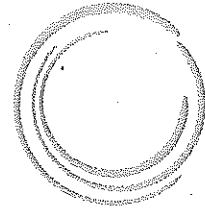


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CAPE COD  
COMMISSION

DATE: December 21, 2011

TO: Jeff Simpson  
Tower Resource Management  
16 Chestnut Street  
Suite 220  
Foxborough, MA 02035

FROM: Cape Cod Commission

RE: Modification of a Development of Regional Impact

APPLICANT: Sprint PSC/ Sprint Vision  
C/o Jeff Simpson, Tower Resource Management

PROJECT #: TR-02019

PROJECT: SeaCoast LP and Sprint Spectrum Wireless Monopole

SITE LOCATION: 210 Nathan Ellis Highway/Route 151, East Falmouth MA

MAP & PARCEL: 6/8-Lot 10

BOOK & PAGE: 11428 012

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**DECISION OF THE CAPE COD COMMISSION**

**Background**

In a decision dated March 20, 2003, the Cape Cod Commission (Commission) issued a Development of Regional Impact (DRI) decision, with conditions, which approved the construction and operation of a 180-foot high wireless communications monopole with space for up to six (6) carriers. The project also included the construction of one equipment shelter, equipment pads and an underground propane tank within a 10,000 square foot leased area enclosed by a 6-foot high chain link fence. This DRI decision has not been modified to date. The Commission issued the project a Preliminary Certificate of Compliance on December 8, 2003.

**Modification Requests**

On November 9, 2011, Commission staff received a request from Jeff Simpson, Tower Resource Management (TRM), representing Sprint PCS, and seeking to make physical modifications to the telecommunications equipment installed by Sprint at the project site in Falmouth. The proposed modifications include removing twelve (12) existing antenna panels, one (1) existing equipment cabinet, and the existing coaxial cables and installing twelve (12) new panel antennas, two (2) new equipment cabinets, and four new hybrid cables.

### **Commission Jurisdiction and Modification Types**

Section 13(c) of the Commission's *Enabling Regulations*, as amended May 2011, sets out the types of DRI modifications. A Minor Modification Type #1 is defined as "revisions that are the result of more restrictive conditions imposed by a local board or technical corrections or changes that the Executive Director or his/her designee determine are *de minimus* changes to the project." The *Enabling Regulations* also state that Minor Modifications Type #1 "shall be approved by that the Executive Director or his/her designee and reported to the Regulatory Committee and do not require further review by the Commission."

### **Determination on Modification Requests**

After consideration of a request by the Applicant's representatives to make changes to Sprint's telecommunications equipment at the site located at 210 Nathan Ellis Highway/Route 151, Falmouth, the Commission's Executive Director has determined the requested changes constitute a *de minimus* changes, and are approved as Minor Modifications Type #1.

The following changes are thereby made to the 2003 SeaCoast LP/Sprint Spectrum DRI decision as shown. **Bold** indicates new text. Text to be deleted is shown by strike-out.

### **Conditions**

Condition 1: The proposed SeaCoast LP/Sprint Spectrum monopole will be constructed in accordance with the following final plans, prepared by Turning Mill Consultants, Marston's Mills, MA: Enlarged Compound Plan and Tower Elevation A-1 dated 7/12/02; Site Plan C-1, dated 7/12/02; Abutters Plan C-2, dated 7/12/02; and Shelter Plan A-2 dated 1/7/03, **and as amended by the plans submitted to the Commission on 11/9/11, drawn by EBI Consulting, Burlington, MA, dated 9/6/11, entitled *SeaCoast Tower, Falmouth, BS43XC904, 210 Nathan Ellis Highway, E. Falmouth, MA, Sheets T-1, C-1, A-1, A-2 and A-3.***

Condition 7: The proposed structure shall be constructed as a monopole at a height limited to 180 feet and designed to accommodate standard antenna arrays for up to six carriers, with accessory equipment located with several buildings as shown on the Shelter Elevation Plan (A-2) dated 1/7/03, an Abutters Plan (C-2) dated 4/12/02, last revised 11/6/02, and an Enlarged Compound and Tower Elevations Plan (A-1) dated 4/12/02, last revised 7/12/02, **and as amended by the plans submitted to the Commission on 11/9/11, drawn by EBI Consulting, Burlington, MA, dated 9/6/11, entitled *SeaCoast Tower, Falmouth, BS43XC904, 210 Nathan Ellis Highway, E. Falmouth, MA, Sheets T-1, C-1, A-1, A-2 and A-3.*** The Applicant has shown on the Enlarged Compound Plan and Tower Elevation the three carriers indicated in the application materials. The monopole shall be galvanized steel, with galvanized antenna mounts and white antennas. In the event that the Applicants seek to add carriers beyond the six approved in this decision, they shall be required to seek a Modification in accordance with Section 7 of the Commission's Administrative Regulations, Modifications to Approved DRIs, dated 6/3/99 and as amended from time to time.

**SEE NEXT PAGE FOR SIGNATURES**

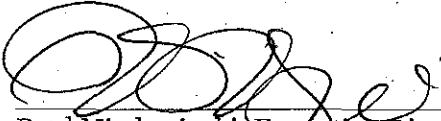
SeaCoast LP/Sprint Wireless Monopole

TR-02019

Minor Modification Type #1 - Sprint Equipment Changes

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**Signatures**

  
Paul Niedzwiecki, Executive Director

Date 12/21/11

**COMMONWEALTH OF MASSACHUSETTS**

Barnstable, ss

12/21, 2011

Before me, the undersigned notary public, personally appeared

Paul Niedzwiecki, in his/her capacity as the Cape Cod Commission's Executive Director, whose name is signed on the preceding document, and such person acknowledged to me that he/she signed such document voluntarily for its stated purpose. The identity of such person was proved to me through satisfactory evidence of identification, which was  photographic identification with signature issued by a federal or state governmental agency,  oath or affirmation of a credible witness, or  personal knowledge of the undersigned.

  
Notary Public

My Commission Expires:

