Attachment 7

Municipal Consultation Correspondence and Minutes

brwalk

PLANNING COMMISSION MEMORANDUM

TO: Christopher B. Fisher, Esq. Jennifer Gaudet

FROM: Michael B. Greene, Director Planning & Zoning

DATE: October 23, 2003

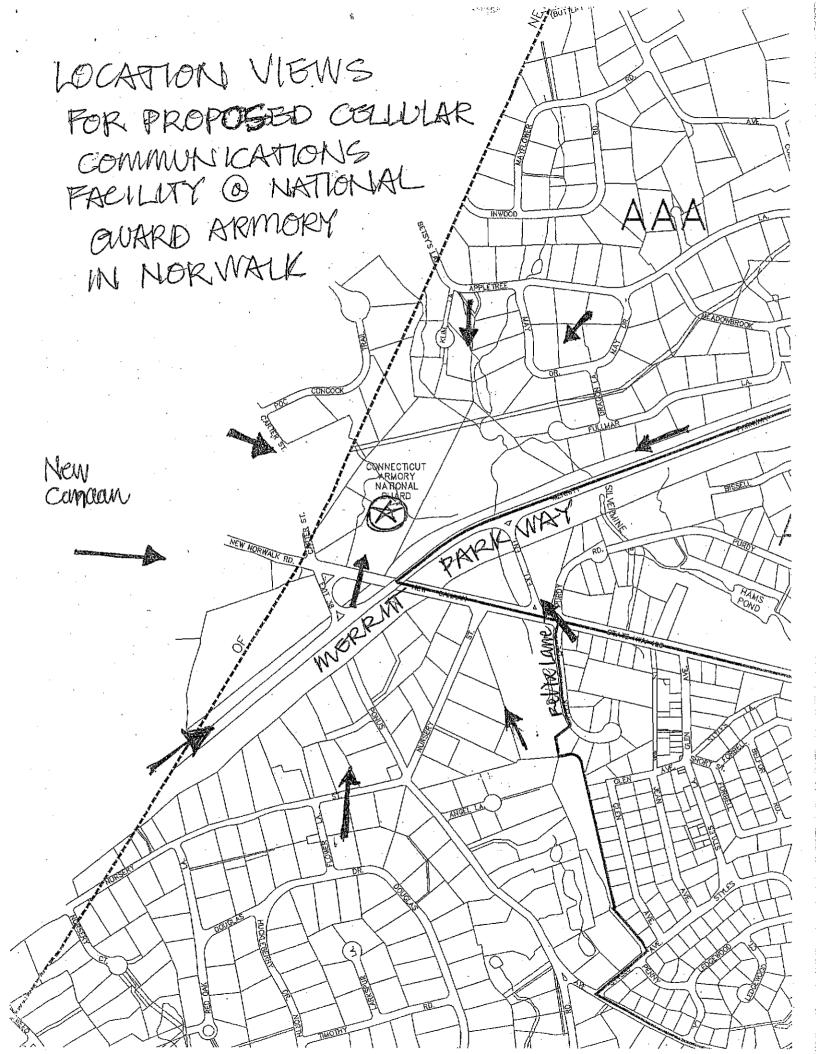
RE: AT&TWireless - National Guard Armory – 290 New Canaan Ave - Proposed location of new cellular communications facility at New Canaan Avenue/Merritt Parkway

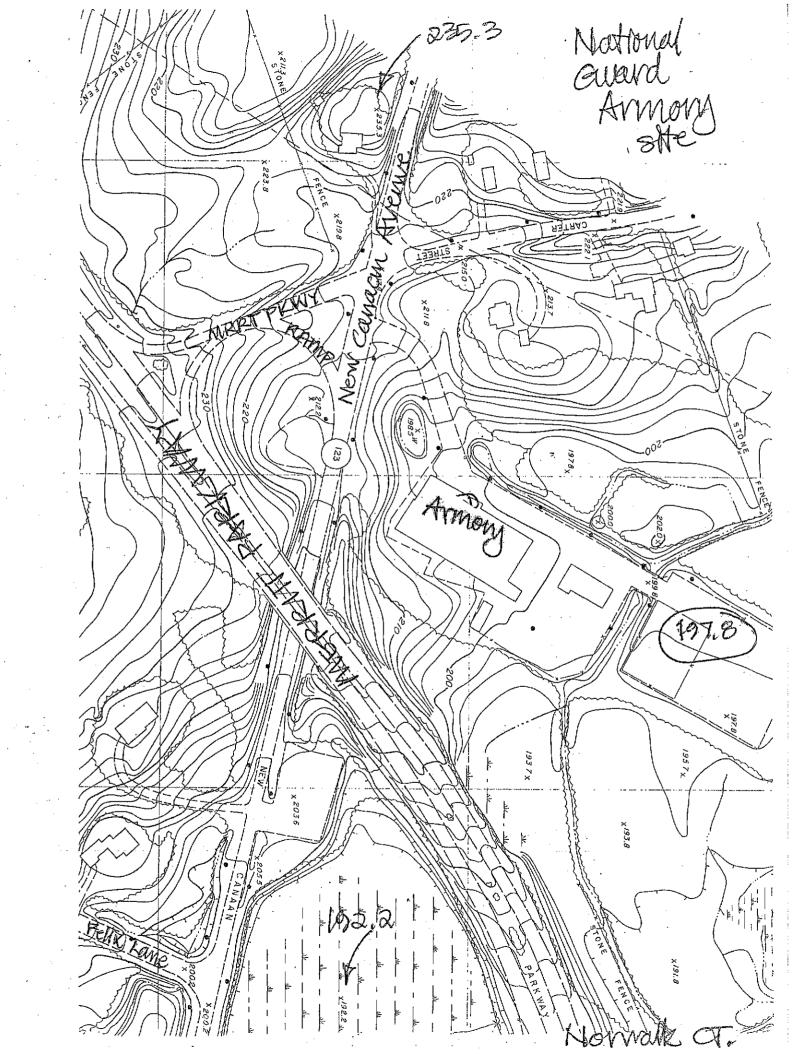
As a follow-up to our meeting on September 4, 2003, we would appreciate the following information be provided for review by the City of Norwalk.

