIKE 54 FRESH POND PLACE CAMBRIDGE, MA 02138 257-52 MENARD, DANIEL 40 MAY ST - UNIT 40 CAMBRIDGE, MA 02138 256-106 CAMBRIDGE HOUSING AUTHORITY 675 MASSACHUSETTS AVE CAMBRIDGE, MA 02139

257-47

257-47 TEEBAGY, ANDREA 9 HARDING STREET #1 CAMBRIDGE, MA 02141 257-47
WALSH, DALE M.
TR. OF THE DALE M.WALSH REVOC TR.
13 FRESH POND PLACE
CAMBRIDGE, MA 02138

ELLENZWEIG, JUDITH S.
TRS THE KLAPPER NOM TRST
C/O WINSTON LAW GROUP / DONA O'DONNELL
2 MAIN ST
STONEHAM, MA 02180

257-47
DELANEY, ARLENE
TR. DELANEY REVOC TRUST
49 FRESH POND PL UNIT #49
CAMBRIDGE, MA 02138

257-56 GREENOUGH AVENUE LLC 1770 MASSACHUSETTS AVE CAMBRIDGE, MA 02140 257-47 SELVA, MICHEL G. DEBORAH J. JANCOURTZ, TRS 676 HURON AVE UNIT 41 CAMBRIDGE, MA 02138

257-47 YUM HYONG-KON RHEE KYUNG-JIN 676 HURON AVE - UNIT 50 CAMBRIDGE, MA 02138 257-52 WU YAO 44 MAY ST - UNIT 44 CAMBRIDGE, MA 02138 257-47 SATTERSTROM PATRICIA & FREDERICK K SATTE 32 FRESH POND PL CAMBRIDGE, MA 02138

257-52 BLAIS, CAROLYN 3 MINER ST - UNIT 3 SOMERVILLE, MA 02145

FOX-WARREN MAURIE MARGRET LOUISE TRS 46 FRESH POND PL CAMBRIDGE, MA 02138 257-47 BARTON MELVIN I TRS THE MELVIN I BARTON REVOCABLE TR 5 FRESH POND PL CAMBRIDGE, MA 02138

266-32 CAMBRIDGE CITY OF RECREATION DEPT 51 INMAN ST CAMBRIDGE, MA 02139

257-42-53 & 266-32 CITY OF CAMBRIDGE C/O NANCY GLOWA CITY SOLICITOR

257-42-53 & 266-32 CITY OF CAMBRIDGE C/O CITY MANAGER

BELMONT PLANNING BOARD 455 CONCORD AVENUE BELMONT, MA 02478

BELMONT CEMETERY P.O. BOX 56 BELMONT, MA 02478