

BOARD OF ZONING APPEAL
FOR THE
CITY OF CAMBRIDGE

GENERAL HEARING

THURSDAY JUNE 22, 2023

6:00 p.m.

Remote Meeting

via

831 Massachusetts Avenue
Cambridge, Massachusetts 02139

Jim Monteverde, Vice Chair

Virginia Keesler

Carol Agate

Thomas Miller

Zarya Miranda

City Employees

Olivia Ratay



Precision, Speed, Reliability

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1 P R O C E E D I N G S

2 (6:00 p.m.)

3 Sitting Members: Jim Monteverde, Virginia Keesler, Carol
4 Agate, Thomas Miller and Zarya Miranda
5 Case No. BZA-220600

6 ADAM BRAILLARD: Thank you, Mr. Monteverde. Yes,
7 my name is Adam Brailard. I'm with a firm called Prince
8 Lobel Tye. We're located at One International Place in
9 Boston, Massachusetts. I just want to get a quick audio
10 check, make sure everyone can hear me.

11 JIM MONTEVERDE: You're good.

12 ADAM BRAILLARD: Great. Thank you. So yeah,
13 first case. And I'm in front of the Board here for four of
14 the cases; I think there's six or seven of them here
15 tonight, so the first four are mine. And so, I think you'll
16 see a pattern as I go through each one. I kind of tried to
17 design this so that I hit all of the things that the Board
18 wants to hear each time.

19 And then I know that just housekeeping, Mr. Chair,
20 that in the event the Board does make a favorable finding,
21 that there's a number of findings that the Board needs to
22 read into the record.

1 I know that in the past the Board has read those
2 into the record after the first case, and then kind of
3 mimicked that in the following cases.

4 And I just want to make sure to put that out there
5 that that's -- I think that the Board has done that in the
6 past so that you don't have to read that whole selection.

7 JIM MONTEVERDE: So if I'm lucky, I've recorded
8 it, and I can just play the recording for --

9 ADAM BRAILLARD: Oh, perfect.

10 JIM MONTEVERDE: -- everybody.

11 ADAM BRAILLARD: Great. You're smarter than I am.
12 Okay.

13 So again, for the record, Adam Brailard, Prince
14 Lobel, on behalf of the applicant, T-Mobile.

15 We're here in connection with a Special Permit and
16 an Eligible Facilities Request application before the Board
17 of Zoning Appeal to modify an existing wireless
18 communications facility.

19 This is located at 10 Canal Park, that's in the
20 East Cambridge area of CambridgeSide Galleria right by the
21 Mall there. It's located in the Business A zoning district.

22 The proposal is subject to, and we believe

1 complies with Section 6409 of the Middle Class Tax Relief
2 Act of 2012, as well as Sections 4.32.g.1, Footnote 49 and
3 10.43, which is the Special Permit Section of the City's
4 Code.

5 So getting into the proposal, the existing
6 facility consists of four sectors totaling 10 panel antennas
7 and three Remote Radio Units. They're all façade mounted on
8 the penthouse screen wall of the building. There's also
9 existing two radio cabinets and ancillary equipment that are
10 mounted to the rooftop of the building.

11 The proposal is to replace the 10 panel antennas
12 with eight like-kind panel antennas and eight Remote Radio
13 Units. So we're actually reducing the number of antennas in
14 this case.

15 And we would be replacing two of the -- the two
16 radio equipment cabinets with two smaller cabinets. They'll
17 be mounted behind the penthouse screen wall. All of the
18 visible antennas will be painted to match the color of the
19 penthouse façade.

20 I know that there was a Planning Board
21 recommendation to this Zoning Board of Appeals. If the
22 Board would like, I can go through those recommendations and

1 address each one.

2 JIM MONTEVERDE: Yep. Please.

3 ADAM BRAILLARD: Let me know if you have any
4 questions.

5 JIM MONTEVERDE: You want to do that after you do
6 the -- just show us the visuals, please, the before and
7 after?

8 ADAM BRAILLARD: Sure.

9 JIM MONTEVERDE: Or -- sorry, we can.

10 ADAM BRAILLARD: Yeah. Thanks. So the best place
11 to review the before and afters would be Sheet A3 of the
12 plans, or the photo sims, however you --

13 JIM MONTEVERDE: Yeah, the photo simulations are.

14 ADAM BRAILLARD: Okay, great. So photo sims would
15 be best for that. Yep. So that's the existing facility
16 there.

17 So there's a number of antennas up there already.
18 T-Mobile accounts for basically maybe one-third of all of
19 the antennas that are there. But this is the existing
20 conditions.

21 And the next slide would be the proposed
22 conditions.

1 T-Mobile's antennas are located where the arrows
2 are, where the blue arrows are. You just have to go back.

3 Yep.

4 So that's Location 1. That's the proposed
5 condition.

6 So it's really hard to tell the change, because
7 they are like-kind antennas, and we're actually reducing the
8 number of antennas. So the change -- the visual change is
9 de minimis in this view.

10 If we keep going.

11 Yep. that's another view, which doesn't have any
12 visual existing conditions on Location 3. The antennas --
13 there they are -- again, de minimis in nature with respect
14 to visibility.

15 We did -- and here's a better view of what the
16 existing facility looks like. Now this -- the existing
17 condition, the antennas, T-Mobile's antennas are only the
18 ones that are to the right on the penthouse, where there is
19 a lighter antenna. That's T-Mobile's antenna. And then
20 there's one behind another penthouse that you can't really
21 see.

22 But if you go to the next slide, you'll see that

1 we've reduced that antenna size and the -- replaced the
2 other antenna that's not very visible from there.

3 So those are the two antennas that are T-Mobile's
4 installation on this façade of the building.

5 JIM MONTEVERDE: Okay. Thank you.

6 ADAM BRAILLARD: Yep.

7 JIM MONTEVERDE: And then can you go back on to
8 the Planning Board suggestion?

9 ADAM BRAILLARD: Of course. So the Planning Board
10 through -- initially through the CDD Staff -- had some
11 recommendations, and we reviewed those.

12 The first recommendation was if feasible to --
13 basically the antennas should be mounted or moved down on
14 the penthouse façade to avoid visually intruding the coping
15 stone, or the top of the parapet.

16 And so, we actually were able to work with the
17 Design Team and reduce the antenna heights by about a foot,
18 foot-and-a-half so that they wouldn't affect the penthouse
19 parapet. They are already below that.

20 But the -- I think the Planning Board's concern
21 was when you look at the building from the ground, we call
22 it the reverse kind of one-to-one or 45-degree analysis.

1 So we've done -- I think we've been able to do
2 that and reduce the height of the antenna so that they don't
3 affect the visual effect or penetrate the sky above the
4 penthouse, even though they're below it from the ground. So
5 we revised the plans to do that. We'll be submitting those
6 plans into this Board in time for the meeting here.

7 The next question from the Planning Board was
8 since the new antennas have all varying sizes -- if feasible
9 we are utilizing antenna cover sheathing, so that the new
10 antennas have either similar dimensions or are more
11 symmetrical -- symmetrically laid out.

12 So we've talked about this with the Planning Board
13 and with this Board in the past. The challenge with
14 sheathing the antennas or covering them is that you can't --
15 you can't mount sheathing, right to the antennas themselves.

16 If you were to box the antenna or try to cover the
17 antenna, you would have to mount that directly to the
18 penthouse. So it adds to the structural integrity, and it
19 adds to the lagging of the -- what's required to -- the
20 penthouse. And the landlord's not a big fan of that.

21 The other problem is you would need to -- you
22 couldn't just sheathe a portion of the antenna themselves.

1 The whole antenna would need to be sheathed or boxed in.

2 And then it would look different than the other antennas.

3 So we've -- you know, we've batted this around a
4 lot, and we've looked at the it, and we just believe that
5 it's not feasible to separately cover or sheathe each
6 antenna. You could box the entire -- each array, but then I
7 think you're just adding to this -- significantly increasing
8 the size of the facility. And I'm just not sure that that
9 would -- that would --

10 JIM MONTEVERDE: Okay.

11 ADAM BRAILLARD: -- that would look good.

12 JIM MONTEVERDE: No. I understand what you're
13 saying.

14 ADAM BRAILLARD: Okay. Great. Thank you. And --

15 JIM MONTEVERDE: Next is the smallest mounting
16 brackets available, please, to utilize?

17 ADAM BRAILLARD: Yes. Yep. So we've utilized --
18 we have complied with that requirement. We're using the
19 smallest brackets available. There's challenges with that
20 --

21 JIM MONTEVERDE: Then it's remove unused pipe
22 mounts?

1 ADAM BRAILLARD: Yes. Yep. We're conforming to
2 that.

3 JIM MONTEVERDE: And then all painted and wrapped
4 material, including existing equipment, cabling mounts,
5 shall have a consistent matte finish?

6 ADAM BRAILLARD: Yes.

7 JIM MONTEVERDE: The darker, reddish-brown finish
8 would better blend with the existing brickwork than the
9 existing color finishes in the proposed color depicted in
10 the photo simulations. Does that work for you?

11 ADAM BRAILLARD: Absolutely. Yep. We conform to
12 that. We'll conform to that as well.

13 JIM MONTEVERDE: Okay.

14 ADAM BRAILLARD: So that's --

15 JIM MONTEVERDE: Anything else?

16 ADAM BRAILLARD: No, that's it. I mean, in
17 conclusion, you know, we request the Board to make a
18 determination that the proposed modifications do comply with
19 Section 6409 and the provisions in the Code, and that the
20 proposal will not have an adverse effect on the vicinity and
21 the city as a whole.