- Air photo of proposed cellular communications site including all property within 1000', label adjacent streets and provide north arrow
- Photo simulations of proposed facility with views taken at various points along the Merritt Parkway and from streets in surrounding residential neighborhoods in Norwalk and New Canaan
- Air photo simulation taken at angle showing proposed facility in relation to existing structures

• Presentation of options in place of monopole, including flagpole, tree or other options

- Maximum height of proposed facility necessary to meet AT&T Wireless needs and CT National Guard needs. Maximum Height projected if other carriers demonstrate interest or need.
- Propagation maps (existing and proposed) showing need for facility at this location and alternative sites that have been considered (for Planning & Zoning to review)
- Address question of whether the Department of Transportation would consider smaller poles along/within Merritt Parkway right of way (integrated into bridge or lighting structures)
- Provide examples of similar facilities along Merritt Parkway including locations, specifications and photographs; ie Sunny Lane in Westport, monopole in Fairfield, etc.
- Condition of permit to remove facility if Armory closes?
- Does the State of Connecticut need Mayor's approval of lease?





$CUDDY_{\&} FEDER^{LLP}$

445 Hamilton Avenue, 14th Floor White Plains, New York 10601 Tel 914.761.1300 Fax 914.761.5372 www.cuddyfeder.com

July 29, 2011

VIA OVERNIGHT DELIVERY

Mayor Richard A. Moccia City of Norwalk 125 East Ave. Norwalk, CT 06856-5125 Phone: (203) 854-7701

Re: AT&T

Proposed Wireless Telecommunications Tower Facility Norwalk Armory 284 New Canaan Avenue Norwalk, Connecticut

Dear Mayor Moccia:

We are writing to you on behalf of our client, New Cingular Wireless PCS, LLC ("AT&T") with respect to the above captioned matter involving a proposed wireless telecommunications tower facility to be located at the State's Armory facility on New Canaan Avenue in the City of Norwalk. AT&T's proposed facility incorporates a brown monopole tower with antennas concealed within the pole itself and other equipment at grade which would be located internal to the Armory site itself. The purpose of our letter is to formally notify the City of Norwalk, and the adjacent Town of New Canaan, of this project and commence a 60 day consultation process as set forth in Section 16-50l of the Connecticut General Statutes.

As part of AT&T's local consultation, we anticipate discussing the project in detail with you and giving both municipalities an opportunity to provide AT&T with any recommendations they may have prior to filing of an application with the State of Connecticut Siting Council. As such, we will follow this letter with a telephone call and would like to schedule a meeting with you and your staff in the next few weeks. In the interim, enclosed please find a "Technical Report" for your review which includes information about the need for the proposed tower facility, a summary of the AT&T site selection process and the environmental effects of the tower that have been evaluated at this time.

In advance of meeting with AT&T, we'd also like to note that this AT&T project has a long history and one which your Director of Planning, Mr. Greene, may be able to advise you on. Indeed, our office has consulted with Mr. Greene and the City's Planning & Zoning Commission on the need for an AT&T facility in this area of the State at various points in time dating back to 1999. Prior proposals by AT&T included a water tank expansion on Flower Lane which was opposed by the Homeowners Association for that area of the City and in fact led to early exploration efforts with the State on use of the Armory site which has now been made available to AT&T.

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AT&T - Norwalk Armory July 29, 2011 Page 2 of 2

Thank you for your consideration of this letter and its enclosures. We look forward to meeting with you.

Very vours DML Christopher-B. Fisher

Enclosures

 cc: Jeb Walker, First Selectman, New Canaan Michael B. Greene, Director, City of Norwalk Planning and Zoning Department Steve Kleppin, Town Planner/Senior Enforcement Officer, New Canaan Michelle Briggs, AT&T David Vivian, SAI Communications Daniel Laub, Esq.

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C&F: 1721682.1

August 10, 2011

Tom Stadler, Administrative Officer Town of New Canaan Town Hall, 2nd Floor 77 Main Street New Canaan, CT 06840

Re: New Cingular Wireless, LLC (AT&T) Proposed Wireless Telecommunications Facility 284 New Canaan Avenue, Norwalk, Connecticut ("Armory")

Dear Mr. Stadler:

It was a pleasure meeting you and other New Canaan officials yesterday to discuss the above referenced AT&T tower project. As I mentioned, this project presents a unique opportunity for AT&T to improve its network along major commute corridors and also residential areas of New Canaan and Norwalk north and south of the Merritt Parkway. We also believe this project is well sited on the State's Armory parcel and will not present any adverse impacts to residences in this area of New Canaan.

As I noted, we will be continuing to consult with Norwalk officials about the project which is physically located within the City's boundaries over the course of the next month. Thereafter, AT&T plans on filing a formal application with the Siting Council in early October. At that time, public notices will be mailed to abutting property owners and a public hearing held in Norwalk a few months later.

In the interim, should the Town of New Canaan have any formal recommendations or comments on this project, please do not hesitate to forward them directly to my attention for incorporation into AT&T's application to the Siting Council. Additionally, if I may be of any further assistance, please do not hesitate to call on me. Thank you again for the opportunity to meet with you on AT&T's behalf.

