



## STATE OF CONNECTICUT

### CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: [siting.council@ct.gov](mailto:siting.council@ct.gov)

Web Site: [portal.ct.gov/csc](http://portal.ct.gov/csc)

#### VIA ELECTRONIC MAIL

March 19, 2021

Daniel Patrick, Esq.  
Cuddy & Feder, LLP  
445 Hamilton Avenue, 14th Floor  
White Plains, New York 10601

**RE: EM-CING-034-210219** - New Cingular Wireless PCS, LLC (AT&T) notice of intent to modify an existing telecommunications facility located at 52 Stadley Rough Road, Danbury, Connecticut.

Dear Attorney Patrick:

The Connecticut Siting Council (Council) received a notice of intent to modify the above-referenced facility on February 19, 2021.

Please be advised that the Council approved AT&T's request for shared use of the facility, including, but not limited to, the installation of a natural gas emergency backup generator, on March 7, 2014. AT&T's request may be accessed at the following link: [https://portal.ct.gov/-/media/CSC/2\\_EMS-medialibrary/Danbury/StadleyRoughRoad/ATT\\_CING/tscing034140220filingStadleyRoughRdpdf.pdf](https://portal.ct.gov/-/media/CSC/2_EMS-medialibrary/Danbury/StadleyRoughRoad/ATT_CING/tscing034140220filingStadleyRoughRdpdf.pdf)

According to Section 16-50j-71 of the Regulations of Connecticut State Agencies, "...any modification, as defined in Section 16-50j-2a of the Regulations of Connecticut State Agencies, to an existing tower site, except as specified in Sections 16-50j-72 and 16-50j-88 of the Regulations of Connecticut State Agencies, may have a substantial adverse environmental effect."

Staff has reviewed this exempt modification request for completeness and has identified that the request is not in compliance with the Connecticut Superior Court's Stipulation for Judgment (Stipulation) dated January 6, 2010 specific to this facility (see attached). The Stipulation requires all modifications to this facility to comply with the following conditions:

1. In the event a future co-locating tenant seeks to modify the facility by adding additional backup power, such parties shall use a fuel cell to the extent such technology is readily available for use and meets the backup power requirements for the site. If a fuel cell is not used, a future co-locating tenant shall provide written notice to the City of Danbury and to Jose and Christina Carvalheiro (Carvalheiros) explaining the reasons why such technology is not then readily available for such intended use;
2. Any permanent diesel, propane or natural gas power backup generators will be considered as a secondary option and if used must be baffled, and cycling times shall be scheduled between the hours of 9am to 5pm weekdays;
3. All equipment is to be installed, in an equipment shelter with a pitched roof and cedar siding; and
4. Notice of any modifications is required to be provided to the City of Danbury and the Carvalheiros.

The inconsistencies identified in the exempt modification request include but are not limited to the following:

- Written notice to the City of Danbury and to the Carvalheiros explaining the reasons why fuel cell technology is not readily available for such intended use is not evident per Condition No. 1 above;
- Clarification on whether the proposed diesel power backup generator would be baffled and cycling time scheduled between 9 AM and 5 PM is not evident per Condition No. 2 above;
- The proposed generator on a concrete pad as shown on Construction Drawing Sheet No. A-1 is inconsistent with Condition No. 3 above; and
- There is no indication that notice was provided to the Carvalheiros in compliance with Condition No. 4 above.

Therefore, the exempt modification request is incomplete at this time. The Council recommends that AT&T provide a revised request that is in compliance with the conditions of the Stipulation referenced above, on or before April 16, 2021. If additional time is needed to gather the requested information, please submit a written request for an extension of time prior to April 16, 2021. **Please provide an electronic version of the requested information for the incomplete exempt modification to be rendered complete and processed. Please include the Council's exempt modification identification number referenced above with the submittal.**

This notice of incompleteness shall have the effect of tolling the Federal Communications Commission (FCC) 60-day timeframe in accordance with Paragraph 217 of the FCC Wireless Infrastructure Report and Order issued on October 21, 2014 (FCC 14-153).

