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CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02029 SEP 30 PM 12: 32

617-349-6100

OFFICE OF THE CITY CLERK CAMBRIDGE, MASSACHUSETTS

BZA Application Form

BZA Number: 277317

General Information

The undersigned hereby petitions the Board of Zoning Appeal for the following:

Special Permit: X

Variance:

Appeal: _____

PETITIONER: Sancta Maria Hospital C/O Sister Mary Theresa Tinana

PETITIONER'S ADDRESS: 799 Concord Ave, Cambridge, MA 02420

LOCATION OF PROPERTY: 799 Concord Ave , Cambridge, MA

TYPE OF OCCUPANCY: Hospital

ZONING DISTRICT: Office-1 Zone

REASON FOR PETITION:

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/Telecommunication Facility (antenna)/

DESCRIPTION OF PETITIONER'S PROPOSAL:

Installation of Rooftop Telecomm Facility to blend with Hospital Building and similar in type to existing wireless garrier.

SECTIONS OF ZONING ORDINANCE CITED:

Article: 4.000 Article: 10.000 Article: 6409	Section: 4.32.g.1 & 4.40 (Footnote 49) (Telecommunication Facility). Section: 10.40 (Special Permit). Section: Federal Middle Class Tax Relief Act (Spectrum Act).
ý. D	Original Signature(s): Jame A Valezin. for fish Wireless
R 9	(Petitioner (s) / Owner) Vanes A. VA (critini (Print Name)
A //	Address: <u>Jish Witelass Cp James Vale Sian</u> Tel. No. E-Mail Address: sister there is a gasanctamaria.org MA 01886
Date: $\frac{9}{30}$	Jamesralerianie comens & net

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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 Sancta Maria Hospital, a non-profit corporation (OWNER)

Address: 799 Concord Ave., Cambridge, Mass., 02138

State that I/We own the property located at 799 Concord Ave, which is the subject of this zoning application by Dish Wireless LLC.

The record title of this property is in the name of Sancta Maria Hospital, a corporation

*Pursuant to a deed of duly recorded on August 7, 1964, in the Middlesex South County Registry of Deeds at Book 10521, Page 187; or Middlesex Registry District of Land Court, Certificate No. Book _____Page _____

The May Sheren Fring

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AUTHORIZED TRUSTEE, OFFICER OR AGENT*

*Written evidence of Agent's standing to represent petitioner may be requested.

Commonwealth of Massachusetts, County of MiDNESEX

The above-name MARY THERESA TINANA personally appeared before me, this 2% of 50VF, 2024, and made oath that the above statement is true.

JOSE SANTUEZA

My commission expires <u>03/21/2031</u> (Notary Seal).



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BZA Application Form

SUPPORTING STATEMENT FOR A SPECIAL PERMIT

Please describe in complete detail how you meet each of the following criteria referring to the property and proposed changes or uses which are requested in your application. Attach sheets with additional information for special permits which have additional criteria, e.g.; fast food permits, comprehensive permits, etc., which must be met.

Granting the Special Permit requested for 799 Concord Ave, Cambridge, MA (location) would not be a detriment to the public interest because:

A)	Requirements of the	Ordinance can or will	be met for the following reasons:
----	---------------------	-----------------------	-----------------------------------

Wireless communication facility with antennas and equipment platform on the rooftop with no equipment to exceed the highest point of the building, which is the center penthouse at 85'-10"; installation to be similar to other carriers; facade-mounted and antennas painted to match the brick building of the Hospital.

Traffic generated or patterns of access or egress would not cause congestion hazard, or substantial B) change in established neighborhood character for the following reasons:

No impact; just a single vehicle visiting site once every two weeks or so.

The continued operation of or the development of adjacent uses as permitted in the Zoning C) Ordinance would not be adversely affected by the nature of the proposed use for the following reasons:

No adverse effect; primary use/building is a hospital facility with existing wireless equipment on the rooftop and application will be installing on the rooftop.