22 JIM MONTEVERDE: Okay. Are you all set?

1 ADAM BRAILLARD: Yes, thank you.

2 JIM MONTEVERDE: Thank you.

3 Any questions from members of the Board? If not,
4 I'll move on to public comment.

5 No? Okay. And you just went through the
6 memorandum that we have from the Planning Board, so we'll
7 enter that as conditions later, the ones that you agreed
8 with. Now for the public.

9 Any members of the public who wish to speak should
10 now click the icon at the bottom of your Zoom screen that
11 says, "Raise hand."

12 If you're calling in by phone, you can raise your
13 hand by pressing *9 and unmute or mute by pressing *6.

14 I'll now ask Staff to unmute the speakers one at a
15 time. You should begin by saying your name and address, and
16 Staff will then confirm that we can hear you. After that
17 you will have up to three minutes to speak before I ask you
18 to wrap up.

19 Do we have anybody calling in? No one. Okay.
20 Back to the Board. Any discussion, or are we ready for a
21 motion?

22 THOMAS MILLER: Ready for a motion.

1 JIM MONTEVERDE: All right. Thank you. We just
2 make this -- we make this in the 10 minutes that our agenda
3 says we have for this. [Laughter] All right.

4 The Chair makes a motion to grant the relief from
5 the requirements of the ordinance under Sections Article 4
6 Section 4.32.g.1, Section 4.40, Footnote 49, Article 10
7 Section 10.40 special permit, on the condition that the work
8 proposed conforms to the drawings entitled -- this is void
9 -- site name is B0 -- B0 035/10 Canal Park, prepared by T-
10 Mobile Northeast and Centerline, dated April 21, 2023;
11 initialed by the Chair and dated by the Chair.

12 And further, that we incorporate the supporting
13 statements and dimensional -- there's no dimensional form --
14 further, that the special permit is granted incorporating
15 the following conditions -- and that is per the Planning
16 Board communication to the Community Development Department
17 dated June 8, 2023 that states four of the five design
18 improvements that were asked to be considered:

19 So it's the Item 1, the antenna height moved down
20 from the penthouse façade; Item 3 the smallest mounting
21 brackets; 4, removing unused pipe, and 5 regarding the
22 painting and wrapping. And the proponent has discussed that

1 it's not feasible to utilize an antenna cover or sheath.

2 On the basis of those conditions, I will move this
3 to a vote. Carol?

4 CAROL AGATE: In favor.

5 JIM MONTEVERDE: Tom?

6 THOMAS MILLER: In favor.

7 JIM MONTEVERDE: Thank you. Virginia?

8 VIRGINIA KEESLER: In favor.

9 JIM MONTEVERDE: Thank you.

10 JIM MONTEVERDE: Zarya?

11 ZARAYA MIRANDA: In favor.

12 JIM MONTEVERDE: And Jim Monteverde in favor.

13 [All vote YES]

14 JIM MONTEVERDE: That's five, it's unanimous. Oh,
15 now I have to do my -- let me see if I have my recording.

16 All right, the Chair moves that this Board make
17 the following findings: Based on the findings, the Chair
18 moves that the petitioner be granted the special permit it
19 is seeking, subject to the following conditions:

20 One, that the work proceed in accordance with the
21 plans submitted by the petitioner, and initialed by the
22 Chair.

1 Two, that upon completion of the work, the
2 physical appearance and visual impact of the proposed work
3 will be consistent with the photo simulations submitted by
4 the petitioner and initialed by the Chair.

5 Three, that the petitioner shall at all times
6 maintain the proposed work, so that its physical appearance
7 and visual impact remain consistent with the photo
8 simulations previously referred to.

9 Four, that should the petitioner cease to utilize
10 the equipment approved tonight for a continuous period of
11 six months or more, it shall be promptly thereafter removed,
12 or it shall promptly thereafter remove such equipment and
13 restore the building on which it is located to its prior
14 condition and appearance, to the exact reasonably practical.

15 Five, that the petitioner is in compliance with
16 and will continue to comply with in all respects the
17 condition imposed by this Board with regard to previous
18 special permits granted to the petitioner, with regard to
19 the site in question.

20 In as much as the health effects of the
21 transmission of electromagnetic energy waves is a matter of
22 ongoing societal concern and scientific study, the special

1 permit is also subject to the following conditions:

2 a) That the petitioner shall file with the
3 Inspectional Services Department each report it files with
4 the federal authorities regarding electromagnetic energy
5 waves emissions emanating from all the proponent's equipment
6 on the site.

7 Each such report shall be filed with the
8 Inspectional Services Department no later than 10 business
9 days after the report has been filed with the federal
10 authorities.

11 Failure to timely file any such report with the
12 Inspectional Services Department shall ipso facto terminate
13 the special permit granted tonight.

14 b) That in the event that at any time federal
15 authorities notify the petitioner that its equipment on the
16 site, including but not limited to the special permit
17 granted tonight, fails to comply with the requirements of
18 law or governmental regulations -- whether with regard to
19 the emissions of electromagnetic energy waves or otherwise
20 -- the petitioner, within 10 business days of receipt of
21 such notification of such failure, shall file with the
22 Inspectional Services Department a report disclosing in

1 reasonable detail that such failure has occurred, and the
2 basis for such claimed failure.

3 The special permit granted shall ipso facto
4 terminate if any of the petitioner's federal licenses is or
5 are suspended, revoked, or terminated.

6 c) That to the extent a special permit has
7 terminated, pursuant to the foregoing paragraphs a) and b),
8 the petitioner may apply to this Board for a new special
9 permit, provided that the public notice concerning such
10 application discloses in reasonable detail that the
11 application has been filed because of the termination of the
12 special permit, pursuant to paragraphs a) and b) above.

13 Any such new application shall not be deemed a
14 repetitive petition, and therefore will not be subject to
15 the two-year period during which repetitive petitions may
16 not be filed.

17 And then the final paragraph:

18 d) That within 10 business days after receipt of a
19 building permit for the installation of the equipment
20 subject to this petition, the petitioner shall file with the
21 Inspectional Services Department a sworn affidavit of the
22 person in charge of the installation of equipment by the

1 petitioner with a geographical area that includes Cambridge
2 stating that:

3 a) he or she has such responsibility, and

4 b) that the equipment being installed pursuant to
5 the special permit we are granting tonight will comply with
6 all federal safety rules and will be situated and maintained
7 in locations with appropriate barricades and other
8 protections, such that individuals, including nearby
9 residents and occupants of nearby structures, will be
10 sufficiently protected from excessive radiofrequency
11 radiation under federal law.

12 There ends the lecture. Thank you. Gotta love
13 those smartphones.

14 So I think I did that out of sequence, but we do
15 have the added condition from the Planning Board, and we
16 took our vote. And we are done with 10 Canal Park.

17

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1 * * * * *

2 (6:10 p.m.)

3 Sitting Members: Jim Monteverde, Virginia Keesler, Carol
4 Agate, Thomas Miller and Zarya Miranda

5 JIM MONTEVERDE: So we will move on to 51 Brattle
6 Street. That is Case No. 221274. Adam, you're on again.

7 ADAM BRAILLARD: All right. Thank you, Mr. Chair,
8 members of the Board. Again, Adam Brailard. For the
9 record: Prince Lobel Tye. We're at One International Place
10 in Boston, Massachusetts.

11 We're here on behalf of the applicant, T-Mobile,
12 in connection with a Special Permit and Eligible Facilities
13 Request, in front of the Board here to modify its existing
14 wireless communication facility located at 51 Brattle
15 Street. It's just west of Harvard Square. It's located
16 within the Business B zoning district.

17 The proposal is subject to 6409 of the -- Section
18 6409 of the of the Middle Class Tax Relief Act of 2012 and
19 the City's Ordinance Sections 4.32.g.1, Footnote 49 and 10-
20 43, Special Permit Provisions.

21 So the existing -- existing facility is three
22 sectors of three panel antennas each, so totaling nine

1 antennas and a total of three Remote Radio Units, or RRUs
2 for a façade mounted on the penthouse screen wall of the
3 building. And -- hold on one second -- and there's two
4 Remote Radio -- I'm sorry, two radio cabinets and ancillary
5 equipment mounted on the rooftop of the penthouse. So
6 there's the -- there's the existing facility on the photo
7 simulations.

8 What we're proposing to do is replace the nine
9 panel antennas with nine new like-kind panel antennas -- so
10 like, so we're doing one for one antenna, we're not
11 increasing or reducing the number of antennas -- and
12 replacing the Remote Radio Units with six new Remote Radio
13 Units that will be out of view.

14 We're also going to replace the equipment cabinets
15 with two similar-sized cabinets that will be located in the
16 same location as the other cabinets. All of the visible
17 antennas will be painted to match the color of the penthouse
18 façade. And so, yeah, if we want to go through the
19 simulations, that would be great.

20 So this is the first view. I think this is
21 existing -- yeah, this is the proposed view of the façade.
22 No, that's the existing -- I'm, sorry. Yeah.

