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BARNSTABLE, MASSACHUSETTS 02630



CAPE COD
COMMISSION

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MINOR MODIFICATION TYPE #1

Date: January 29, 2019

Applicant: T-Mobile Northeast, LLC
c/o Edward D. Pare, Jr., Esq.
Brown Rudnick LLP
10 Memorial Boulevard
Providence, RI 02903

Property Owner: Wendon Realty Trust, Donald and Wendy Horton, Trustees

Property Lessee: VWI Towers, LLC, assignee of
Varsity Wireless Investors, LLC (original DRI permittee)

Project: Wellfleet Communications Tower, "Varsity Wireless" (CCC File No. TR15011)

Project Location: 724 Route 6, Wellfleet, MA 02667 (Map 42 Parcel 43-1)

Title Reference: Deed Book 11440 Page 272
Deed Book 30716 Page 339 (Lease)

****CAPE COD COMMISSION DRI DECISION RECORDED IN DEED BOOK 29262 PAGE 144 ****

SUMMARY

Pursuant to Section 13 of the Cape Cod Commission (Commission) Enabling Regulations (Revised April 19, 2018), the Development of Regional Impact (DRI) decision dated October 1, 2015 for the above-referenced Project is amended as a Minor Modification Type #1 to allow *de minimus* changes to the approved project for T-Mobile's collocation at the wireless facility.

DISCUSSION

The Commission issued a DRI decision, with conditions, on October 1, 2015 to co-applicants Varsity Wireless Investors, LLC and Verizon Wireless which permitted construction and use of a 90 foot tall wireless communications monopole-style tower and supporting improvements, proposing initial collocation by Verizon Wireless and future collocation potential for other wireless carriers. The Project has been constructed as approved, and the Commission issued a Final Certificate of Compliance for the Project in April 2017.

The Commission received a request dated 1/18/2019 for a minor modification to the DRI decision on behalf of T-Mobile to facilitate T-Mobile's collocation of new transmission equipment at the wireless facility. To facilitate its collocation, T-Mobile proposes to increase the height of the tower by 10 feet, resulting in an overall tower height of 100 feet above ground level (exclusive of lightning rod). T-Mobile's collocation involves locating antennas within the extended portion of the tower and adding supporting equipment in the existing fenced compound/ base station of the facility.

As discussed in the modification request, under the controlling federal telecommunications law and related policies and guidance, T-Mobile's proposed collocation constitutes an "Eligible Facilities Request" and does not substantially change the physical dimensions of the wireless facility (specifically, a ten foot increase in tower height does not constitute a 'substantial change' under FCC regulations) In such cases, a local jurisdiction is limited to administrative review over such requests.

MODIFICATION TO THE DRI DECISION

Taking notice that the DRI modification request is also an 'Eligible Facilities Request' which does not substantially change the physical dimensions of the wireless facility under controlling federal telecommunications law, the DRI decision is hereby modified as a Minor Modification Type #1 to allow for the above-described, *de minimis* changes to the Project/ DRI decision. If such modification is exercised, it shall be undertaken, and the modified Project maintained, in accordance with the plan set last revised date of 1/15/2019 entitled "4HY1566A, Wellfleet Varsity, 724 State Hwy Rte 6, Wellfleet, MA 02667, Barnstable County" prepared for T-Mobile Northeast LLC by J. Lee Associates and Advanced Engineering Group, P.C. consisting of the plan sheets below. This plan set is hereby incorporated by reference into the DRI decision, to supplement or substitute for, as the case may be, the approved plans set out in the DRI Decision. All findings and conditions in the DRI decision continue to apply as written except as modified herein.

Sheet T-1: Title Sheet

Sheet GN-1: General Notes

Sheet C-1: Plot Plan and Notes

Sheet A-1: Compound Plan & Elevation

Sheet A-1: Equipment Plan, Antenna Plan & Equipment Schedule

Sheet A-3: Details

Sheet A-4: Details

Sheet S-1: Structural Details & Notes

Sheet S-2: Structural Details

Sheet E-1: One-line Diagram & Details

Sheet G-1: Grounding, Details & Notes

SIGNATURE PAGE FOLLOWS

SIGNATURE PAGE

Executed this 29th day of January 2019.



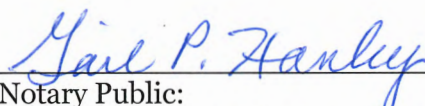
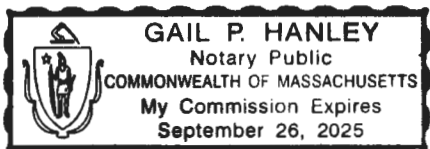
Jonathon Idman, Chief Regulatory Officer

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss

January 29, 2019

Before me, the undersigned notary public, personally appeared Jonathon Idman in his capacity as Chief Regulatory Officer of the Cape Cod Commission, whose name is signed on the preceding document, and such person acknowledged to me that he signed such document voluntarily for its stated purpose on behalf of the Cape Cod Commission. 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 [x] personal knowledge of the undersigned.



Notary Public:
My Commission expires: 9-26-25

SEAL