Thank you for your attention to this matter. Should you have any questions, please feel free to contact me at 860-827-2951.

Sincerely,

*s/Melanie A. Bachman*

Melanie A. Bachman  
Executive Director

MAB/FC/emr

Enclosures: Court Stipulation dated January 6, 2010

DOCKET NO.: CV-09-4021287-S

: SUPERIOR COURT

CITY OF DANBURY,  
JOSE CARVALHEIRO, and  
CHRISTINA CARVALHEIRO

: JUDICIAL DISTRICT

*Plaintiffs,*

: OF NEW BRITAIN

v.

STATE OF CONNECTICUT SITING COUNCIL, : AT NEW BRITAIN  
OPTASITE TOWERS, LLC (currently  
known as SBA Towers II, LLC), and  
OMNIPOINT COMMUNICATIONS INC (currently  
known as T-Mobile Northeast, LLC)

*Defendants.*

: JANUARY 6, 2010

**STIPULATION FOR JUDGMENT**

IT IS STIPULATED, by and between the undersigned Parties that:

The Parties consent and stipulate that a Judgment in the form set forth below shall be entered by the Court at any time following the date of filing of this Stipulation, without further notice to any party or other proceeding. Said Judgment shall be determinative of the rights of the undersigned parties against or to each other in the above-entitled action regarding the subject matter of the decision of the State of Connecticut Siting Council (Council) in Council Docket No. 366 and the application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 52 Stadley Rough Road in Danbury, Connecticut. By executing this Stipulation, the Parties expressly declare that they fully understand the terms of the Judgment to be entered as set forth below, and agree and desire to be bound thereby.

1  
C&F 1267610.1

## JUDGMENT ON STIPULATION

Plaintiffs CITY OF DANBURY and JOSE and CHRISTINA CARVALHEIRO ("Carvalheiros"), the Defendants STATE OF CONNECTICUT SITING COUNCIL ("Council"), OPTASITE TOWERS, LLC. (now known as SBA TOWERS II, LLC) ("SBA"), and OMNIPOINT COMMUNICATIONS, INC. (now known as T-MOBILE NORTHEAST, LLC) ("T-Mobile") (collectively called "the Parties"), through their respective attorneys, have consented to the making and entry of this judgment in settlement of the above-captioned administrative appeal of the final decision in Council Docket No. 366;

1. With the consent of the Parties, the Court hereby AFFIRMS the Council's Findings of Fact in its final decision in Council Docket No. 366.
2. With the consent of the Parties, the Court hereby AFFIRMS the Council's opinion and its final decision in Council Docket No. 366.
3. With the consent of the Parties, the Court hereby APPROVES Exhibit A to this Stipulation, consisting of a revised and amended Development & Management Plan ("D&M Plan"), which includes construction drawings prepared by CHA Companies and included in Exhibit A and as dated/last revised as noted in the chart also included in Exhibit A. Future modifications to the D&M Plan as may be necessitated by the City of Danbury Building Department, construction, or other subsequent modifications sought by SBA, T-Mobile or third parties shall be reviewed by the Council subject to the Council's regulatory processes and any jurisdictional limits and subject to the conditions herein. Any field changes, D&M Plan amendments or exempt modifications will be subject to the requirement that Defendant SBA, or its authorized agents, provide notice to the Plaintiff City of Danbury with an opportunity to be heard prior to any Council action thereon, and