1 JIM MONTEVERDE: That's the existing, yeah.

2 ADAM BRAILLARD: Okay. Sorry. That's proposed
3 there. So --

4 JIM MONTEVERDE: Next one.

5 ADAM BRAILLARD: Yep. The next view, that's
6 existing. And --

7 JIM MONTEVERDE: Next one.

8 ADAM BRAILLARD: And the proposed. Existing.

9 JIM MONTEVERDE: Yep. To be removed. Yep.

10 ADAM BRAILLARD: And then I think there's one --
11 there's two more views, but we couldn't get a visual --

12 JIM MONTEVERDE: Yep.

13 ADAM BRAILLARD: -- of either one of the antennas.
14 So.

15 JIM MONTEVERDE: Okay. It does look amazingly
16 similar.

17 ADAM BRAILLARD: Yeah. Again, a very de minimis
18 changes to the antennas. There is a Planning Board
19 recommendation. I can go through those really quick if --

20 JIM MONTEVERDE: Yep. Please.

21 ADAM BRAILLARD: Okay, so if feasible, consider
22 utilizing antenna covers, sheathing. We -- the challenge

1 is, for the record, the challenge there is that you can't
2 attach the sheathing of the -- or the covers directly to the
3 antennas. You'd have to mount them to the façade.

4 And the challenge is there with how wide you have
5 to make those. I think we would increase the sizes of the
6 antennas to the point where it wouldn't make sense to do
7 that from an aesthetic standpoint. So we've considered
8 that, but we don't think it's feasible.

9 JIM MONTEVERDE: Okay.

10 ADAM BRAILLARD: The next request from the Board
11 was to utilize the smallest mounting brackets available.
12 We've done that. And we will comply to that.

13 And then the third request from the Planning Board
14 was if feasible, all cabling including existing exposed
15 cabling -- cables -- should be concealed and not located on
16 the exterior of the penthouse.

17 So we've done that to the extent feasible. There
18 is some cabling that would need to connect some of the --
19 you know, the antennas to the radio equipment, but they'll
20 be hidden behind the antennas.

21 So generally, I don't think they'll be visible at
22 all, especially from the street. Maybe if you were real

1 close, but any visible antennas would be painted to match --
2 sorry, cable would be painted to match the color of the
3 façade to reduce any visibility there.

4 JIM MONTEVERDE: Yep. Okay. Thank you.

5 ADAM BRAILLARD: Yep.

6 JIM MONTEVERDE: Anything else?

7 ADAM BRAILLARD: That's it.

8 JIM MONTEVERDE: Is that it? Very good. Any
9 questions from members of the Board?

10 CAROL AGATE: Nope.

11 JIM MONTEVERDE: If not, we'll move onto public
12 comment. Any members of the public who wish to speak should
13 now click the icon at the bottom of your Zoom screen that
14 says, "Raise hand."

15 If you're calling in by phone, you can raise your
16 hand by pressing *9 and unmute or mute by pressing *6.

17 Anybody? Nope. All right.

18 Members of the Board? Back to you. Any
19 discussion or are we ready for a motion?

20 CAROL AGATE: Ready.

21 JIM MONTEVERDE: Ready for a motion. Thank you.

22 ADAM BRAILLARD: Mr. Chair -- I'm sorry, Mr.

1 Chair, I just did need to --

2 JIM MONTEVERDE: Go ahead.

3 ADAM BRAILLARD: -- I just need to add one other
4 provision. This is -- I'm sorry, nope, I'm good. I'm
5 getting my sights confused. If it is a residential
6 district, I do need to include some -- some language how we
7 meet some additional criteria there. But not in this case,
8 so I apologize.

9 JIM MONTEVERDE: We'll save that.

10 ADAM BRAILLARD: Yep.

11 JIM MONTEVERDE: Save that for another time. And
12 then, Olivia, do I need to do this announcement first before
13 I -- all right. Here comes the public service announcement
14 first. Then I'll read in the motion itself.

15 All right. The Chair moves that this Board make
16 the following findings: based on the findings, the Chair
17 moves that the petitioner be granted the special permit it
18 is seeking, subject to the following conditions:

19 One, that the work proceed in accordance with the
20 plans submitted by the petitioner, and initialed by the
21 Chair.

22 Two, that upon completion of the work, the

1 physical appearance and visual impact of the proposed work
2 will be consistent with the photo simulations submitted by
3 the petitioner and initialed by the Chair.

4 Three, that the petitioner shall at all times
5 maintain the proposed work, so that its physical appearance
6 and visual impact remain consistent with the photo
7 simulations previously referred to.

8 Four, that should the petitioner cease to utilize
9 the equipment approved tonight for a continuous period of
10 six months or more, it shall be promptly thereafter removed,
11 or it shall promptly thereafter remove such equipment and
12 restore the building on which it is located to its prior
13 condition and appearance, to the exact (sic) reasonably
14 practical.

15 Five, that the petitioner is in compliance with
16 and will continue to comply with in all respects the
17 condition imposed by this Board with regard to previous
18 special permits granted to the petitioner, with regard to
19 the site in question.

20 In as much as the health effects of the
21 transmission of electromagnetic energy waves is a matter of
22 ongoing societal concern and scientific study, the special

1 permit is also subject to the following conditions:

2 a) That the petitioner shall file with the
3 Inspectional Services Department each report it files with
4 the federal authorities regarding electromagnetic energy
5 waves emissions emanating from all the proponent's equipment
6 on the site.

7 Each such report shall be filed with the
8 Inspectional Services Department no later than 10 business
9 days after the report has been filed with the federal
10 authorities.

11 Failure to timely file any such report with the
12 Inspectional Services Department shall ipso facto terminate
13 the special permit granted tonight.

14 b) That in the event that at any time federal
15 authorities notify the petitioner that its equipment on the
16 site, including but not limited to the special permit
17 granted tonight, fails to comply with the requirements of
18 law or governmental regulations -- whether with regard to
19 the emissions of electromagnetic energy waves or otherwise -
20 - the petitioner, within 10 business days of receipt of such
21 notification of such failure, shall file with the
22 Inspectional Services Department a report disclosing in

1 reasonable detail that such failure has occurred, and the
2 basis for such claimed failure.

3 The special permit granted tonight shall ipso
4 facto terminate if any of the petitioner's federal license -
5 - or pleural -- is or are suspended, revoked, or terminated.

6 c) That to the extent that a special permit has
7 terminated, pursuant to the foregoing paragraphs a) and b),
8 the petitioner may apply to this Board for a new special
9 permit, provided that the public notice concerning such
10 application discloses in reasonable detail that the
11 application has been filed because of termination of the
12 special permit, pursuant to paragraph a) or b) above.

13 Any such new application shall not be deemed a
14 repetitive petition, and therefore will not be subject to
15 the two-year period during which repetitive petitions may
16 not be filed.

17 And then the final paragraph d):

18 d) That within 10 business days after receipt of a
19 building permit for the installation of the equipment
20 subject to this petition, the petitioner shall file with the
21 Inspectional Services Department a sworn affidavit of the
22 person in charge of the installation of equipment by the

1 petitioner with a geographical area that includes Cambridge
2 stating that:

3 a) he or she has such responsibility, and

4 b) that the equipment being installed pursuant to
5 the special permit we are granting tonight will comply with
6 all federal safety rules and will be situated and maintained
7 in locations with appropriate barricades and other
8 protections, such that individuals, including nearby
9 residents and occupants of nearby structures, will be
10 sufficiently protected from excessive radiofrequency
11 radiation under federal law.

12 There ends the lecture.

13 JIM MONTEVERDE: Okay.

14 And in addition, we just want to say that the
15 motion to grant the relief from the requirements of the
16 ordinance under Section 4 or Article 4, Sections 4.32.g.1
17 and Section 4.40 Footnote 49 and Article 10, Section 10.40
18 for a special permit on the condition that the work proposed
19 conforms to the drawings entitled "51 Brattle Street,"
20 prepared by EG Advanced Engineering Group, dated -- the last
21 revision date on this is May 17, 2023, initialed and dated
22 by the Chair.

1 And further, that we incorporate the conditions
2 stated in the memo from the Planning Board to the Board of
3 Zoning Appeals dated June 15, 2023 -- specifically Items 2
4 utilizing the smallest mounting brackets; and 3, if
5 feasible, all cabling including exposed cabling should be
6 concealed and not moving about the exterior of the
7 penthouse.

8 And the proponent has described Item 1, utilizing
9 antenna covers or sheaths is not feasible.

10 On the motion, then, Virginia?

11 VIRGINIA KEESLER: In favor.

12 JIM MONTEVERDE: Zarya?

13 ZARAYA MIRANDA: In favor.

14 JIM MONTEVERDE: Tom?

15 THOMAS MILLER: In favor.

16 JIM MONTEVERDE: Carol?

17 CAROL AGATE: In favor.

18 JIM MONTEVERDE: And Jim Monteverde in favor.

19 [All vote YES]

20 JIM MONTEVERDE: That's five in favor. The matter
21 is approved.

22 So Adam, help me. How can I not go through that

1 soliloquy? Is there a way I can not go through that, with
2 your approval?

3 ADAM BRAILLARD: Yes. I have --

4 JIM MONTEVERDE: -- by reference.

5 ADAM BRAILLARD: -- yes. I have seen this Board
6 --

7 JIM MONTEVERDE: Yeah, I know we did.

8 ADAM BRAILLARD: -- prep the prior approvals,
9 correct.

10 JIM MONTEVERDE: Okay.

11 ADAM BRAILLARD: As long as the Board as a whole
12 is okay with that.

13 JIM MONTEVERDE: I'm sure they'd rather not hear
14 me drone on, but I'll ask if that's okay.

15 Adam, you're going to get four strikes tonight.
16 You're up again.

17 ADAM BRAILLARD: [Laughter]

18 JIM MONTEVERDE: You get four pitches.
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2 (6:20 p.m.)

3 Sitting Members: Jim Monteverde, Virginia Keesler, Carol
4 Agate, Thomas Miller and Zarya Miranda

5 JIM MONTEVERDE: The next case is No. 222855 -- 50
6 Ames Street. Adam, take it away.

7 ADAM BRAILLARD: Thank you, Mr. Chair, members of
8 the Board again. Adam Brailard for the record for the
9 applicant, T-Mobile, in connection with a Special Permit and
10 an Eligible Facilities Request application in front of the
11 Board to modify an existing facility that's located at 50
12 Ames Street. It's within the MIT campus area. It's located
13 in a Residential C zoning district.