Very truly yours,

Christopher B. Fisher cc: Michele Briggs, AT&T David Vivian, SAI

ATTORNEYS AT LAW White Plains Fishkill New York City Stamford

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August 15, 2011

Michael B. Greene, Director Planning and Zoning Department City of Norwalk 125 East Ave. Norwalk, CT 06856-5125

Re: AT&T

Proposed Wireless Telecommunications Tower Facility Norwalk Armory 284 New Canaan Avenue Norwalk, Connecticut

Dear Mr. Greene:

Thank you for meeting with us on August 11th regarding the above-referenced AT&T tower project. We appreciated having the opportunity to discuss this proposal in greater detail with you and Ms. Wilson and go through some of the materials in the technical report.

At this time, we understand that you will be corresponding with the Mayor's office on our conversations. Further, that any follow up meetings the Mayor's office may desire with AT&T will be the subject of a subsequent call to us from his staff.

Please do not hesitate to call on me if we may be of any further assistance.

Very truly yours,

Christopher B. Fisher

cc: David Vivian, SAI Communications Dorothy Wilson

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445 Hamilton Avenue, 14th Floor White Plains, New York 10601 Tel 914.761.1300 Fax 914.761.5372 www.cuddyfeder.com

September 12, 2011

Mayor Richard A. Moccia City of Norwalk 125 East Ave. Norwalk, CT 06856-5125 Phone: (203) 854-7701

Re: AT&T

Proposed Wireless Telecommunications Tower Facility Norwalk Armory 284 New Canaan Avenue Norwalk, Connecticut

Dear Mayor Moccia:

We are writing to you on behalf of our client, New Cingular Wireless PCS, LLC ("AT&T") with respect to the above captioned matter involving a proposed wireless telecommunications tower facility to be located at the State's Armory facility on New Canaan Avenue. We previously provided the City with a copy of AT&T's technical report for this project and AT&T representatives met with the City's Planner in August at your request. At this time, AT&T anticipates formally filing an application with the Siting Council later this year. Since we are approaching the end of the formal sixty day municipal consultation period, we did simply want to follow up and see if your office wished to meet with AT&T representatives to discuss the project in greater detail at this time. Please do not hesitate to contact us in this regard and thank you for your consideration.

Very truly your Christopher B. Fisher

 Chilstopheze. Fisher
Enclosures
cc: Michael B. Greene, Director City Planning & Zoning Department Michele Briggs, AT&T David Vivian, SAI Communications

APPROVED Town of New Canaan Town Council Regular Meeting Wednesday, September 21, 2011

Members Present: Mark DeWaele Paul Foley Kathryn Devereaux John Emert Robert Hamill Kenneth Campbell

Steve Karl Tucker Murphy Thomas O'Dea Penny Young Christine Hussey Elizabeth Jones

Absent:

Also present: Jeb Walker, First Selectman and Ex-officio Member of Town Council; Chris Jarboe, New Canaan Town Attorney; Gary Conrad, Chief Financial Officer; Mike Pastore, Director of Public Works; Jill Foster, New Canaan Garden Club; Richard Bergman, Architect and Designer; Jim Cole, Chair, New Canaan Police Commission

Dr. DeWaele called the meeting to order at 7:30 PM. Ms. Devereaux called the role and read the notice of the meeting.

Item 8: To change the wording of Item 8 to read: To hold an Executive Session to discuss the negotiation for a pending real estate trans action with Crumbs Bake Shop on Elm Street. After a brief discussion with Attorney Jarboe, upon a motion of Mr. Campbell and a second of Mr. Karl, the Council voted unanimously to change item 8, so that the Executive Session would consist solely of a discussion about a pending real estate transaction with Crumbs Bake Shop on Elm Street.

Item 1: To approve the minutes of July 20 (x2), July 27 (x4) and August 11, 2011.

Upon a motion of Foley and second of Mr. Campbell, the Council voted to approve the minutes of the July 20, 2011 Public Hearing. Mr. Foley and Mr. Hamill abstained. Mr. O'Dea was not present for this vote.

Upon motion of Mr. Foley and second of Mr. Campbell, the Council voted to approve the minutes of the July 20, 2011 Regular Meeting, with modifications. Mr. Hamill abstained. Mr. O'Dea was not present for this vote.

Upon motion of Mr. Karl and second of Mr. Foley, the Council voted to approve the minutes of the July 27, 2011 public hearing with modifications. Mr. Hamill and Ms. Hussey abstained. Mr. O'Dea was not present for this vote.

Upon motion of Mr. Karl and second of Ms. Jones, the Council voted to approve the minutes of the July 27th special meeting (commencing at 9:17 p.m.) with modifications. Mr. Hamill and Ms. Hussey abstained. Mr. O'Dea was not present for this vote.

Upon motion of Mr. Karl and second of Ms. Young, the Council voted to approve the minutes of the July 27th Public Hearing (commencing at 9:25 p.m.) with modifications. Mr. Hamill and Ms. Hussey abstained. Mr. O'Dea was not present for this vote.

Upon motion of Mr. Karl and second of Mr. Campbell, the Council voted to approve the minutes of the July 27th Special Meeting (commencing at 10:34 p.m.) with modifications. Mr. Hamill and Ms. Hussey abstained. Mr. O'Dea was not present for this vote.

Upon motion of Mr. Karl and second of Ms. Young, the Council voted to approve the minutes of August 11, 2011. Mr. Campbell and Ms. Murphy abstained. Mr. O'Dea was not present for this vote.

Mr. O'Dea arrived at 8:07 PM.

Item 2: To vote on the completion of the 8 ft. wide trail throughout Irwin Park in accordance with Section 10-2 of the New Canaan Town Code. The funding is already allocated for this project.

Mr. Mike Pastore, Director of Public Works, presented the plans regarding the installation and material of the trail. Mr. Pastore stated that notice was provided to the neighbors, eliciting only one question regarding potential damage to shallow tree roots. Mr. Foley inquired about the funding, including material and contractor costs. Ms. Devereaux inquired about the material used. Mr. Karl asked about the timing of the installation and about the maintenance of the material.