also shall be subject to any other required City permit(s) for such field changes, construction or facility site modifications. The Siting Council shall not acknowledge any future exempt modification notices or approve any tower sharing requests unless it determines that the proposed antennas are flush mounted to the tower and any new equipment is installed within the fenced compound in a manner consistent with the D&M Plan and this Stipulated Judgment which confirms the Council's April 2009 Decision & Order. Any other proposed modifications, applications and new and/or amended certificates must be designed to the greatest extent feasible to be consistent with the D&M Plan and this Stipulated Judgment, and the burden of proof for any proposed deviation shall be on the applicant(s) before the Council to demonstrate that such compliance is not feasible. The requirements set forth in the previous sentence may be waived by the City in its discretion. Any such future modifications to the D&M Plan shall not require review by this Court as part of this Stipulated Judgment. Notwithstanding any other provision herein to the contrary, the height of the tower (140 feet as agreed to in this Stipulated Judgment), shall not be increased for any reason, unless consented to by the City.

4. With the consent of the Parties, the Court hereby APPROVES a name change and/or transfer of the Certificate issued in Docket No. 366 to SBA Towers II, LLC.

5. The City of Danbury hereby affirms that, other than issuance of a building permit and certificate of occupancy by the City of Danbury Building Official pursuant to Sections 29-263 and 29-265 of the State Building Code and the review and approval of a "B100a" plan pursuant to Section 19-13-B100a of the State Public Health Code and a determination of the City Health Department that a code complying reserve area exists for the existing church at 52 Stadley Rough Road, no other City permits, approvals or consents are or will be required for the cellular tower

facility as approved by the Council in Docket 366 and as shown in the revised and amended D&M Plan. Attached hereto and incorporated herein are the City Building Permit (foundation only/tower component pending) and B100a approvals for the cellular tower facility.

6. In the event, SBA, T-Mobile or a future co-locating tenant of SBA seeks to modify the facility by adding additional backup power, such parties shall use a fuel cell to the extent such technology is readily available for use and meets the backup power requirements for the site. If a fuel cell is not used, SBA, T-Mobile or a future co-locating tenant shall provide written notice to the City and to the Carvalheiros explaining the reasons why such technology is not then readily available for such intended use. Any permanent diesel, propane or natural gas power backup generators will be considered a secondary option and if used must be baffled, and the cycling times shall be scheduled between the hours of 9am and 5pm weekdays.

7. Plaintiff JOSE AND CHRISTINA CARVALHEIRO shall be named as additional insureds under all insurance policies required to be maintained by SBA concerning the facility site, insuring the Carvalheiros against any damages for bodily injury and injury to property, with minimum coverage limits of \$1,000,000 per occurrence, solely to the extent such damages or injuries are determined to be caused in whole or in part by the negligent or wrongful acts or omissions of SBA, and excluding damages or injuries arising solely out of the Carvalheiros' negligence or own actions or omissions. Such policies shall provide for at least thirty (30) days' written notice to the Carvalheiros of expiration; in case of expiration, new policies containing the same terms and conditions as referenced above shall be issued no later than the expiration date of the expiring policy. The Carvalheiros shall receive at least annual written notice of such coverages by certified mail, return receipt requested.

8. Each of the undersigned signatories has been duly authorized to execute and enter into this Stipulation on behalf of the Parties by their respective clients, companies, and/or members and this Stipulation shall be fully binding on each Parties' successors, assigns, members and officials.

9. Each of the Parties, in consideration of the terms and provisions hereof, and other good, valuable and sufficient consideration, the receipt of which is hereby acknowledged by each of the Parties, hereby covenants not to sue and hereby fully and forever does release and discharge the other Parties, as well as their affiliates, parent companies, subsidiaries, employees, officers, directors, members, administrators, agents, attorneys, predecessors, successors and/or assigns, from all actions, causes of action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, extents, executions, claims and demands whatsoever, whether known or unknown, in law, admiralty or equity, which any of the Parties now has or hereafter can, shall, or may have against the other Parties by reason of anything or cause from the beginning of the world to the date hereof with respect to any matter concerning or arising out of the subject matter of the above-captioned action. However, the terms of this release shall not release, or in any way affect, the obligations of each of the Parties under this Stipulated Judgment. Moreover, the terms of this release shall not release, or in any way affect, the obligations of SBA and T-Mobile under any separate agreement concerning or relating to the lease and/or operation of the cellular tower facility at issue in this action.