14 The proposal is subject to and complies with
15 Section 6409 of the Middle Class Tax Relief Act of 2012 as
16 well as Sections 4.32.g.1, 4.40 Footnote 41 -- 49, and
17 Section 10.43, of the City's Code.

18 The existing facility consists of six panel
19 antennas and 16 Remote Radio Units, and also one equipment
20 shelter that's on the rooftop of the building.

21 And what we propose to do is replace the --
22 replace six of the -- all six of the panel antennas with six

1 new like-kind panel antennas and replace the 16 Remote Radio
2 Units with six Remote Radio Units. We're removing 10 Remote
3 Radio Units, façade mounted on the -- at the same locations
4 on the building.

5 The -- four of the antennas are currently mounted
6 within what we call, fake or faux vent pipes. You can ko
7 see them there on the roof.

8 And what we propose to do is replace those vent
9 pipes with four new vent pipes that will be a little bit
10 larger in size. They're going from about 20" in width to
11 30" in width.

12 And then the antennas that were façade mounted
13 obviously would be no vent pipes there and would be in the
14 same location.

15 Yep, so that's the existing view and that would be
16 proposed.

17 So that's a little tough to see because the vent
18 pipes are kind of in the back -- the back splash of that
19 other building. But there would be no significant -- you
20 know, de minimis change to kind of what we try to do here in
21 all these applications.

22 So that's the existing view. So these are the

1 façade-mounted antennas, and proposed. So it's actually a
2 smaller footprint, because we're reducing the size of one of
3 the antennas, and then we're reducing the Remote Radio
4 Units. So it's actually a smaller -- we're reducing that
5 array size. So those are the existing --

6 JIM MONTEVERDE: Yep. Back where we were started.

7 ADAM BRAILLARD: And those are the proposed, so a
8 little bit larger. And that's to fit the width of the
9 replaced antennas, which are a little bit wider.

10 JIM MONTEVERDE: All right. Anything else?

11 ADAM BRAILLARD: It is a residential zone, so the
12 -- so we propose that the -- that nonresidential uses still
13 predominate in the area. This Board has, obviously, granted
14 a special permit here in the past and determined that -- and
15 found that nonresidential uses predominate in the vicinity
16 of this proposal.

17 And we propose and conclude that that still the
18 case. And I just want to go through a couple of
19 nonresidential uses: There's Cambridge Trust Bank on Main
20 Street, there's MIT Cancer Research Center on Main Street, a
21 number of MIT Biology buildings also on Main Street.
22 There's a Kendall restaurant and hotel on Main. And then

1 Main Street in general is a large thoroughfare in Cambridge.

2 So we propose that nonresidential uses still
3 predominate.

4 And also, the proposed changes, like I said, are
5 de minimis in nature, and therefore not that the proposal is
6 not inconsistent with the character that does prevail in the
7 surrounding neighborhood. So that statement is one of the
8 other provisions in the City's code that we need to conform
9 with, and we believe we do.

10 JIM MONTEVERDE: Okay. Very good.

11 ADAM BRAILLARD: There were no -- yep, there were
12 no Planning Board recommendations on this particular
13 application.

14 JIM MONTEVERDE: Right. Okay. Thank you.

15 ADAM BRAILLARD: Yep.

16 JIM MONTEVERDE: Any questions from members of the
17 Board? Or I'll move on to public comment? Nope. Okay.
18 Any member of the public who wishes to speak should now
19 click the icon at the bottom of your Zoom screen that says,
20 "Raise hand."

21 If you're calling in by phone, you can raise your
22 hand by pressing *9 and unmute or mute by pressing *6.

1 Any concerned citizens on the line? Nope? Okay.
2 Any final discussion from members of the Board, or can I
3 move on to a motion?

4 All right. Motion this.

5 And Adam, can we include by reference the -- my
6 previous soliloquy?

7 ADAM BRAILLARD: -- I -- I think yes, you can.
8 And then in the decision, when the decision is drafted, you
9 would include that language in the decision.

10 JIM MONTEVERDE: Yep. Okay. So the Chair makes a
11 motion to grant the relief from the requirements of the
12 ordinance under Sections -- Article 4, Section 4.32.g.1 and
13 Section 4.40, Footnote 49, and Article 10 Section 10.40 for
14 a special permit on the condition that the work proposed
15 conforms to the drawings entitled, "T-Mobile, 40 Ames
16 Street" prepared by Dewberry Engineers dated -- the last
17 date on this is April 6, 2023.

18 And further, that we incorporate the -- I don't
19 know, what do we call it, my soliloquy, the statements about
20 electromagnetic forces and your licenses, et cetera -- is
21 attached herewith. It's the best legalese I've got.

22 All right. On the motion, Carol?

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CAROL AGATE: In favor.

JIM MONTEVERDE: Thank you. Tom?

THOMAS MILLER: In favor.

JIM MONTEVERDE: Virginia?

VIRGINIA KEESLER: In favor.

JIM MONTEVERDE: Zarya?

ZARAYA MIRANDA: In favor.

JIM MONTEVERDE: And Jim Monteverde in favor.

[All vote YES]

JIM MONTEVERDE: The motion is passed. Thank you.

1 * * * * *

2 (6:30 p.m.)

3 Sitting Members: Jim Monteverde, Virginia Keesler, Carol
4 Agate, Thomas Miller and Zarya Miranda

5 JIM MONTEVERDE: Next case is 2237902 -- 120
6 Vassar Street.

7 ADAM BRAILLARD: Great. Thank you, members of the
8 Board. And this is the fourth and final from me, so you
9 don't have to listen to me anymore after this.

10 My name is Adam Braillard, for the applicant, T-
11 Mobile, in connection with a Special Permit and Eligible
12 Facilities Request application before the Board to modify an
13 existing wireless communications facility. It's located at
14 120 Vassar Street.

15 This is the Athletics Center facility within the
16 MIT campus. And it's located in the Business C-3 -- I think
17 that's actually Residential C-3 Zoning District --
18 Residential C-3 Zoning District.

19 The proposal is subject to the and complies with
20 the Section 6409 of the Middle Class Tax Relief Act of 2012
21 as well as Sections 4.32.g.1, 4.40 Footnote 49, and 10.43,
22 which is the Special Permit Requirements.

1 The existing facility consists of two sectors of
2 one panel antenna each, totaling two panel antennas, and
3 then also including eight Remote Radio Units. Those are all
4 façade-mounted on the side of the complex. There's one
5 equipment room within the lower mechanical level inside the
6 complex and out of view.

7 The proposal is to replace those two panel
8 antennas with three new antennas of three sectors each, so
9 the total antenna count will be nine.

10 And then to replace the eight Remote Radio Units
11 with six new Remote Radio Units, so decreasing the number of
12 Radio Units. All of the panel antennas will be façade
13 mounted on the structure of the building and painted to
14 match the color of the façade.

15 So we can go through the -- if that's okay, we can
16 go through the -- yep, so this is the existing facility.

17 There's no antennas on this side. We're proposing
18 to add a sector here, which will be three antennas.

19 Yep. So there you go.

20 And then there's one antenna here, and then
21 there's also a mount that's next to that antenna. So we
22 will be, obviously, removing that -- removing that antenna,

1 and then adding three new antennas here, so a total of
2 three.

3 And then these are the two existing antennas.
4 There's also an existing mount that we would remove, and we
5 would replace all those with three antennas per sector, for
6 a total of six right there.

7 I think that's it.

8 JIM MONTEVERDE: The Planning Board has a couple
9 of comments?

10 ADAM BRAILLARD: Yep. They have a couple
11 comments, very similar to what was commented on before,
12 which is the -- the antenna should be mounted down to the
13 penthouse façade to avoid a visual interruption of the
14 coping stone on the parapet.

15 We've done that, so we've reduced the antenna
16 heights all around, so that they don't penetrate the coping
17 stone or the skyline.

18 Also, if it's feasible, consider antenna cover
19 sheathing. Again, we've considered that structurally and
20 mechanically to attach those directly to the antennas. It's
21 very, very difficult. We'd have to attach them to the
22 façade.

1 We've worked real hard, actually, with MIT on this
2 design, and I'm certain that MIT would not want these
3 antennas to be any bigger than they are. So that would
4 happen if we were to try to do this. So we don't think
5 that's feasible.

6 And utilizing the smallest mounting brackets
7 available, we've done that, and then ensure all exposed
8 cable mounts are tightly affixed to the façade. And we have
9 designed it so that that is the case.

10 This does fall within a residential zone. It's a
11 C-3 B Zoning District. The Board in prior decisions has
12 determined that nonresidential uses predominate in the
13 vicinity of this property.

14 We believe that the Board should continue to find
15 that -- we think that the nonresidential uses continue to
16 dominate here. MIT Recreational Center is on Vassar Street,
17 where we're on, and there's numerous nonresidential
18 buildings and uses along Vassar Street in the vicinity of
19 the proposed facility.

20 Also, the proposed changes we believe are de
21 minimis in nature, and therefore not inconsistent with the
22 character that does prevail in the surrounding neighborhood.

1 JIM MONTEVERDE: Okay. Very good. Thank you.

2 ADAM BRAILLARD: Thanks.

3 JIM MONTEVERDE: Any questions from members of the
4 Board, or if not, we move to public comment?

5 Hearing none, public comment. Any members of the
6 public who wish to speak should now click the icon at the
7 bottom of your Zoom screen that says, "Raise hand."