Mr. Foley inquired about the bidding requirement in the State statutes. Gary Conrad, Town Chief Financial Officer explained that there are no requirements for bidding when using Town funds. Mr. Foley suggested that, for future good business practices, the Town obtain a second and third bid. Ms. Murphy asked if the trail and material are ADA compliant for wheel chair accessibility.

Upon motion of Mr. Foley and second of Ms. Jones, the Council voted unanimously to approve completion of the trail throughout Irwin Park. Ms. Hussey abstained from voting because her son is to be the Contractor.

Item 3: To hear a presentation by the Garden Club regarding the proposed installation of the Roly Poly Hill adjacent to the Children's Maze at Irwin Park.

Ms. Jill Foster, Member of the Garden Club, presented the application, describing the material and color, the positioning of the hill near the maze, the height of the hill, which was reduced to 4 ft. from 6 ft by request of Parks and Rec., and the distance of the hill from the nearest baseball diamond, which is approximately 200 ft.

There was a request from Council to amend the agenda as follows: To Allow the Council to vote to allow the Garden Club to install the Roly Poly Hill, with conditions consistent with design as approved by Parks and Recreation.

Upon motion of Mr. O'Dea and second of Mr. Campbell, the Council voted unanimously to amend the agenda item.

Mr. Foley inquired about funding. Mr. Conrad stated that funding came from the Garden Club funds via Irwin Endowment Funds.

Upon motion of Mr. O'Dea and second of Mr. Campbell, the Council voted unanimously to approve the Garden Club's request to install the Roly Poly Hill with conditions consistent with the design as approved by Parks and Recreation.

Item 4: To hear an information presentation regarding the proposed cell towers at the Norwalk Armory by Chris Fisher of Cuddy and Frank.

Mr. Chris Fisher presented the plans for the proposed installation of two cell towers by AT&T for the purpose of providing cell coverage to various parts of the New Canaan and Norwalk border. This presentation is required under the Municipal Consultation and Comments phase of the proposal as required by the State. The technical report was already filed with the State. There was discussion of the technological capability of the cell phones, other carriers accessing these towers, and the distance of the towers to the nearest residential home. There was discussion regarding the material that would be used as well as color;.

Mr. Foley supported the installation of the towers for safety reasons. Ms. Murphy supported the location. Mr. Karl asked about notification of neighbors. Mr. Fisher responded that they would notify neighbors physically abutting the Armory property. There was discussion, with visual aids, regarding the view of the cell towers from various vantage points in New Canaan. The At&T (Plans) are filed with the Town Clerk's office for public access.

The next steps for this proposal will be for the notification of abutting property owners and to put notification in the newspapers by November. A formal application will be filed and public hearings will be held. Additional seasonal pictures with various views of the cell towers will be provided, as fall and winter approach, and AT&T will update the Town Administrator as to the status of the project.

Item 5: To vote on a resolution as follows: BE IT HEREBY RESOLVED that Jeb Walker, First Selectman of the Town of New Canaan, Connecticut, 77 Main Street, New Canaan, CT 06840, is authorized to execute the First Supplemental Agreement between the State of Connecticut and the Town of New Canaan for the construction, Inspection and Maintenance for the Replacement of the Hickok Road Bridge (Bridge No. 04998) Over the Silvermine River in the Town of New Canaan – State Project No. 89-119, Federal Project No. 6089(016).

Mr. Pastore presented the plans and bid process and explained how the bid came in under estimate. The Council reviewed the first supplemental agreement, specifically the funding and what it meant for the municipality to share 20% of all costs (State and Federal). Mr. Emert asked about timing and Mr. Pastore stated that the bridge would not be completed until early May, 2012. Mr. Campbell asked about any additional costs due to delays, to which Mr. Pastore stated that the delays would not add additional costs. The contractor will be New England Road Incorporated, based out of Clinton, CT. Mr. Foley inquired about bonding. Mr. Conrad explained how bonding occurs and that the Town's payment of the 20% is not bonded.

Upon a motion of Ms. Hussey and second of Mr. Foley, the Council voted unanimously to authorize Jeb Walker, First Selectman to execute the First Supplemental Agreement.

Item 6: To hear an update from Public Works.

Mr. Pastore reviewed the Main Street timelines, including sending out project bids to contractors, receiving contract bids, public hearing and construction commencement and completion dates. Mr. Foley inquired about reimbursement from Aquarion. Ms. Young inquired about electric conduits, which it was determined are too costly. Mr. Karl asked about the bidding process. It was determined that bid costs are better in the spring; Ms. Devereaux inquired about the bids and cost differences pertaining to road paving. There was a brief discussion of the underground propane tank of Mr. Mackle, at the corner of Woodland and Main Street and access to that tank after construction of walkway.

Mr. Pastore discussed roadwork (mill and pave) and stated that the town is on budget; the high school track repair; debris clean up status from hurricane and other storms.

Mr. James Cole, Police Commissioner, updated the Council regarding the Police Department's input regarding the Main Street sidewalk plans. The Police Department determined that it is not a police issue and this mater will remain open until additional information is provided.

Ms. Mary Flaherty, 309 Main St., expressed her concern regarding the sidewalk plan on Main Street and accessibility, stating that children that live on the West side and attend middle school, do not qualify for busing. Ms. Hussey commented on the dangerous conditions for crossing at Farm and Old Norwalk Road.

Item 7: To have a discussion regarding the development of a policy for public input at Public Hearings.