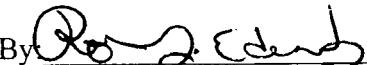
10. This Court shall retain continuing jurisdiction to enforce the terms and conditions of this Stipulation for Judgment. In the event any party hereto is found by the Court to be in violation of any term of this Stipulation for Judgment (including but not limited to a failure to adhere to the

plans attached at Exhibit A), the prevailing party shall be entitled to reasonable attorney's fees and costs.

11. This Judgment shall be effective immediately upon entry.
12. This Judgment shall be binding on the parties, their heirs, successors and assigns, and the City shall record the Judgment on the Danbury Land Records for the parcel at 14 Indian Spring Road within ten (10) days of entry of the Judgment by the Court.
13. Nothing in this Stipulated Judgment shall be construed as an approval by the City or the Carvalheiros of the tower facility which is the subject of this proceeding.

PLAINTIFF  
CITY OF DANBURY

\_\_\_\_\_  
Date

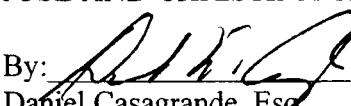
By   
Robin L. Edwards, Esq.  
Assistant Corporation Counsel  
City of Danbury  
155 Deer Hill Avenue  
Danbury, CT 06810  
Phone: (203)797-4518

Duly approved by the City of Danbury:

By   
Mark D. Boughton, Mayor  
Date: \_\_\_\_\_, 2010

PLAINTIFFS  
JOSE AND CHRISTINA CARVALHEIRO

\_\_\_\_\_  
Date

By:   
Daniel Casagrande, Esq.  
Cramer & Anderson, LLP  
30 Main Street, Suite 303  
Danbury, CT 06801  
(203) 744-1234

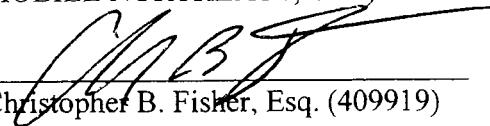
DEFENDANT  
STATE OF CONNECTICUT  
SITING COUNCIL

18 March 2010  
Date

By:   
Robert L. Marconi, Esq. (404518)  
Assistant Attorney General  
10 Franklin Square  
New Britain, CT 06051  
Tel (860) 827-2682

DEFENDANTS  
OPTASITE COMMUNICATIONS, LLC  
(SBA TOWERS II, LLC)  
OMNIPOINT COMMUNICATIONS, INC.  
(T-MOBILE NORTHEAST, LLC)

\_\_\_\_\_  
Date

By:   
Christopher B. Fisher, Esq. (409919)  
Cuddy & Feder, LLP  
445 Hamilton Avenue  
White Plains, NY 10601  
Tel (914) 761-1300

## **EXHIBIT A**

### PROJECT SUMMARY

SITE NAME	DANBURY-1		
SITE ADDRESS	52 STADLEY ROUGH ROAD DANBURY, CT 06811		
JURISDICTION:	CT SITING COUNCIL		
COUNTY:	FAIRFIELD COUNTY		
PROPERTY OWNER:	CHRIST THE SHEPARD CHURCH PCA		
APPLICANT:	SBA TOWERS II, LLC 5900 BROKEN SOUND PARKWAY BOCA RATON, FL 33487-2797 OFFICE: (561) 226-9323 FAX: (561) 226-3572		
HOURS REDDING	(203) 464-3623		
SITE COORDINATES:	2C		
LATITUDE:	N 41° 25' 59.17" (NAD 83) W 73° 25' 54.90" (NAD 83) 54° 7' 25" (NAD 88)		
ELEVATION:	547'		
UNMANNED			
OCCUPANCY:			
CONSTRUCTION TYPE:	RAW LAND		