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:

No nuisance or hazard; unmanned facility on rooftop with access limited to hospital personnel.

For other reasons, the proposed use would 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:

No impairment to the area as it is unmanned and noiseless facility with limited visibility and allowed by special permit in this district.

*If you have any questions as to whether you can establish all of the applicable legal requirements, you should consult with an attorney.

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BZA Application Form

DIMENSIONAL INFORMATION

Applicant: Sancta Maria Hospital Location: 799 Concord Ave , Cambridge, MA

Present Use/Occupancy: Hospital Zone: Office-1 Zone Addition of rooftop wireless Requested Use/Occupancy: facility

Phone:

alic

		Existing Conditions	Requested Conditions	<u>Ordinance</u> <u>Requirements</u>	
TOTAL GROSS FLOOR AREA:		N/A	N/A	N/A	(max.)
LOT AREA:		N/A	N/A	N/A	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: ²		00000	00000	00000	
OT AREA OF EACH		00000	00000	00000	
SIZE OF LOT:	WIDTH	00000	00000	00000	
15	DEPTH	00000	00000	00000	
SETBACKS IN FEET:	FRONT	Not Applicable (NA)	NA	NA	
	REAR	NA	NA	NA	
	LEFT SIDE	NA	NA	NA	
	RIGHT SIDE	NA	NA	NA	
SIZE OF BUILDING:	HEIGHT	85'-10" to top of center penthouse	No Change	NA	
-	WIDTH	NA	NA	NA	
()	LENGTH	NA	NA	NA	
RATIO OF USABLE OPEN SPACE TO LOT AREA:		NA	NA	NA	
NO. OF DWELLING UNITS:		NA	NA	NA	
NO. OF PARKING SPACES:		NA	NA	NA	
NO. OF LOADING AREAS:		NA	NA	NA	
DISTANCE TO NEAREST BLDG, ON SAME LOT		NA	NA	NA	

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.: 1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS) 2. TOTAL GROSS ELOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5')

1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).

2. TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5') DIVIDED BY LOT AREA.

3. OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM **DIMENSION OF 15'.**

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		SITE INFORMATION	
		PROPERTY OWNER: SANCTA MARIA HOSPITAL PROPERTY OWNER ADDRESS: 799 CONCORD AVE CAMBRIDGE, MA 02138	4
		TOWER TYPE: ROOFTOP	E
	SCOPE OF WORK	COUNTY: MIDDLESEX	
wireless	THIS IS NOT AN ALL INCLUSIVE LIST. CONTRACTOR SHALL UTILIZE SPECIFIED EQUIPMENT PART OR ENGINEER APPROVED EQUIVALENT. CONTRACTOR SHALL VERIFY ALL NEEDED EQUIPMENT TO PROVIDE A FUNCTIONAL SITE. THE PROJECT GENERALLY CONSISTS OF THE FOLLOWING:	LATITUDE (NAD 83): 42° 23' 29.58" N	
	TOWER SCOPE OF WORK: INSTALL (3) PROPOSED ANTENNAS PAINTED TO MATCH (1 PER SECTOR) INSTALL (2) PROPOSED ANTENNA WALL MOUNTS PAINTED TO MATCH 	LONGITUDE (NAD 83): -71° 09' 19.39" W -71.155386	
DISH Wireless L.L.C. SITE ID:	INSTALL (6) PROPOSED JUMPERS INSTALL (1) PROPOSED RUB PAINTED TO MATCH (2 PER SECTOR) INSTALL (1) PROPOSED OVER VOLTAGE PROTECTION DEVICE (OVP) PAINTED TO MATCH INSTALL (3) PROPOSED FIBER CABLES	ZONING JURISDICTION: CITY OF CAMBRIDGE	
BOBOS01184A	INSTALL (3) PROPOSED DC CABLES INSTALL (1) PROPOSED DC CABLES INSTALL (1) PROPOSED ROOF MOUNTED CABLE TRAY	ZONING DISTRICT: 0-1, AOD-3	0
DISH Wireless I. L.C. SITE ADDRESS	EQUIPMENT LEASE AREA SCOPE OF WORK: • INSTALL (1) PROPOSED METAL PLATFORM • INSTALL (1) PROPOSED PPC CABINET	OCCUPANCY GROUP: U	F
	INSTALL (1) PROPOSED EQUIPMENT CABINET INSTALL (1) PROPOSED POWER CONDUIT INSTALL (1) PROPOSED TELCO CONDUIT INSTALL (1) PROPOSED TELCO_ENTERE BOX	CONSTRUCTION TYPE: II-B	
	INSTALL (1) PROPOSED GPS UNIT INSTALL (1) PROPOSED GPS UNIT INSTALL (1) PROPOSED SAFETY SWITCH (IF REQUIRED) INSTALL (1) PROPOSED FIBER NID (IF REQUIRED)	POWER COMPANY: NATIONAL GRID	
CAMBRIDGE, MA 02420	INSTALL (1) PROPOSED SUB METER	TELEPHONE COMPANY: VERIZON	L
MASSACHUSETTS CODE OF COMPLIANCE	SITE PHOTO	DIREC	TI
ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES		DIRECTIONS FROM BOSTON LOGAN INTL AIRP WEST. PROCEED WEST ON I-90. TAKE EX	'OF XIT
CODE TYPE CODE BUILDING MA STATE BUILDING CODE, 9TH EDITION (780 CMR)/2015 IBC W/ AMENDMENTS MECHANICAL MA STATE BUILDING CODE, 9TH EDITION (780 CMR)/2015 IMC W/ AMENDMENTS ELECTRICAL MA ELECTRICAL CODE/2020 NEC W/ AMENDMENTS		ANDERSON BRIDGE. TURN LEFT ONTO RT-2 ONTO RT-3, CONTINUE ONTO CONCORD AVE	2 N
SHEET INDEX		VICINIT	Ŷ
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A-2 ROOF PLAN & EQUIPMENT PLAN A-3 SOUTH ELEVATION VIEW		Tom And Adversaria and a state of the state	Lé
A-4 NORTH ELEVATION VIEW A-5 WEST ELEVATION VIEW A-6 EAST ELEVATION VIEW		Concert Type 7: 50 00 00 10 0 10 0 10 0 10 0 10 0 10 0	ee Broa
			ound
	Star		30
		2 Domony Channing Rd	2
	UTILITY NOTIFICATION CENTER OF MAINE (888) 344-7233	Waverly Waverly Waverly Waverly	d Ave
	CALL 3 WORKING DAYS UTILITY NOTIFICATION PRIOR TO CONSTRUCTION	Beaver of our of the second state of the secon	esh P
	GENERAL NOTES	The Man St. Barrier St. Contract Annual St. Co	Ave
	THE FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. A TECHNICIAN WILL VISIT THE SITE AS REQUIRED FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OR EFFECT ON	B Walling S clinic St Waller St B S Contract S	Grove
	DRAINAGE. NO SANITARY SEWER SERVICE, POTABLE WATER, OR TRASH DISPOSAL IS REQUIRED AND NO COMMERCIAL SIGNAGE IS PROPOSED.	California S. Contrast di Contras di Contras di Contras di Contras di Contrasta di	
	11"x17" PLOT WILL BE HALF SCALE UNLESS OTHERWISE NOTED	Stand Control	Mass
	CONTRACTOR SHALL VERIFY ALL PLANS, EXISTING DIMENSIONS, AND CONDITIONS ON THE JOB SITE, AND SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK.	NO SCALE	
			_