Dr. DeWaele discussed the submission of emails and how to develop a best practice in handling email submissions while remaining compliant with statutes and Town Charter. Dr. DeWaele requested that a sub-committee, lead by Mr. O'Dea, and including Ms. Hussey and Dr. DeWaele, be established to review the statutes and Town Charter and develop best practices in handling email submissions.

Item 8: To vote on an executive session to discuss the negotiation for a pending real estate transaction.

Upon motion of Ms. Hussey, and second of Mr. Hamill, the Council voted unanimously to go into executive session.

Upon a motion of Mr. O'Dea and a second by Ms. Hussey, the Council voted unanimously to go out of Executive Session at 10:22 PM.

Item 9: Old and New Business.

Mr. O'Dea informed the Council about a one and a half story storage shed that would be improved on the south side of the building at the water tower, and would be used for storage and the filming of practices. Park & Recreation will review revised plans, Planning and Zoning will need to approve plans and then Town Council will need to approve the project once the plans are submitted. Mr. O'Dea stated that there would be no change to the footprint of the building, and that there would be repair and renovation on the side that by the Water Tower that faces the field.

Ms. Hussey asked the Council to refrain from having meetings during the month of August unless it was on an emergency basis.

Mr. Foley asked about the appropriation of the Lakeview Avenue Bridge Arbitration award and whether or not the Town Council legally needed to do a retroactive appropriation approval. It was decided that it was important to discover if the Board of Finance had already voted on the appropriation before the Town Council could address the suggestion.

There being no further business, and upon motion of Ms. Jones and second of Mr. Karl, the Council voted unanimously to adjourn the meeting at 10:28 p.m.

Respectfully submitted,

Kathryn Devereaux, Secretary

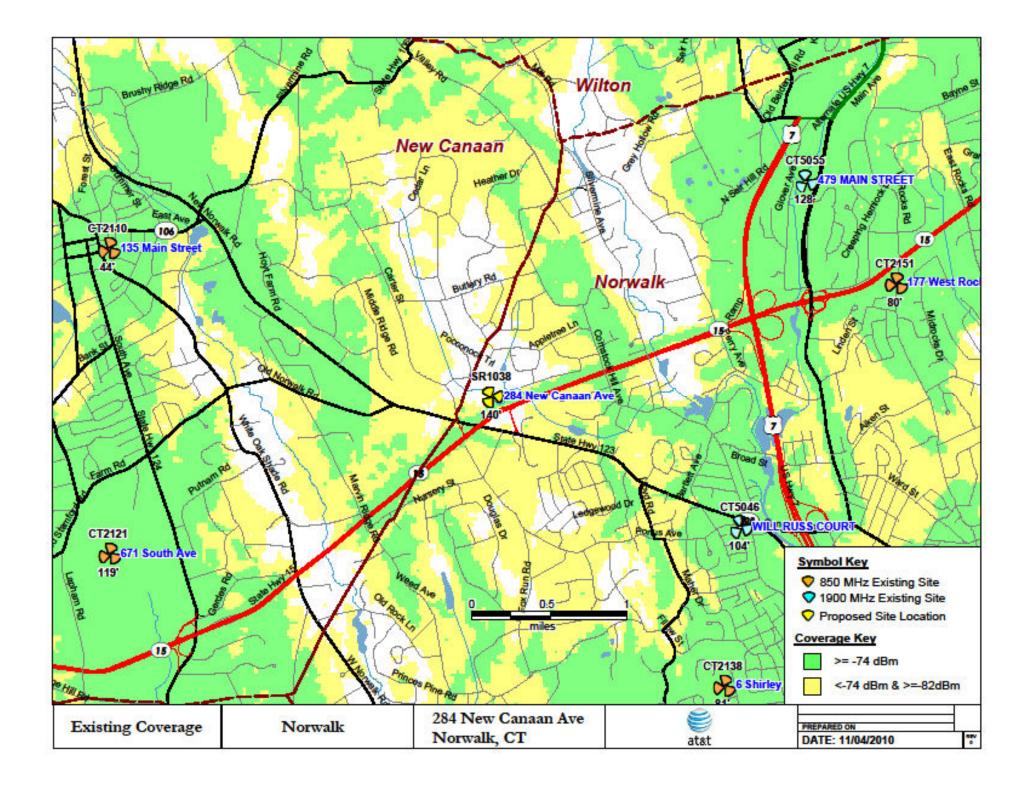
PowerPoint Presentation Provided as Part of Municipal Consultation