**HANDICAPPED REQUIREMENTS**  
FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION  
HANDICAP ACCESS NOT REQUIRED  
**PLUMBING REQUIREMENTS**  
FACILITY HAS NO PLUMBING

### CONSULTING TEAM

**ARCHITECTURAL - ENGINEERING FIRM**  
CHA 2139 SULAS DEANE HIGHWAY, SUITE 212, ROCKY HILL, CT 06067  
CONTACT: PAUL LUSIANI PHONE: (860) 257-7514  
FAX: (860) 257-4557

**SURVEYING FIRM**  
CHA 2139 SULAS DEANE HIGHWAY, SUITE 212, ROCKY HILL, CT 06067  
CONTACT: PAUL LUSIANI PHONE: (860) 257-7514  
FAX: (860) 257-4557

**TELEPHONE COMPANY:**  
AT&T 1441 NORTH COLONY ROAD, MERIDEN, CT  
CONTACT: UNKNOWN  
PHONE: UNKNOWN

**POWER COMPANY:**  
CIB&P CONTACT: UNKNOWN  
PHONE: UNKNOWN

**ELECTRICAL ENGINEER:**  
CHA 2139 SULAS DEANE HIGHWAY, SUITE 212, ROCKY HILL, CT 06067  
CONTACT: PAUL LUSIANI PHONE: (860) 257-7514  
FAX: (860) 257-4557

### DRIVING DIRECTIONS

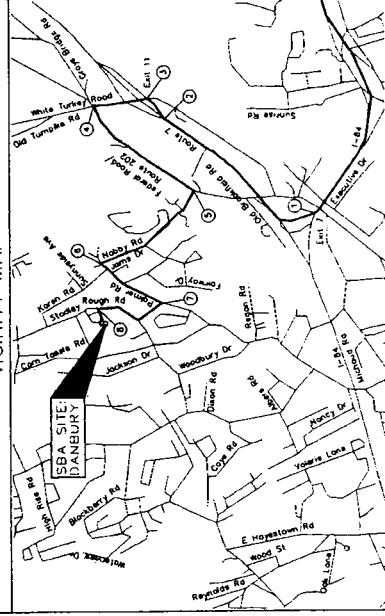
FROM I-84 WEST:  
1. TAKE EXIT 7 TOWARDS ROUTE 7 NORTH  
2. TAKE EXIT 11 OFF OF ROUTE 7  
3. TURN LEFT ON WHITE TURKEY ROAD  
4. TURN LEFT ON FEDERAL ROAD / ROUTE 202  
5. TURN LEFT ON MOBIL ROAD  
6. TURN LEFT ON PALMER ROAD  
7. TURN RIGHT ON STADLEY ROUGH ROAD  
8. SITE WILL BE ON THE LEFT BEHIND THE CHURCH



### SHEET INDEX

NO.	DESCRIPTION	REV.	REV. DATE
T-1	TITLE SHEET	E	01/04/10
T-2	ABBREVIATIONS & SYMBOLS LEGEND	D	11/30/09
ON-1	GENERAL NOTES	D	11/30/09
C-1	SITE PLAN	D	11/30/09
C-2	CONSTRUCTION PHASING PLAN AND NOTES	E	12/16/09
C-3	PHOTO PLAN	D	11/30/09
C-4	SITE GRADING PLAN	E	12/16/09
C-5	ENLARGED SITE PLAN	D	11/30/09
C-6	FOUNDATION EXCAVATION PLAN	D	11/30/09
C-7	SITE ELEVATIONS	D	11/30/09
C-8	SITE DETAILS	D	11/30/09
C-9	FENCE DETAILS	D	11/30/09
C-10	LANDSCAPE PLAN	E	01/04/10
C-11	LANDSCAPE DETAILS	D	11/30/09
C-12	ECOLOGICAL ENHANCEMENT PLAN	D	11/30/09
E-1	UTILITY SITE PLAN	D	11/30/09
E-2	UTILITY DETAILS	E	12/16/09
E-3	SINGLE-LINE DIAGRAM & PANEL SCHEDULE	E	12/16/09
E-4	GROUNDING PLAN & DETAILS	D	11/30/09
E-5	GROUNDING DETAILS	D	11/30/09
E-6	GROUNDING DETAILS	D	11/30/09