DISH Wireless L.L.C. TEMPLATE VERSION 50 - 11/11/2022

PPLICANT:	DISH Wireless L.L.C.			
	5701 SOUTH SANTA FE DRIVE			
	LITTLETON, CO 80120			

BUILDING OWNER: SANCTA MARIA HOSPITAL 799 CONCORD AVE CAMBRIDGE, MA 02138

SITE DESIGNER: VRG Inc 23 MIDSTATE DR., #210 AUBURN, MA 01501 508-981-9590

SITE ACQUISITION: DAVID GOODFELLOW David.Goodfellow@dish.com

CONSTRUCTION MANAGER: AARON CHANDLER Aaron.Chandler@dish.com

RF ENGINEER: VICTORIEN NDOUNOU Victorien.Ndounou@dish.com

ONS

RT: FROM BOSTON AIRPORT TAKE I-90 TAKE EXIT FR CAMBRIDGE 'SOLDIERS IELD ROAD. TURN RIGHT ONTO LARZ NORTH. AT ROUNDABOUT CONTINUE ARRIVE AT 799 ON RIGHT.







PROJECT SUMMARY

BOBOS01184A CAMBRIDGE - SANCTA MARIA 799 CONCORD AVE SANCTA MARIA HOSPITAL 799 CONCORD AVE CAMBRIDGE, MA 02138 267D 339 5.07 ACRES 0-1.AOD-3 HOSPITAL DISH WIRELESS 5701 SOUTH SANTA FE DRIVE LITTLETON, CO 80120

CHUCK WEBBERLY 617 780 5746

ZONING DISTRICT

CITY OF CAMBRIDGE - 'AOD' ALEWIFE OVERLAY DISTRICT 'O-1' OFFICE - 2

HANDICAP REQUIREMENTS:

EQUIPMENT IS UNMANNED & NOT FOR HUMAN HABITATION. HANDICAPPED ACCESS REQUIREMENTS NOT REQUIRED.

ZONING DISTRICT LEGEND

'B' RESIDENCE B 'OS' OPEN SPACE 'IB-2' INDUSTRIAL B - 2 'AOD' ALEWIFE OVERLAY DISTRICT 'O-1' OFFICE - 2

GENERAL NOTES:

1. PROPERTY LINE INFORMATION (WHEN APPLICABLE) WAS PREPARED USING TAX MAPS, AND PLANS OF RECORD 2. NO NOISE, SMOKE, DUST, OR ODOR WILL RESULT FROM THIS

	LEGEND
UP#2	UTILITY POLE, NUMBER & CARRIER
OTMH OSMH	TELEPHONE MANHOLE SEWER MANHOLE
l X	FIRE HYDRANT
∾	GAS GATE
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ING REQUIREMI R DISTRICT <u>'O</u>	ENTS -1'		7
EQUIRED 0005qFt 50 Ft. 181.7)/4=±63.2 Ft. 	EXISTING 5.07 Acres ±317 Ft. ±207 Ft. ±38 Ft. ±52 Ft. ±86.5 Ft.	PROPOSED 5.07 Acres ±317 Ft. ±248 Ft. ±58 Ft. ±319 Ft. ±86.5 Ft.	
50' 25'	0 50' 1"=50'	100'	1