8 If you're calling in by phone, you can raise your
9 hand by pressing *9 and unmute or mute by pressing *6.

10 No one in radio waves. Okay. Any discussion from
11 members of the Board, or can I move on to a motion?

12 THOMAS MILLER: Ready for a motion.

13 JIM MONTEVERDE: Motion. Thank you. The Chair
14 makes a motion to grant the relief from the requirements of
15 the ordinance under Sections -- Article 4 Section 4.32.g.1,
16 Section 4.40 Footnote 49, Article 10 Section 10.40, special
17 permit, on the condition that the work proposed conforms to
18 the drawings entitled "120 Vassar Street" prepared by
19 Dewberry Engineers and dated and dated June 15, 2023
20 initialed and dated by the Chair.

21 And further, that we incorporate the statements
22 from the Planning Board three out of the four, specifically

1 including that the antennas be mounted down -- moved down
2 the façade to avoid interrupting the coping stone, utilizing
3 the smallest mounting brackets and ensuring all exposed
4 cables, et cetera are tightly fixed to the façade.

5 And the proponent has explained that the
6 suggestion to utilize antenna covers or sheaths are not
7 feasible. And this Board accepts that.

8 And we also want to attach the statement that I
9 read into the minutes on the previous cases that had to do
10 with electromagnetic waves and licenses by the proponent.

11 On that motion, Carol?

12 CAROL AGATE: In favor.

13 JIM MONTEVERDE: Tom?

14 THOMAS MILLER: In favor.

15 JIM MONTEVERDE: Virginia?

16 VIRGINIA KEESLER: In favor.

17 JIM MONTEVERDE: Zarya?

18 ZARAYA MIRANDA: In favor.

19 JIM MONTEVERDE: And Jim Monteverde in favor.

20 [All vote YES]

21 JIM MONTEVERDE: That's five in favor, unanimous.

22 Thank you, Adam. You're all done.

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ADAM BRAILLARD: Thank you, Board, very much.
Just off the record, I really appreciate you guys meeting
tonight. I know it's not during the normal week, so I very
much appreciate it.

JIM MONTEVERDE: Okay.

ADAM BRAILLARD: Have a good night.

JIM MONTEVERDE: You're welcome.

1 * * * * *

2 (6:40 p.m.)

3 Sitting Members: Jim Monteverde, Virginia Keesler, Carol
4 Agate, Thomas Miller and Zarya Miranda

5 JIM MONTEVERDE: Next case is No. 220252 -- 102
6 Sherman Street.

7 CAROLYN SEELEY: Good evening, Planning Board. My
8 name is Carolyn Seeley from Smartlink LLC, on behalf of AT&T
9 the applicant. This is in connection with a Special Permit
10 and Eligible Facilities Request at 102 Sherman Street.

11 At this site, AT&T proposes to make minor
12 modifications to its existing cell site. The proposed scope
13 of work here is to replace nine panel antennas with nine new
14 panel antennas. AT&T is reducing the antenna quantity here,
15 and there is a minor visual change, which you can see on the
16 photo simulations. Yep.

17 So this is the existing alpha sector. I know it's
18 kind of hard to see with the tree.

19 JIM MONTEVERDE: Yeah, it's really -- I'm
20 assuming, I'm believing you that there are antenna back
21 there.

22 CAROLYN SEELEY: Yep. They're there. Yep. So if

1 you want to go to the next page, we can -- okay, yep.

2 So this is just another existing view, which shows
3 the three antennas. There's three antennas per sector for
4 -- actually no, there's four. So this is showing four
5 existing antennas.

6 And if you just keep going to the next one, so
7 this is the proposed. So if you see the antenna on the left
8 is going to be -- that's going to stay.

9 The -- really the only change here is those two
10 little mini antennas in the middle there. It's kind of just
11 like a stacked antenna. Both antennas, you know, equate to
12 the same -- you know, size as the previous one, and they'll
13 be utilizing the existing mount.

14 And there is the third antenna on the right side.
15 Yep. There's a third antenna on the right side, and then
16 there's going to be another antenna that's going to be
17 removed completely.

18 So instead of, you know, four long ones, it's
19 going to be the two long and then the two kinds of short,
20 stacked antennas. So some people, you know, will count
21 those as four. Some will do, you know, three -- one, one
22 and one. It depends how you look at it, the quantity.

1 So this is, again, just another existing view of
2 beta and gamma sector.

3 And then, yeah, it's hard to tell here. Doesn't
4 look like there's any really change from this view.

5 Yep. So this is existing beta. Again, just a
6 different location.

7 And then after. So really the only change is
8 instead of seeing that one big antenna, it's one of just two
9 small ones, and then one removed completely.

10 Yep. Existing gamma, just another view. Existing
11 and then the proposed. So again, it's minor visual changes,
12 and then there are three antennas being removed completely.

13 JIM MONTEVERDE: Thank you. Anything else?

14 CAROLYN SEELEY: No, that's it. It's just the
15 antennas. There's no remote radio work here with the scope.
16 It's just the antennas.

17 JIM MONTEVERDE: Okay. Thank you.

18 CAROLYN SEELEY: And -- yep, and it looks like
19 there were some Planning Board recommendations from the
20 Planning Board as well. And I know that Adam had kind of
21 talked about some of them. So we can also go over that as
22 well.

1 JIM MONTEVERDE: Yeah. I'm not finding those, but
2 we'll look. If I -- can I ask you one question about the
3 application?

4 CAROLYN SEELEY: Sure.

5 JIM MONTEVERDE: Contained in all of the paperwork
6 is -- this is dated June 12, 2013, "Commonwealth of
7 Massachusetts, Attorney General's Office." And it's
8 regarding Mount Washington special Town Meeting, April 1,
9 2013. Does this have anything to do with the matter at
10 hand?

11 CAROLYN SEELEY: No, I think those are just a
12 standard Attorney General letters that are submitted with
13 all of AT&T's applications. I don't think that has anything
14 to do with this particular site, yeah.

15 JIM MONTEVERDE: Because it's got old Board of
16 Zoning Appeal, Cambridge, for 330 Mount Auburn Street. It
17 looks like something got caught in a copy machine.

18 CAROLYN SEELEY: Yeah. That's -- that's weird.
19 I'm going to --

20 JIM MONTEVERDE: But it's attached to almost all
21 of your two submittals.

22 CAROLYN SEELEY: Huh. Okay.

1 JIM MONTEVERDE: All right. I'm assuming it has
2 nothing to do with this.

3 CAROLYN SEELEY: Yeah. I'm going to have to take
4 a look at that. That may have just been an error with
5 uploading, and maybe it just got mixed in with the
6 attachments.

7 JIM MONTEVERDE: And I do not see any commentary
8 from the Planning Board.

9 CAROLYN SEELEY: Yeah. You know, now that I'm
10 looking, it looks like the recommendations were for 10 Canal
11 Park, which is the next site --

12 JIM MONTEVERDE: Yep.

13 CAROLYN SEELEY: -- on the agenda.

14 JIM MONTEVERDE: However, I am happy to discuss
15 some of those when we get to that. You all done with your
16 presentation?

17 CAROLYN SEELEY: I am, thank you.

18 JIM MONTEVERDE: All right. Thank you. Any
19 questions from members of the Board, or can we move on to
20 public comment? Public comment?

21 Any members of the public who wish to speak should
22 now click the icon at the bottom of your Zoom screen that

1 says, "Raise hand."

2 If you're calling in by phone, you can raise your
3 hand by pressing *9 and unmute or mute by pressing *6.

4 Nobody. Nobody. Someday somebody's going to call
5 in and we'll be shocked. Any discussion by members of the
6 Board, or are we ready to move to a motion?

7 VIRGINIA KEESLER: Ready.

8 JIM MONTEVERDE: I have one tidbit I'd like to
9 offer. And I would like to add -- one of the comments that
10 were in the previous cases, which I actually found, Carolyn,
11 in all of the old attachments that you -- are I called in
12 the application that had to do with a different site.

13 There was a statement -- this was from the
14 Planning Board back in 2016 -- to the Zoning Board, which
15 I've amended -- and I'm going to read it and tell me if this
16 is something that you can live with.

17 And it will read -- this will be a new condition:
18 "If feasible, the Zoning Board requests that the antennas
19 mounted on the building façade --" meaning not rooftop
20 mounted"-- be located in such a way as to not break the roof
21 line when viewed from the street, and that they be painted
22 to match the façades."

1 You okay with that?

2 CAROLYN SEELEY: I don't see any problem with
3 that, especially not the paint to match note. But --

4 JIM MONTEVERDE: Right.

5 CAROLYN SEELEY: -- I can certainly run that by
6 our Engineering Department. But I don't see that that will
7 be an issue.

8 JIM MONTEVERDE: Okay. And the speech that we
9 have to make at the end of this having to do with
10 electromagnetic waves and the licenses that you need to
11 apply for and notify the City if any of those are removed or
12 expired, are you okay if I enter that by reference, or would
13 you like me to actually read those conditions into the
14 motion?

15 CAROLYN SEELEY: No, that's fine. Whatever's
16 easier for you.

17 JIM MONTEVERDE: Okay. We will enter them by
18 attachment.

19 CAROLYN SEELEY: Yeah. You don't need to read
20 those out.

21 JIM MONTEVERDE: Thank you. You've heard it
22 before, I take it? All right. Motion. The Chair makes a

1 motion to grant the relief from the requirements of the
2 ordinance under Sections Article 4 Section 4.32.g.1 and
3 Section 4.40 Footnote 49 and Article 10, Section 10.4,
4 special permit, on the condition that the work proposed
5 conforms to the drawings entitled "Cambridge Sherman Street"
6 -- I've entered the address, 102 -- prepared by Ramaker,
7 employee-owned company, and dated -- there is no date, but
8 it has a print date of June 7, 2022. I will sign those and
9 initial those.