### VICINITY MAP



### ENGINEER'S LICENSE

GENERAL INSTRUCTIONS: THE DRAWINGS ARE PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THE APPROPRIATE BUILDING CODES AND WITH THE REQUIREMENTS OF THE STATE OF CONNECTICUT. LICENSED ENGINEER - STATE OF CT

PROJECT NO.: 15163-1030-1601

DATE ISSUED: 01/04/10

RENDERED FOR: TOWN OF DANBURY

RENDERED FOR: TOWN OF STADLEY ROUGH ROAD

RENDERED FOR: TOWN OF FAIRFIELD COUNTY

RENDERED FOR: CONSTRUCTION

NO. OF SHEETS: 1

REVISIONS:

1. 01/04/10 RENDERED FOR TOWN OF DANBURY

2. 11/20/09 RENDERED FOR TOWN OF STADLEY ROUGH ROAD

3. 10/21/09 RENDERED FOR TOWN OF FAIRFIELD COUNTY

4. 08/28/09 RENDERED FOR CONSTRUCTION

NO. DATE

REVISIONS:

1. 01/04/10 RENDERED FOR TOWN OF DANBURY

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NO. DATE

REVISIONS:

1. 01/04/10 RENDERED FOR TOWN OF DANBURY

2. 11/30/09 RENDERED FOR TOWN OF STADLEY ROUGH ROAD

3. 10/30/09



68

3900 BROOKEN SPRINGS  
PARKWAY, NW  
BOCA RATON, FL 33487-2797  
TEL: (561) 226-9525  
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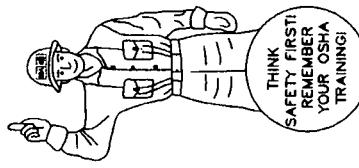
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SYMBOLS:

## ABBREVIATIONS

AB	ANCHOR BOLT	GR	GR
AC	ASPHALTIC CONCRETE	CYP	CFC
A/C	AIR CONDITIONING		
ADJ	ADJUSTABLE	GND	HDW
A.F.	ABOVE FINISH FLOOR	H.C.	HTR
ARCH	ARCHITECTURAL	H.M.	H.M.
APPROX	APPROXIMATELY	HORN	HORN
A.R.L.	ABOVE GRADE LEVEL	HT	HT
A.S.L.	ABOVE MEAN SEA LEVEL	HV	HV
BOARD	BOARD	IC	IC
BUD	BULDING	INS	INS
BULK	BULKING	IN	IN
BUTT	BUTT	LT	LT
BUTT	BUTT MAST	MA	MA
BUTT	BUTT TRANSCEIVER	MAX	MAX
BT5	BT5 STATION	MIN	MIN
C	COURSE(S)	MISC	MISC
C.E.M.	CEMENT	ML	ML
C.L.	CHAIN LINK	MO	MO
C.L.C.	CEILING	MS	MS
COL.	COLUMN	MD	MD
CONC	CONCRETE	MS	MS
CONST	CONSTRUCTION	MD	MD
CONT	CONTINUOUS	MS	MS
CORR	CORRIDOR	MSCH	MSCH
CO	CONDUIT ONLY	MIN	MIN
DIA	DIAMETER	MIC	MIC
DBL	DOUBLE	MIN	MIN
DEPT	DEPARTMENT	NO	NO
DEMO	DEMOLITION	NIS	NIS
DIM	DIMENSION	O	O
DN	DOWN	OA	OA
DK	DOOR	UC	UC
DTL	DETACH.	QHMG	QHMG
DNG	DRAWING	OPP	OPP
(E)	EXISTING	PARTN	PARTN
EA	EA	PL	PL
ELLC	ELECTRIC	PLAS	PLAS
ELEV	ELEVATION	PLWD	PLWD
ENDUP	ENDPIECE	PU	PU
EXP	EXPANSION	PROP	PROP
EXT	EXTENSION	P1	P1
FA	FREE ALARM	R	R
FLAT	FLAT STAR	REGD	REGD
FB	FINISH FLOOR	HU	HU
FF	FLAT HEAD	H.W.	H.W.
FI	FINISHED	HMS	HMS
FIN	FINISHED	HO	HO
FIR	FLOOR	SC	SC
FOS	FACE OF STUDS	SCHED	SCHED
FS	FINISH SURFACE	SECT	SECT
FT	FOOT, FEET	SHT	SHT
FIC	FOLDING		
FW	FINISH WALL		
F.G.	FINISH GRADE		
FUL	FULCRUM		
GAU	GAUZE		
GAVAL	GAVALIN		
GL	GLASS		