Ч Ш A.M. ≧ PROPOSED DISH WIRELESS, LLC. EQUIPMENT INSIDE EXISTING DUMB-WAITER MECHANICAL ROOM REVIEW REVISION R PROPOSED DISH WIRELESS, LLC. ±8'-5"x±7'-6"-EQUIPMENT LEASE AREA PROPOSED DISH WIRELESS, LLC. ANTENNA PAINTED TO MATCH (1/SECT., 3 TOT.) PROPOSED DISH WIRELESS, LLC. POWER FROM 5th FLOOR LEVEL 480v, 3 PH., BREAKER PANEL 'L5' TOP OF PENTHOUSE N.T.S. PROPOSED DISH WIRELESS, LLC. GPS ANTENNA PROPOSED DISH WIRELESS, LLC. OVP DEVICE (1 TOT.) (2) PROPOSED DISH WIRELESS LLC ANTENNAS RAD CENTER O ±83'-0" AGL 07/03/23 (E) BUILDING PENTHOUSE DATE PROPOSED DISH WIRELESS, LLC. RRH (2/SECT., 6 TOT.) (E) BUILDING PENTHOUSE NO. DV SCALE: TOP OF PENTHOUSE (1) PROPOSED DISH WIRELESS LLC ANTENNAS RAD CENTER @ ±79'-10" AGL (E) AC CONDENSER DW SITE NAME: DW SITE NAME: CAMBRIDGE-RT-CONCORD AV 790 M 02420 MIDDLESEX COUNTY MIDDLESEX COUNTY DW SITE #: BOBOS01184A 00 0 0 D TOP OF ROOF @ ±71'-4" AGL PWR pwr+ PWR PWR PWF PWF PWR PW PW PROPOSED DISH WIRELESS, -LLC. ANTENNA PAINTED TO MATCH (1/SECT., 3 TOT.) PROPOSED DISH WIRELESS, LLC-CABLE TRAY 贁 PROPOSED DISH WIRELESS, TLC. OVP DEVICE (1 TOT.) PROPOSED DISH -WIRELESS, LLC. RRH (2/SECT., 6 TOT.) E DRIVE SANTA FE I, CO 8012 wireles 5 PROPOSED DISH WIRELESS, LLC. FIBER & GROUND CONDUITS INSIDE DUMB WAITER ACCESS SHAFT 1 SOUTH S/ LITTLETON, •)) 5701 **GAR** Ħ TING GROUP GROUND LEVEL 5 CONSULT ATTLE ST TON MA GNBar ____ GNBar ____ GNBar ____ GNBar ____ GNBar ____ GNBar ____ GNDar -PROPOSED DISH WIRELESS, LLC. FIBER FROM EXISTING DEMNARC ത q 붜띥 5 101 101 (E) BUILDING ELECTRICAL ROOM IN BUILDING-SUB-GRADE LEVEL (E) BUILDING SUB-GRADE LEVEL-WATER MAIN STRUCT _(E) FIBER IN TELCO ROOM IN BUILDING SUB-GRADE LEVEL SOUTH ELEVATION VIEW 1 SCALE: N.T.S. LE-2 THE ABOVE PARTIES HEREBY APPROVE AND ACCEPT THESE DOCUMENTS AND 508 AUTHORIZE THE CONTRACTOR TO PROCEED WITH THE CONSTRUCTION DESCRIBED HEREIN, ALL CONSTRUCTION DOCUMENTS ARE SUBJECT TO REVIEW BY THE LOCAL BUILDING DEPARTMENT AND ANY CHANGES OR MODIFICATIONS THEY MAY IMPOSE.



PROJECT SUMMARY

 SITE NUMBER:
 BOBOS01184A

 SITE NAME:
 CAMBRIDGE - SANCTA MARIA

 SITE ADDRESS:
 799 CONCORD AVE

 PROPERTY OWNER:
 SANCTA MARIA HOSPITAL

 799 CONCORD AVE
 CAMBRIDGE, MA 02138

 APPLICANT:
 DISH WIRELESS

 5701 SOUTH SANTA FE DRIVE
 LITTLETON, CO 80120

 CONTACT PERSON:
 CHUCK WEBBERLY

 CONTACT PHONE NO.:
 617 780 5746

LOCUS PLAN

VRRG 23 Mide Auburt Tel. (508 Fax (508 mobre@vert





DISH WIRELESS, LLC. PROJECT INFORMATION BOBDL01184A 799 CONCORD AVE. CAMBRIDGE, MA 02420





VERTICAL RESOURCES GRP. 23 Midstate Dr., #210 Auburn, MA 01501 Tel. (508) 981-9590 Fax (508) 519-8939