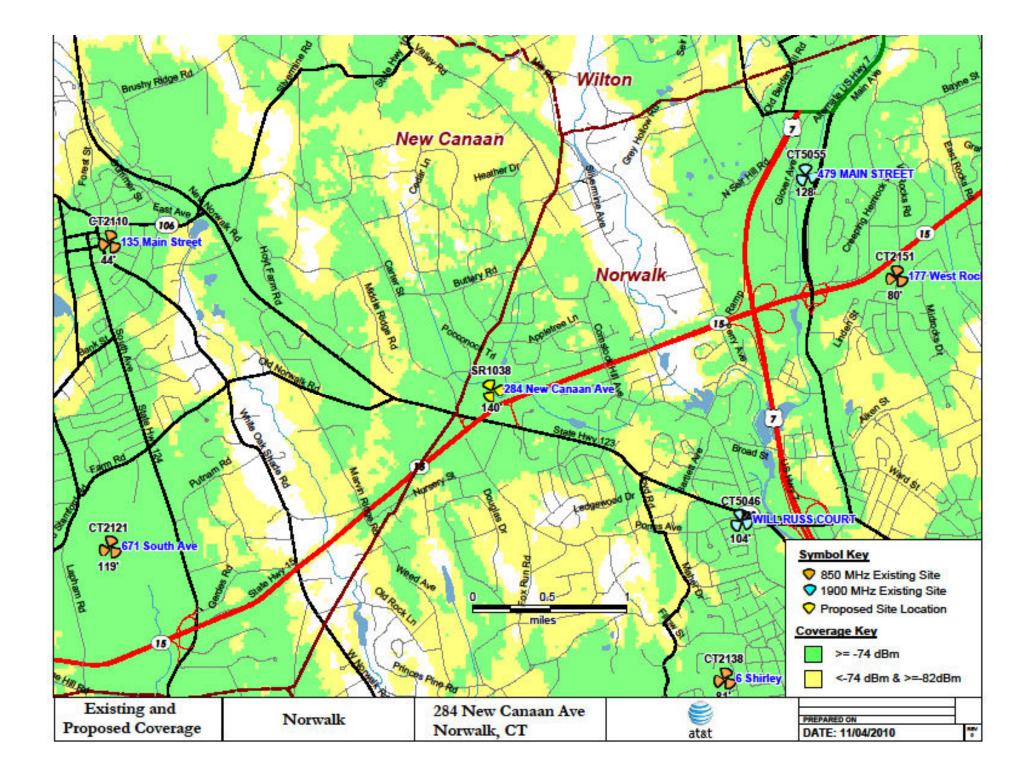
PROPOSED CELLULAR TOWER FACILITY 284 NEW CANAAN AVENUE NORWALK ARMORY



AT&T SERVICE OBJECTIVES

Merritt Parkway, State Route 123 & surrounding residential areas.





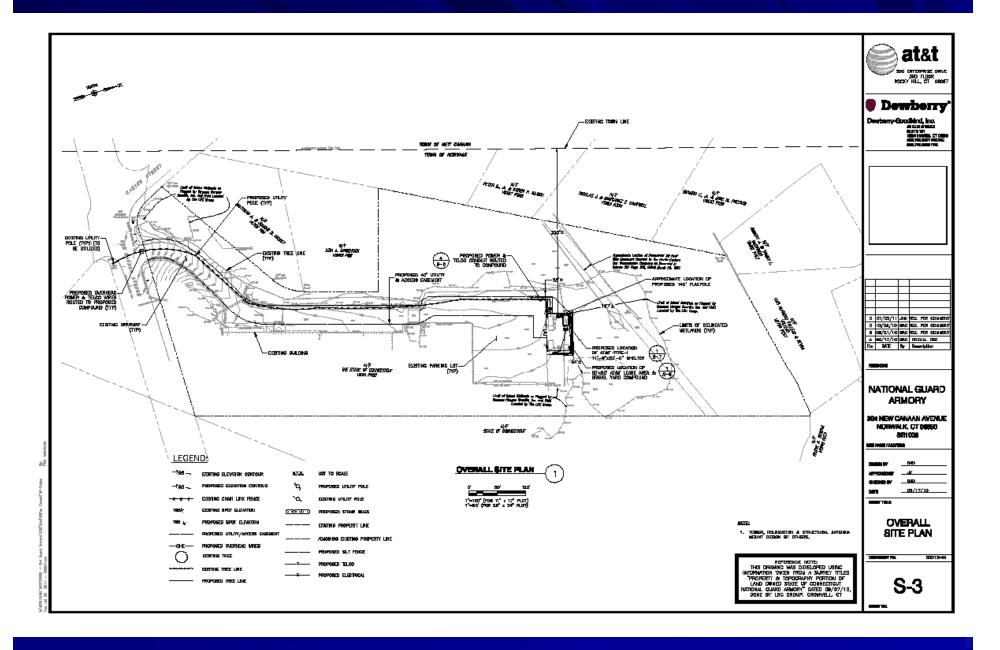
Site Searches

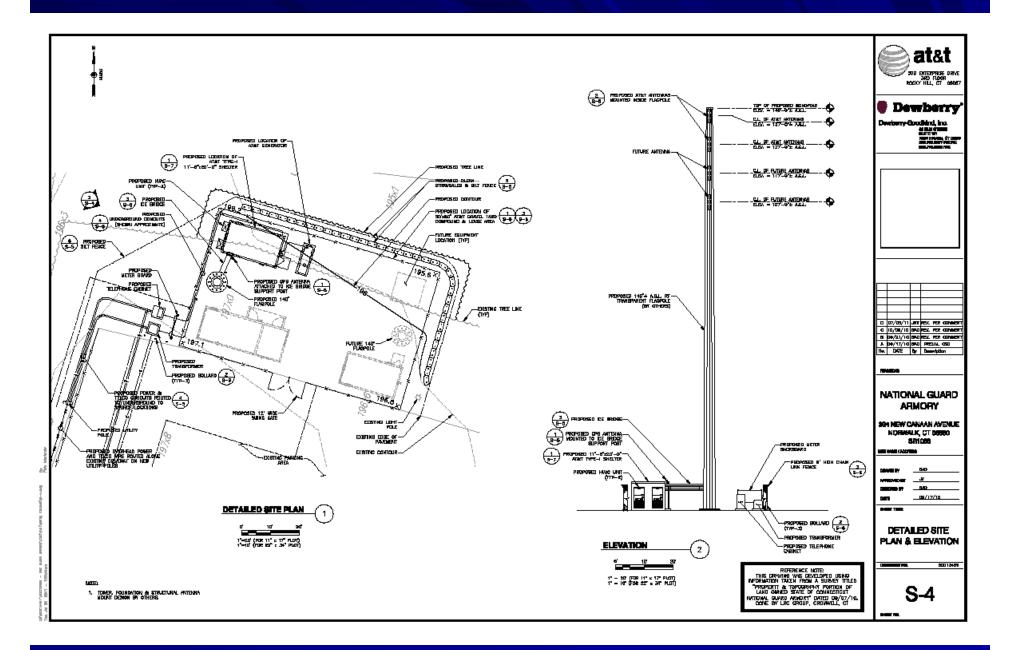
AT&T site searches date back to 1999

Other carriers are known to have a need for a facility in the area and have conducted independent site searches