10 And further, that we incorporate the condition
11 that I just read regarding the antenna, if feasible, be
12 mounted not to break the roof line when viewed from the
13 street and be painted to match the façade.

14 And by reference, the statement that I've made
15 previously regarding the electromagnetic waves and any
16 licenses that the proponent has, or -- but that expired that
17 they notify the City.

18 On the motion? I'm going to mess up your name
19 again, I know it. Zarya?

20 ZARAYA MIRANDA: That was perfect. In favor.

21 JIM MONTEVERDE: You've got me terrified here.

22 Virginia?

1 VIRGINIA KEESLER: In favor.

2 JIM MONTEVERDE: Tom?

3 THOMAS MILLER: In favor.

4 JIM MONTEVERDE: Carol?

5 CAROL AGATE: In favor.

6 JIM MONTEVERDE: And Jim Monteverde.

7 [All vote YES]

8 JIM MONTEVERDE: That's five in favor, it's
9 unanimous. Thank you.

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2 (6:50 p.m.)

3 Sitting Members: Jim Monteverde, Virginia Keesler, Carol
4 Agate, Thomas Miller and Zarya Miranda

5 JIM MONTEVERDE: The next case is -- Carolyn,
6 you're up again -- is Case No. 225273 -- 10 Canal Park.

7 CAROLYN SEELEY: Again, my name is Carolyn Seeley
8 from Smartlink, LLC on behalf of AT&T the applicant in
9 connection with a Special Permit and Eligible Facilities
10 Request at 10 Canal Park.

11 AT&T is looking to make minor modifications to its
12 existing cell site as part of nationwide upgrades. The
13 proposed scope of work she is to remove three existing
14 antennas and nine existing Remote Radio Units. They are
15 looking to swap nine existing antennas and six existing
16 Remote Radio Units.

17 AT&T currently has 12 antennas. They are looking
18 to swap nine and remove three, so a total final count will
19 be nine. As far as the RRUs, they're looking to swap six,
20 remove 15, for a final count of 12.

21 So here are the photo sims. This is the -- this
22 is the existing location from the west view. So you --

1 there's, yeah, there's no equipment visible on this one
2 either.

3 So here you can see the southeast view from Canal
4 Park. This is the existing condition. So you can see the
5 four antennas right across.

6 And if you go to the next one, you'll see the
7 proposed. So they are actually going to have the -- I don't
8 know if you can scroll -- if there's a better view. Can you
9 scroll, maybe zoom in?

10 JIM MONTEVERDE: You might be able to zoom in.

11 CAROLYN SEELEY: Yeah. Because it's not -- there
12 you go. Yep. So you can see right here that there is the
13 two larger antennas on the left and right, and then in the
14 middle is those, you know, like, mini antennas having been
15 stacked. So yeah, it's a very minor visual change, similar
16 to the one that we just talked about too.

17 And I think if maybe you go to the next one, there
18 might be a better, a closer-up view.

19 OLIVIA RATAY: Those are all the photos I have.

20 CAROLYN SEELEY: Is that it? Yeah. Okay. Yeah.
21 I'm surprised they couldn't get a close one. Maybe because
22 of the water.

1 JIM MONTEVERDE: Yep. I think we --

2 CAROLYN SEELEY: Yep. So here --

3 JIM MONTEVERDE: -- get the idea.

4 CAROLYN SEELEY: -- yeah, they are reducing the
5 antenna and RRU quantity going from 12 to nine.

6 JIM MONTEVERDE: Yep. Very good. Anything else?

7 CAROLYN SEELEY: Nope. That is it for my
8 presentation. And they -- there is Planning Board
9 recommendations here we can go --

10 JIM MONTEVERDE: Yes.

11 CAROLYN SEELEY: -- through. Yep.

12 JIM MONTEVERDE: Yep.

13 CAROLYN SEELEY: Yeah.

14 JIM MONTEVERDE: Go ahead, please, through the
15 Planning Board.

16 CAROLYN SEELEY: Yep. So I did speak with our
17 engineer about moving those antennas down. That is not an
18 issue. Unfortunately, I did not have the final signed and
19 stamped drawings in time for this afternoon -- this
20 evening's meeting, but I can certainly get those out either
21 tomorrow or first thing on Monday.

22 The second recommendation is the -- let me just

1 look for those recommendations.

2 JIM MONTEVERDE: It's the --

3 CAROLYN SEELEY: Do you have the --

4 JIM MONTEVERDE: -- this is the request: "Since
5 the antennas are all varying size: If feasible, consider
6 utilizing antenna covers or sheaths, so that the new
7 antennas will have similar dimensions."

8 CAROLYN SEELEY: Yeah. I do have to speak to
9 Engineering. But again, as Adam mentioned for T-Mobile at
10 10 Canal that this most likely would impact the structural
11 analysis. And we would have to get landlord approval. So I
12 would have to get back to you on that one.

13 As far as the smallest brackets, the civil vendor
14 will certainly use the smallest brackets available, and they
15 will remove any unused mounts, and will paint to match.

16 JIM MONTEVERDE: Okay.

17 CAROLYN SEELEY: And all those notes can be
18 incorporated in the revised drawings that I will submit.

19 JIM MONTEVERDE: All right. So I'll just note
20 that the -- on the second item from the Planning Board, the
21 covers or sheaths you will get back to this Board?

22 CAROLYN SEELEY: Yes, I will. I should have an

1 answer back tomorrow; if not, early next week.

2 JIM MONTEVERDE: That's fine. Okay. Anything
3 else?

4 CAROLYN SEELEY: No. That is it for my
5 presentation. Thank you very much.

6 JIM MONTEVERDE: Okay. Any questions from members
7 of the Board? Nope? Let me open it to public comment.

8 Any members of the public who wish to speak should
9 now click the icon at the bottom of your Zoom screen that
10 says, "Raise hand."

11 If you're calling in by phone, you can raise your
12 hand by pressing *9 and unmute or mute by pressing *6.

13 Crickets. Discussion from members of the Board,
14 or are we ready for a motion? Let me guess: Motion.

15 The Chair makes a motion to grant the relief from
16 the requirements of the ordinance under Sections Article 4
17 Section 4.32.g.1, Section 4.40 Footnote 49, Article 10
18 Section 10.40, Special Permit on the condition that the work
19 proposed conforms to the drawings entitled "10 Cambridge
20 Canal Park" -- I've inserted the address, "10" prepared by
21 Hudson Design Group and dated April 13, 2022. Is that
22 correct, Councillor?

1 CAROLYN SEELEY: That's correct.

2 JIM MONTEVERDE: Okay. And further, we
3 incorporate the comments from the Planning Board. The ones
4 that are accepted are:

5 Item 1, the antenna is moved down the penthouse
6 façade to avoid visually interrupting the coping stone.

7 3, using the smallest mounting brackets.

8 4, removing unused pipe mounts and

9 5, all painted wrapped material should be a
10 consistent matte finish and matching the brick work. As the
11 Planning Board said, a red or reddish-brown finish to better
12 blend with the brick work. And you will get back to us on
13 the feasibility of the antennas having a cover or sheath,
14 correct?

15 CAROLYN SEELEY: Correct.

16 JIM MONTEVERDE: Okay. And I will initial and
17 date the drawings that are submitted. And we will also
18 incorporate the statement that we made in the previous cases
19 having to do with the electromagnetic forces and the
20 applications that the proponent will have filed if any of
21 those should lapse.

22 On the motion, Carol?

1 CAROL AGATE: In favor.

2 JIM MONTEVERDE: Thank you again for. Tom?

3 THOMAS MILLER: In favor.

4 JIM MONTEVERDE: Virginia?

5 VIRGINIA KEESLER: In favor.

6 JIM MONTEVERDE: Thank you. Zarya?

7 ZARAYA MIRANDA: In favor.

8 JIM MONTEVERDE: And Jim Monteverde in favor.

9 [All vote YES]

10 JIM MONTEVERDE: That's five in favor, unanimous.

11 The special permit is granted. Next?

12 CAROLYN SEELEY: Yep. Thank you.

13 JIM MONTEVERDE: You're welcome.

14 THOMAS MILLER: Could I ask one question before
15 Ms. Seeley departs?

16 CAROLYN SEELEY: Sure.

17 THOMAS MILLER: Apologies if I don't understand
18 the procedure correctly. Did we need to make a finding
19 about your first application for Sherman Avenue due to its
20 being in a residential district?

21 CAROLYN SEELEY: I have not heard anything about
22 that.

1 JIM MONTEVERDE: It's a Residence C-2.

2 THOMAS MILLER: Does that mean that it's not --
3 I'm just looking at the application. There -- in the
4 application from Ms. Seeley, there is, I believe it
5 addresses this. But I don't fully understand the response
6 on page 10 of the application for Sherman Avenue.

7 I'm sorry to address this out of order, I just --
8 it takes me a while to --

9 JIM MONTEVERDE: No, okay. Give it a second.

10 CAROLYN SEELEY: No, that's okay. I can certainly
11 review it.

12 JIM MONTEVERDE: What page are you on?

13 THOMAS MILLER: I'm on page 10 of -- or sorry,
14 marked page 10. I don't know what page of the PDF for the
15 Sherman Avenue application.