SITE NAME: BOBOS1184A

799 CONCORD AVENUE CAMBRIDGE, MA 02420



VERTICAL RESOURCES GRP. 23 Midstate Dr., #210 Auburn, MA 01501 Tel. (508) 981-9590 Fax (508) 519-8939



dish wireless. 5701 SOUTH SANTA FE DRIVE LITTLETON, C0 80120

SITE NAME: BOBOS1184A

799 CONCORD AVENUE CAMBRIDGE, MA 02420

IT IS MEANT TO SHOW A BROAD REPRESENTATION OF AREAS WHERE THE PROPOSED INSTALLATION MAY BE VISIBLE BASED UPON THE BEST INFORMATION FOR TOPOGRAPHY AND VEGETATION

(P) DISH WIRELESS llc ALPHA SECTOR ANTENNAS PAINTED TO MATCH



PROPOSED CONDITIONS FROM LOCATION BACK LOOKING SOUTH







SITE NUMBER: BOBOS01184A SITE NAME: BOBOS1184A BOBOS01184A 799 CONCORD AVENUE CAMBRIDGE, MA 02420



VRG Abburn, MA 01501 Fel, (508) 981–9590 Fax (508) 519–8939





SITE NUMBER: BOBOS01184A SITE NAME: BOBOS1184A

799 CONCORD AVENUE CAMBRIDGE, MA 02420



25 Midstate Dr., #210 Auburn, MA 01501 Tel, (508) 981-9590 Fax (508) 519-8339





SITE NUMBER: BOBOS01184A SITE NAME: BOBOS1184A

799 CONCORD AVENUE CAMBRIDGE, MA 02420



VRG vertical resources grp. 23 Midatate Dr., #210 Auburn, MA 01501 Tel. (508) 981-9590 Fax (508) 519-9939





SITE NUMBER: BOBOS01184A SITE NAME: BOBOS1184A

BOBOS01184A 799 CONCORD AVENUE CAMBRIDGE, MA 02420













dish

AFFIDAVIT OF RADIO FREQUENCY ENGINEER

The undersigned, in support of the proposal by DISH Wireless L.L.C. to install and operate a Wireless Communications Facility on the property located at 799 Concord Avenue, Cambridge, Massachusetts, under penalties of perjury does hereby testify and depose as follows:

- My name is Elijah Luutu, I have a bachelor of science Degree in Computer Engineering from the University of Alabama in Huntsville and I am employed as a Radio Frequency Engineer for DISH Wireless L.L.C. I am the Radio Frequency Design Engineer responsible for the DISH Wireless network design in the area of Massachusetts that includes the City of Cambridge.
- 2. DISH Wireless is a national provider of wireless voice and data services in the United States.
- 3. The above mentioned location is within an area where DISH Wireless has identified a need to locate a Wireless Telecommunications Facility. The search area was determined by the fact that wireless service needs significant improvement in this area of Cambridge. Furthermore, it was determined that the wireless service provided by a facility in this area would connect well with those of existing and proposed facilities in the surrounding area. To date, DISH Wireless has been unable to successfully locate a wireless communications facility in this locale. A site acquisition firm was hired by DISH Wireless to identify potential sites within the search area.
- 4. I have personal knowledge of the proposed Wireless Telecommunications Facility to be located at 799 Concord Avenue in the City of Cambridge as well as the other existing and proposed Wireless Telecommunications Facility locations used in DISH Wireless' system in Cambridge and the surrounding areas. I have analyzed the potential benefits this site would represent to DISH Wireless' network and its' users through radio frequency propagation modeling. I employed computer simulations to determine network requirements, and to identify system requirements. These simulations modeled characteristics such as antenna types, antenna height, output power, terrain, ground elevations and RF propagation effects of the utilized frequencies.
- 5. Propagation simulation at the proposed location has determined that an antenna center-line height of 80 feet above ground level at this location will satisfy the service requirements for DISH Wireless' network. Any reduction in the proposed height and/or antenna configuration would result in coverage footprint shrinkage. This would significantly limit the site's effectiveness in connecting with surrounding sites and severely impact the level of service DISH Wireless is attempting to provide at this location. Changes to the site configuration would limit the site's ability to resolve the significant existing network requirements in the City of Cambridge.