SYMBOLS:

SYMBOLS:

	MASONRY
	BRICK
	CONCRETE
	EARTH
	STEEL
	GRAVEL
	CENTER LINE
	PROPERTY LINE
	LEASE LINE
	EASEMENT LINE
	RIGHT-OF-WAY
	CHAIN LINK FENCE
	WOOD FENCE
	SLIT FENCE
	BELLOW GRADE
	ELECTRIC
	BELLOW GRADE
	TELEPHONE
	OVERHEAD ELECTRIC/TELEPHONE
	OVERHEAD TELEPHONE
	OVERHEAD ELECTRIC
	CONTOUR
	TREE PROTECTION FENCE
	TREE LINE
	TREES & SHRUBS
	SANITARY SEWER
	WATER LINE
	NATURAL GAS LINE

DRAWING NO. T-2

1













TOWERS ■ LLC  
SEA BROWNE SOUND  
BOCA RAVENNA, NY 11727-797  
TEL: (511) 226-9423  
FAX: (511) 226-9448

**CHA**

1100 Avenue of the Americas, Suite 2700, New York, NY 10036-3210

Phone: (212) 557-1000 • Fax: (212) 557-1001

Drawing Control &amp; Data

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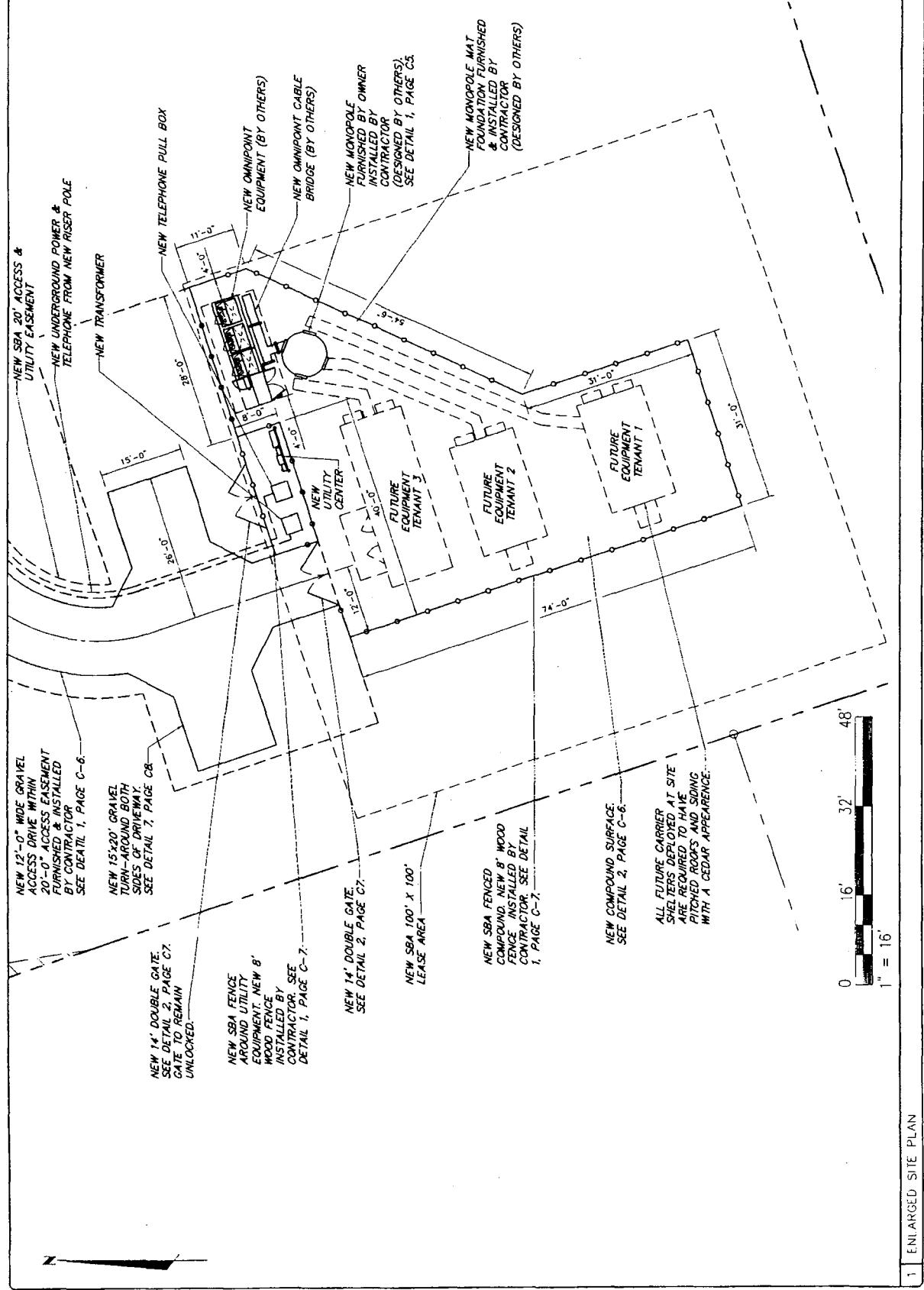