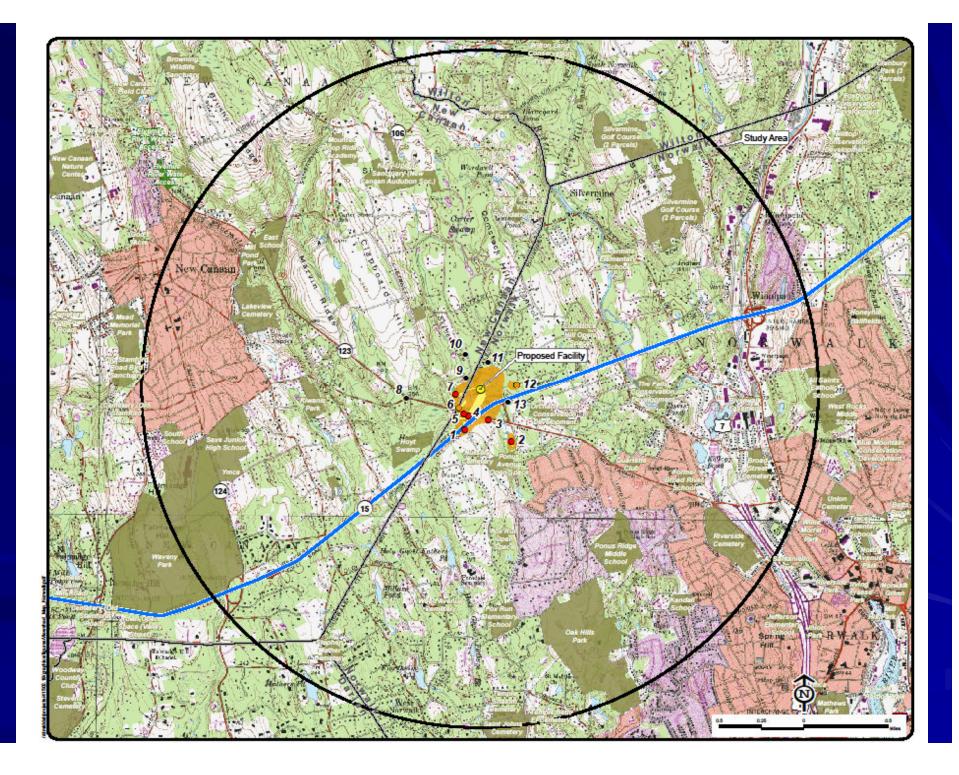
The State Armory Site is one of the only non-residential parcels in the area