- 6. I have concluded that the proposed Wireless Telecommunications Facility at 799 Concord Avenue fulfills the present network and quality objectives that motivated DISH Wireless to establish a search ring in this vicinity. Radio frequency propagation modeling establishes that this installation will accomplish DISH Wireless' network goals.
- 7. All proposed wireless communications equipment will be installed, erected, maintained and operated in compliance with all applicable Federal, State and local regulations, including, but not limited to the radio frequency emissions regulations adopted by the Federal Communications Commission (FCC). All equipment proposed is authorized by the FCC Guidelines for Evaluating the Environmental effects of Radio Frequency Emissions. The radio frequency exposure levels generated by the proposed facility are substantially within the maximum allowable health and safety standards established by the FCC.
- 8. Providing wireless communication services is a benefit to the residents and businesses of the City of Cambridge as well as to mobile customers travelling throughout the area. The proposed location is well suited to meet DISH Wireless' network requirements for the area due to its location and topographic characteristics. Without the proposed facility, DISH Wireless will be unable to provide reliable wireless communication services in this area of the City of Cambridge.

Signed and sworn under pains and penalties of perjury on this 21st day of December, 2023.

Elijali Lunta

Elijah Luutu, - Radio Frequency (RF) Design Engineer DISH Wireless L.L.C.

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Board of Zoning Appeal c/o Inspectional Services Department 831 Massachusetts Avenue Cambridge, Massachusetts 02139 RE: Corporate Organization of DISH Network Corporation's Wireless Assets and Licenses

Dear Board Members:

As you know, DISH Wireless L.L.C. ("DISH"), a wholly owned indirect subsidiary of DISH Network Corporation, is in the process of filing a Zoning Application with City of Cambridge Board of Zoning Appeal in connection with obtaining a zoning permit to construct certain wireless telecommunications equipment. This equipment is designed to operate on certain radio frequencies for which DISH or an affiliate of DISH holds, or otherwise has the right to use, a license issued by the Federal Communications Commission ("FCC"). This letter provides information regarding the corporate ownership structure of the individual DISH Network Corporation subsidiaries that hold the relevant FCC licenses:

- ParkerB.com Wireless L.L.C. (600 MHz)
- American H Block Wireless L.L.C. (H Block)
- Gamma Acquisition L.L.C, and DBSD Corporation (AWS-4)

Each of the companies listed above is a direct or indirect subsidiary of DISH Network Corporation.

Please contact the undersigned with any questions at <u>victorien.ndounou@dish.com</u>.

Sincerely,

DocuSigned by: Victorien Ndourou

Victorien Ndounou Senior RF Engineer

Dish Wireless coverage in Cambridge, MA without BOBOS01184A



In-Building Coverage



Dish Wireless coverage in Cambridge, MA with BOBOS01184A

In-Building Coverage

Date: September 25, 2024

VIA [ON-LINE FILING and HAND DELIVERY]

Board of Zoning Appeal City of Cambridge 831 Massachusetts Avenue Cambridge, MA 02139

RE: Eligible Facilities Request; DISH Wireless; Site Number; BOBOS001184A Santa Maria Hospital rooftop base station 799 Concord Avenue, Cambridge Collocation on support structure for wireless communications services

On behalf of DISH Wireless L.L.C. ("DISH Wireless"), we are submitting an Eligible Facilities Request ("EFR") to modify an existing support structure pursuant to Section 6409(a) of the Middle-Class Tax Relief and Job Creation Act of 2012 ("Spectrum Act") and the rules of the Federal Communications Commission ("FCC"). *See* Pub. Law No. 112-96, 126 Stat. 156 (2012); 47 C.F.R. §1.6100.