16 JIM MONTEVERDE: Yep. Let me flip through.

17 CAROLYN SEELEY: I'm just trying to get to it
18 quickly myself, just to take a peek.

19 THOMAS MILLER: Looks like page 12 in the PDF.

20 CAROLYN SEELEY: Okay. Is it the Historical
21 Commission coordination page?

22 THOMAS MILLER: I'd say it's page 10 of your April

1 28, 2023 letter.

2 CAROLYN SEELEY: Oh, okay. I'm looking at the --
3 a different -- okay. I'm looking at the actual application.
4 Okay, and --

5 JIM MONTEVERDE: Yeah, that's --

6 CAROLYN SEELEY: -- what section is it? You're
7 looking at AT&T's response at the bottom?

8 THOMAS MILLER: Yep. To No.3. So I -- so Jim,
9 this is a question for you, just whether we need to make an
10 express finding about this, and also just in terms of AT&T's
11 response it -- quoting, "This is especially critical in and
12 around the area of Brookline Avenue, which also serves as
13 home for numerous businesses." I'm not aware of a Brookline
14 Avenue in any --

15 JIM MONTEVERDE: Yeah, I think -- that's --

16 THOMAS MILLER: -- so this doesn't seem --

17 JIM MONTEVERDE: -- could be an attachment --

18 THOMAS MILLER: -- responsive --

19 JIM MONTEVERDE: -- to something else.

20 CAROLYN SEELEY: Yeah. I'll have to get
21 clarification on that for you, Mr. Miller.

22 THOMAS MILLER: So if we did need to make an

1 express finding about that, I wouldn't be able to on the
2 basis of the information provided. Apologies, Jim, to --

3 JIM MONTEVERDE: No, no, that's okay.

4 THOMAS MILLER: -- embroil us in this.

5 JIM MONTEVERDE: And this is for 102 Sherman
6 Street. So I think reading this No.3, we could very easily
7 say that we do consider the extent to which there is a
8 demonstrated public need for the facility at the proposed
9 location, this is basically adding or replacing equipment
10 that is already at that location. So I would think that
11 public need at that facility -- at that location and
12 criteria is or question is met.

13 "The existence of an alternative functionally
14 suitable sites in nonresidential locations," I think that's
15 kind of moot based on the fact that there are the antennas
16 there currently that are either being modified or added to.

17 "The character of the prevailing uses in the
18 area." Again, I don't think that this is out of character
19 with the prevailing uses in the area. This is a fairly
20 large complex of residential buildings.

21 But the antennas are existing, and they don't
22 appear to be out of -- I would say out of character with the

1 prevailing use, and the prevalence of other existing
2 mechanical systems and equipment, that's exactly what this
3 is all about. The antennas are there and are just being
4 replaced or new ones added to it.

5 So I think we meet -- oh, we can certainly find
6 that this proponent meets all of these conditions or
7 concerns. Do you agree?

8 THOMAS MILLER: I was a little concerned about the
9 next sentence after what you just read out loud.

10 JIM MONTEVERDE: [Reading out loud] "-- only upon
11 finding that nonresidential uses predominate in the vicinity
12 of the proposed facility location, and that the
13 telecommunication facility is not inconsistent with the
14 character that does prevail."

15 So I think it -- the facilities, the antennas, are
16 not inconsistent with the character that prevails in the
17 surrounding neighborhood -- again, because it's a
18 replacement in kind or addition to antennas that already
19 exist. And finding that nonresidential use is predominant.
20 And --

21 THOMAS MILLER: I'm not honestly sure that I -- I
22 think that nonresidential uses predominate in the vicinity

1 of that building.

2 JIM MONTEVERDE: Well, there are other
3 nonresidential uses. I don't know that they predominate.
4 But I would certainly say it's a mixed-use neighborhood, and
5 this use I don't find out of character -- I would not find
6 out of character with this location on this residential.

7 THOMAS MILLER: Oh, right. Yeah. That's fine
8 with me. I just wanted to clarify this, given that I
9 haven't considered many of these applications. So this is
10 --

11 JIM MONTEVERDE: Yep.

12 THOMAS MILLER: Thank you for --

13 JIM MONTEVERDE: No, I appreciate that one. Thank
14 you very much. Okay?

15 CAROLYN SEELEY: Okay.

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2 (7:00 p.m.)

3 Sitting Members: Jim Monteverde, Virginia Keesler, Carol
4 Agate, Thomas Miller and Zarya Miranda

5 JIM MONTEVERDE: Last case. Oh, we're only 15
6 minutes behind. This is like a world land speed record.
7 For those of you who haven't sat ones cases before, this is
8 kind of a land speed record. So next Case No. 222599 -- 402
9 Rindge Avenue.

10 MICHAEL DOLAN: Good evening.

11 JIM MONTEVERDE: Yep.

12 MICHAEL DOLAN: Can everyone hear me okay?

13 JIM MONTEVERDE: I can.

14 MICHAEL DOLAN: Terrific. And last but not least,
15 I am Michael Dolan from the Law firm of Brown Rudnick here
16 on behalf of the applicant, New Cingular Wireless PCS, LLC,
17 otherwise known as AT&T.

18 My client holds FCC licenses to operate a wireless
19 network throughout the country, including here in the
20 Commonwealth of Massachusetts. And as part of the continued
21 build-out of its wireless network, AT&T is seeking to
22 upgrade its existing wireless antenna facility on the roof

1 of the 193' building at 402 Rindge Avenue.

2 Like some of the previous applications, the
3 facility will help improve signal transmission speeds and
4 reliability in the subject area of Cambridge.

5 Specifically, AT&T is proposing to move two panel
6 antennas from the upper rooftop penthouse to the westerly
7 side of the rooftop within two RF-friendly faux flus,
8 similar to some of these others that you've heard reference
9 to tonight and install a third new antenna within another
10 faux chimney flu next to the aforementioned antennas.

11 The top height of those chimneys will be 203, and
12 all of the chimneys will be painted to match the color of
13 the building and the penthouses.

14 AT&T is also proposing to add two new antennas to
15 the existing sectors of antennas on both the southerly and
16 northerly penthouses, and to paint those antennas to match
17 the penthouse and the other existing antennas.

18 Lastly, AT&T is also proposing to relocate some
19 existing radios and install new radios in the small angle
20 esotropia vicinity of the previously referenced antennas, as
21 well as add some new electrical conduit.

22 As you are seeing on the screen now, we've

1 included some photo simulations with our application, which
2 we believe demonstrate the negligible visual impact of what
3 we're proposing here.

4 If we go to Photo No. 1, we can see -- let me just
5 minimize this -- we can see that is the existing conditions.

6 And then if we go to Photo No. 2, you can see up
7 on -- let's see, there are -- up on the top penthouse
8 exactly where it's being circled, there will be two antennas
9 stacked just like anything the previous application --
10 smaller antennas essentially in the place of where there's
11 typically one large one, but two smaller ones stacked there.

12 And then in photo simulation or Photo No. 3, those
13 are the existing conditions from a different direction. If
14 you look at that penthouse view from there, and then go to
15 the simulation, you will similarly see the stacked antenna
16 below that.

17 And then in photo simulation No. 4, there's the
18 existing condition, and then the proposed condition. You
19 can see the three faux chimneys, which are set back. And as
20 you can see ether up at 200', there really isn't much of a
21 view of them. Once again, they're painted to match.

22 So we have an existing facility there. We're

1 making some improvements here to improve the experience of
2 AT&T customers and what they're demanding of service.

3 We're excited that we have this existing building
4 and existing facility, at which we can make these
5 enhancements to further the experience in this area of
6 Cambridge.

7 So this property is in the R C-2 Zoning District,
8 where wireless antenna facilities are authorized pursuant to
9 a special permit.

10 We are also applying for an Eligible Facilities
11 Request pursuant to Section 6409 of the Middle Class Tax
12 Relief and Job Creation Act of 2012. As referenced
13 previously this evening, when there is a property in the
14 residential district, this property has already received
15 special permit approvals, whereby determinations were made
16 that the residential -- a finding was made that
17 nonresidential uses predominate in the vicinity, and that
18 this proposed enhancement is not inconsistent with the
19 character that does prevail in the surrounding neighborhood.

20 We are making no changes -- material changes to
21 that impact, and believe that conditions are still the same,
22 as was previously determined by the Board. And as such, we

1 would ask for that finding as part of our special permit.

2 So with that, I am happy to answer any questions you
3 may have.

4 JIM MONTEVERDE: Thank you. Any questions from
5 members of the Board? If not, I have one.

6 Can we pull up the roof plan? This one?
7 Actually, I have two questions. But the first one is about
8 the three smokestacks or surrounds for the new antennas
9 close to -- and this roof line is showing it's the three
10 circles kind of --

11 MICHAEL DOLAN: Correct.

12 JIM MONTEVERDE: There you go. That are mounted
13 close to the parapet of the building. Is it feasible to
14 move those back further onto the roof?

15 MICHAEL DOLAN: You know, the challenge has been,
16 and the reason why we're moving two of those three antennas
17 to that location is they were elsewhere in the building, and
18 the signal was not working properly. And the radiofrequency
19 engineers have asked that we move those, and that -- hence
20 the proposed application to get those closer over towards
21 the roof -- that side of the roof, and off of the
22 penthouses.

1 They were experiencing some signal interference.
2 So that is their location where they think they can get a
3 good line of sight signal propagated, and -- you know, all
4 building and structural steps have been taken to ensure that
5 those will be mounted safely.