Proposed Stealth Tower Facility Plans





Viewshed & Photo Simulations



PHOTOGRAPHIC SIMULATION







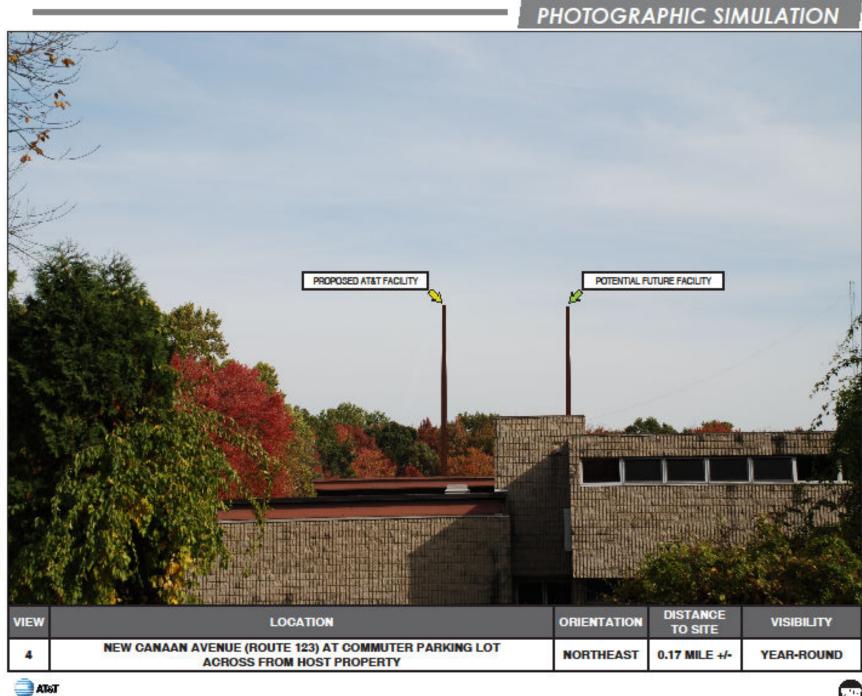




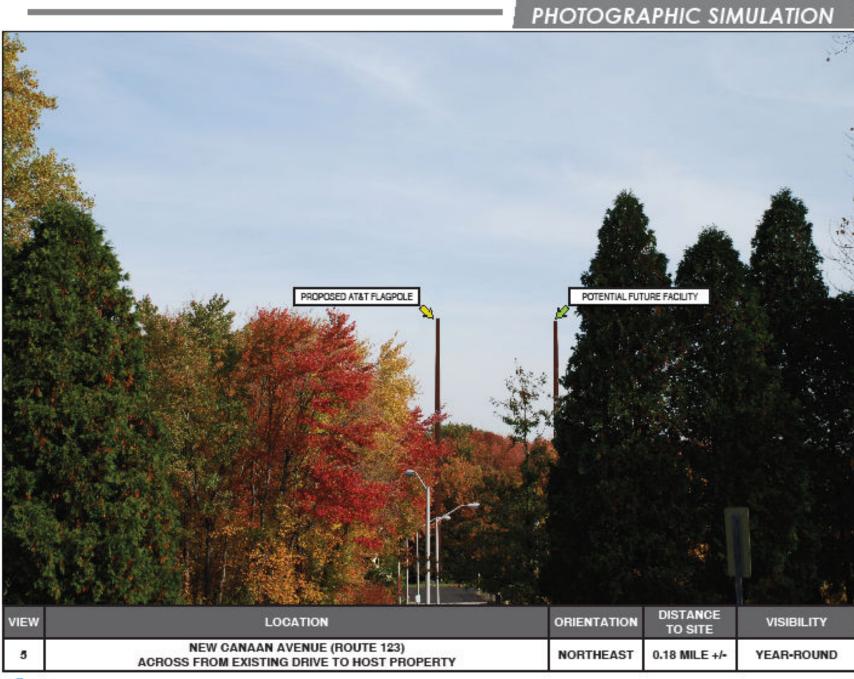
PHOTOGRAPHIC SIMULATION



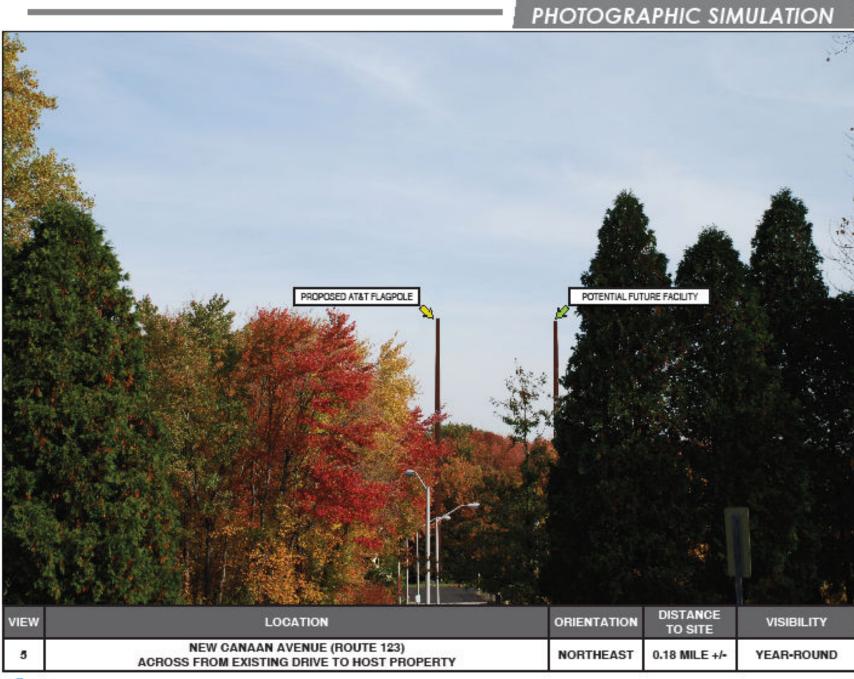




11.



🔵 AT&T



🔵 AT&T

PHOTOGRAPHIC SIMULATION





PROPOSED CELLULAR TOWER FACILITY 284 NEW CANAAN AVENUE NORWALK ARMORY



Town of New Canaan Cell Phone Survey

New Canaan Cell Phone Survey Results Through December 17, 2012

Do you use cell phones within New Canaan on a regular basis?

Yes 94% No 6%

619 Respondents

2

Residents from 188 streets responded to the survey. 3 There are about 340 streets in New Canaan. What Street Do You Live On? 612 Respondents

How Many Cell Phones Does Your Family Use Within New Canaan?

Respondents reported an average of three cell phones per family.

619 Respondents

Please Indicate Which Wireless Service(s) You Use

AT&T 351 Verizon 317 T-Mobile 56 Sprint 33 Others 16

Totals to more than 619 because of multiple responses from respondents 619 Respondents

Where in New Canaan Does Your Cell Phone Work Best?

Downtown 538 South 151 East 28 North 19 West 17

Totals to more than 571 because of multiple responses from respondents 571 Respondents

Where in New Canaan Does Your Cell Phone Get Poor or No Service?

North 387 East 254 West 232 South 103 Downtown 8

Totals to more than 537 because of multiple responses from respondents 537 Respondents

Canaan Which Was Not Completed or Have You Ever Made a Call in New Dropped?

Yes 93% No 7% 613 Respondents

 ∞

(Police, Fire, Ambulance) Which Was Have You Ever Made a Call in New Canaan in an Emergency Situation Not Completed or Dropped?

Yes 12% No 88% 592 Respondents

If You Have Ever Made a Call in New (Police, Fire, Ambulance) Which Was Canaan in an Emergency Situation Not Completed or Dropped.....

What Was The Emergency? Power Lines/Trees Down Accident Medical Other Fire

Do You Support Building More Cell Towers in New Canaan?

Yes 91% No 9%

611 Respondents

Do You Support Building More Cell Towers in New Canaan?

Comments:

Within Reason, Considering Location and Aesthetics Absolutely, More the Better, Vital Emergency Service Concerns Time to Join the 21st Century Towers are Awful or Ugly Not in My Back Yard In My Back Yard

New Canaan Is Acceptable the Way It Do You Think Cell Phone Service in Improvements or Towers Are Is and No Further Service Necessary?

No 91% Yes 9% 611 Respondents

New Canaan is Acceptable the Way It Do You Think Cell Phone Service in Improvements of Towers Are Is and No Further Service **Necessary?**

Comments:

We're in the 21st century, not the Dark Ages...total coverage is expected today. Worst service in Fairfield County; third-world countries have better service. Need to provide coverage to entire town for emergency services. I support a tower on public land in northern New Canaan. Service is a disaster, lousy, a joke, totally unacceptable. Real estate values are affected by poor service.