Specifically, as it moves to deploy a new 5G broadband network, DISH Wireless is collocating wireless communications equipment on a building rooftop that is currently used for wireless communication equipment. The Dish Wireless facility to be installed in the same manner as the previously-approved/installed carrier (Verizon Wireless) currently supported/hosted at the Hospital building, with no new utility routing to Site (the "Request").

This project will help support the 5G connectivity needs of residents, businesses, and first responders. DISH Wireless looks forward to working cooperatively with you to advance these important efforts in your community.

This Request is governed by Section 6409(a) of Spectrum Act which, as you may know, provides that state and local governments "may not deny, and shall approve" any EFR to modify an existing wireless tower or base station that does not "substantially change the physical dimensions of such tower or base station." *See* Spectrum Act § 6409(a)(1), 126 Stat. at 232. Under Section 6409, such modifications include the collocation, removal, or replacement of transmission equipment. *See id.* § 6409(a)(2), 126 Stat. at 232-33. Under the FCC's rule implementing Section 6409(a), an existing base station is a structure that currently houses or supports an approved antenna, transceiver or other associated equipment "even if the structure was not built for the sole or primary purpose of providing such support." 47 C.F.R. § 1.6100(b)(1), (b)(5).

Similarly, the list of equipment that will be installed as part of this Request qualifies as "transmission equipment," which the FCC defines as "equipment that facilitates transmission for any Commission-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable." *See* 47 C.F.R. § 1.6100(b)(8).

The FCC has determined that a modification is not a substantial change, and therefore is an EFR that shall be approved under the Spectrum Act, as long as it does not fall within any of the following six criteria (47 C.F.R. § 1.6100(b)(7)):

- 1. For towers other than towers in the public rights-of-way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten feet, whichever is greater;
- 2. For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;
- 3. For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;
- 4. For towers other than towers in the public rights-of-way, it entails excavation or deployment of transmission equipment outside of the current site by more than 30 feet in any direction. The site boundary from which the 30 feet is measured excludes any access or utility easements currently related to the site;
- 5. It would defeat the concealment elements of the eligible support structure; or
- 6. It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in criteria 1-4 above.

Pursuant to Section 1.6100(c) of the FCC's rules, which provides that jurisdictions may require documentation or information "only to the extent reasonably related to determining whether the request meets the requirements" of the FCC rule, DISH Wireless provides the following information to demonstrate that the proposed Request does not constitute a substantial change under the criteria above because it: 1. Does not involve an increase in height in excess of the limits in 47 C.F.R. § 1.6100(b)(7)(i).

Details: Collocation on support structure.

2. Does not involve an increase in width in excess of the limits in 47 C.F.R. § 1.6100(b)(7)(ii).

Details: Base Station equipment being placed on flat rooftop.

3. Does not involve installation of new equipment cabinets in excess of the limits in 47 C.F.R. § 1.6100(b)(7)(iii).

Details: Cabinets do not exceed the limit.

4. Does not involve any excavation or deployment outside the current site by more than 30 feet in any direction.

Details: Confirmed.

5. Would not defeat any concealment elements of the eligible support structure.

Details: DISH Wireless' proposed installation will not defeat the concealment elements of the eligible support structure.

6. Complies with any prior conditions, except for any non-compliance due to exceeding the thresholds in criteria 1-4 above.

Details: Confirmed.

Under the FCC's rule, the submission of this request for EFR approval initiates a 60-day shot clock to review and approve the application. *Id.* § 1.6100(c)(2). If that time passes without action, "the request shall be deemed granted." *Id.* § 1.6100(c)(4).

DISH Wireless is committed to working cooperatively with you to process this request in a timely and efficient manner. We look forward to developing a long-term collaborative working relationship with you.

Please do not hesitate to contact me if you have any questions or need any other information.

Respectfully submitted By Structure Consulting Group



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