6 JIM MONTEVERDE: Yeah. I'm more concerned about
7 just from the photo simulation, just the -- and I realize
8 they are 200-some-odd feet in the air, but they do stick out
9 like a new apartment. So if there was a way to soften that,
10 either by moving that back from the edge or on the existing
11 upper penthouse or somewhere else, but --

12 MICHAEL DOLAN: Yeah.

13 JIM MONTEVERDE: -- I think you've looked -- go
14 ahead.

15 MICHAEL DOLAN: I asked them to look at that
16 specifically, and they can't make it work elsewhere. You
17 know, this is part of the game of trying to see how best to
18 minimize visual impact.

19 And, you know, the chimney flus add, you know,
20 some bulk to what we're doing up there, yet -- and that
21 seems to be a preference for camouflaging antennas. But
22 without those, those cylindrical structures around the

1 antennas, they would be much smaller and could be painted,
2 you know, a similar brick color and have less of an impact,
3 if that's the Board's preference.

4 JIM MONTEVERDE: Members of the Board have a
5 preference?

6 THOMAS MILLER: Could you just restate the two
7 options for me one more time?

8 MICHAEL DOLAN: Yes, sure. So as proposed, we're
9 proposing three faux chimney flus that have a radioactive-
10 friendly material that allows the signal to be transmitted
11 through them.

12 Some Zoning and Planning Boards prefer that type
13 of look over seeing an antenna, but what it does do is it
14 adds size to the visual impact, if you will, because you're
15 wrapping something entirely around an antenna.

16 So it would -- you know, it would have less surface area of
17 visibility if we took those tubes away. But they wouldn't
18 be -- you know, some folks feel like it's a better look to
19 have it look like a -- a chimney. You know, in the
20 Cambridge area, there's a fair amount of science buildings
21 that have these types of chimneys on the top of them.

22 Obviously, this is a residential building, but people are

1 used to seeing those on the top of buildings, so there's a
2 thought that that looks better. We're kind of agnostic on
3 that, so we could do either, depending upon the Board's
4 preference.

5 THOMAS MILLER: Thank you.

6 JIM MONTEVERDE: I'm just looking -- I'm looking
7 through your application to see; there's usually information
8 on the antenna, to see if you were to delete that covering
9 what in fact we'd be looking at. Is that contained on your
10 submittal, do you think?

11 MICHAEL DOLAN: No. Only because we had designed
12 them to have the -- the full --

13 JIM MONTEVERDE: Yeah. If you go to page SO2,
14 Revision 3, it's an isometric of the three cans. And I
15 believe there's a diagram right in the middle that shows
16 what in fact is inside of it, or in fact inside of two of
17 them. Yeah.

18 So tell me if I'm looking at this correctly. In
19 the upper left-hand corner, those are the three cans, right?

20 MICHAEL DOLAN: Correct. Correct.

21 JIM MONTEVERDE: Two with similar size, one
22 larger.

1 MICHAEL DOLAN: Correct.

2 JIM MONTEVERDE: And then in the middle bottom of
3 the sheet, that's -- and above that is the plan view. You
4 can see two of the antennae in the smaller surrounds. You
5 can see what they look like if you were to remove the
6 surround.

7 And I assume the elevation to the left -- lower
8 left -- is the elevation of what the larger element would
9 look like if there's no surround on it?

10 MICHAEL DOLAN: That is correct. And then the
11 antenna mounting isometric gives you another --

12 JIM MONTEVERDE: Yeah. Okay.

13 MICHAEL DOLAN: -- sense of how it would look. So
14 when you look inside, for instance, the plan view on that
15 page in the middle, you can see what the shape of those
16 antennas look like. Granted, it's a birds eye view down,
17 but it gives you a sense of those antennas.

18 And, you know, from that perspective, you know,
19 they do look a little different, each of the three, because
20 they do very different things. But they would take up less
21 mass, as you can clearly see from the space around the
22 antennas out until it reaches the diameter of the circle.

1 JIM MONTEVERDE: Yeah. I think from that
2 description, I personally would favor the proposal as it
3 stands. I would want to uncover these things, because as we
4 go further and other vendors come onto the roof and there
5 will be, you know, more, other -- you know, other antennas
6 that want to be up there, at least it seems to contain it,
7 as opposed to looking at a farm of a variety of equipment.

8 So, but if -- how do other members of the Board
9 feel?

10 THOMAS MILLER: I agree with you, Jim.

11 JIM MONTEVERDE: Okay. Anybody disagree?

12 CAROL AGATE: I don't feel strongly about it. But
13 I certainly don't think they look like chimneys, because a
14 chimney on a building like this would be sort of ridiculous.
15 But I think six or one-half dozen or the other.

16 JIM MONTEVERDE: Okay.

17 CAROL AGATE: Neither is great. Neither is great.
18 But it's -- if they can't be moved, they can't be moved.

19 JIM MONTEVERDE: Okay. And then Mr. Dolan, the
20 other condition that I would ask you to -- that we'd like to
21 mention, if the Board agrees, as we did with some of the
22 other cases this evening is a statement that says, "If

1 feasible, the Zoning Board requests that the antennas that
2 are mounted on the brick façade --" not the roof mount, but
3 on the façade"-- be located in such a way that not break the
4 roof line when viewed from the street, and that they be
5 painted to match the façades." Is that workable for you?

6 MICHAEL DOLAN: Yes, sir. Yep.

7 JIM MONTEVERDE: Okay. Any other questions from
8 any other members from the Board? Can we move to public
9 comment? Okay, comment.

10 Any members of the public who wish to speak should
11 now click the icon at the bottom of your Zoom screen that
12 says, "Raise hand."

13 If you're calling in by phone, you can raise your
14 hand by pressing *9 and unmute or mute by pressing *6.

15 Nobody. Okay. Any further discussion from
16 members of the Board, or can we go to a motion?

17 All right, I'll offer a motion.

18 The Chair makes a motion to grant the relief from
19 the requirements of the ordinance under Article 4 Section
20 4.32.g.1, and Section 4.40 Footnote 49, and also Article 10
21 Section 10.40, for a Special Permit on the condition that
22 the work proposed conforms to the drawings entitled "402

1 Rindge Avenue," prepared by Centerline Communications and
2 the most recent date, revision date is May 1, 2023,
3 initialed and dated by the Chair.

4 And further, that we incorporate the -- two
5 things; first, the statement that if feasible, the Zoning
6 Board requests that the antennas be located in such a way as
7 to not break the roof line when viewed from the street, and
8 that they be painted to match the façades.

9 And two, I will introduce my soliloquy, since you
10 haven't heard it before. Oh, please, don't make me read it.
11 Oh, what did I do? Oh, it's gone. Hold on. Give me one
12 second. Smartphones are smarter than me. Oh, it's gone.
13 All right. I will entertain you for four minutes.

14 MICHAEL DOLAN: I've heard it many times before; I
15 look forward to it.

16 JIM MONTEVERDE: Oh. Well, if you've heard it
17 many times, can we enter it by reference?

18 MICHAEL DOLAN: Yes, you may.

19 JIM MONTEVERDE: Or would you like to hear it?

20 MICHAEL DOLAN: If it's warranted, if that's the
21 Board's wish, my client would consent to that, and the text
22 of it would be included in the decision, we are fine with

1 that.

2 JIM MONTEVERDE: All right. Thank you. Sorry my
3 fingers didn't call it up on my phone.

4 Now for a vote. Carol?

5 CAROL AGATE: In favor.

6 JIM MONTEVERDE: Tom?

7 THOMAS MILLER: In favor.

8 JIM MONTEVERDE: Virginia?

9 VIRGINIA KEESLER: In favor.

10 JIM MONTEVERDE: Zarya?

11 ZARAYA MIRANDA: In favor.

12 JIM MONTEVERDE: And Jim Monteverde in favor.

13 [All vote YES]

14 Five in favor; it's unanimous. And the meeting is
15 over.

16 MICHAEL DOLAN: Thank you all very much.

17 JIM MONTEVERDE: Thank you, Board members.

18 MICHAEL DOLAN: Have a great evening. Bye-bye.

19 VIRGINIA KEESLER: Bye, everyone.

20 JIM MONTEVERDE: So Board members, while you're
21 here, if I may, I'm allowed to do this, so what we did, we
22 had a bunch of these telecom cases that were, you know, over

1 the next week or two, and we decided, or we had the choice
2 of either spreading them into the regular meetings or in
3 this case, we did a special meeting that was only on telecom
4 cases, which, frankly, seemed to let us get through those a
5 bit quicker.

6 So for the next time we meet, like, next week just
7 think about -- and email Olivia if you will, or Maria, if
8 you have a preference whether we try and bundle these
9 telecom cases to a separate telecom meeting, or if we just
10 do them as we have previously, which is just woven into the
11 typical hearing.

12 Okay? That's it for tonight. Thank you all for
13 your help.

14 COLLECTIVE: Thank you.

15 JIM MONTEVERDE: Have a good evening. Bye.

16 [End of Proceedings]
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CERTIFICATE

Commonwealth of Massachusetts

Middlesex, ss.

I, Michele Dent, Notary Public in and for the Commonwealth of Massachusetts, do hereby certify that the above transcript is a true record, to the best of my ability, of the proceedings.

I further certify that I am neither related to nor employed by any of the parties in or counsel to this action, nor am I financially interested in the outcome of this action.

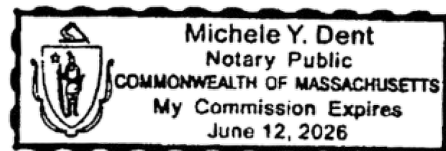
In witness whereof, I have hereunto set my hand this 29th day of June, 2023.



Notary Public

My commission expires:

June 12, 2026



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