AIA PROJECT #: 15563-1030-1601

AIA CHECKED BY: P.A.

REVISIONS: 3/8

DRAWING NO. C-4

REVISION D





SEA TOWERS II, LLC  
500 BIRCHWOOD PARKWAY, NW  
BOCA RATON, FL 33487-2797  
TELE: (561) 236-2413  
FAX: (561) 236-2458

1000 BIRCHWOOD PARKWAY, SUITE 110, BOCA RATON, FL 33487-2797  
TELE: (561) 236-2413 FAX: (561) 236-2458

CHARTERED ENGINEERS & PLANNERS

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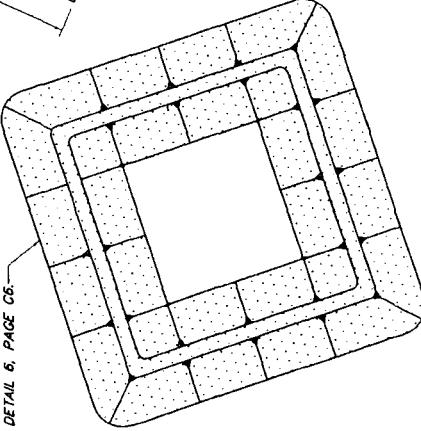
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NO OVER EXCAVATION ON SIDE NEAR  
WETLANDS IS PERMITTED. DRIVE  
SHORING INTO GROUND A MINIMUM OF  
12' BELOW GRADE AND 10' OUTSIDE  
LIMITS OF EXCAVATION PRIOR TO  
START OF ANY EXCAVATION. UTILIZE  
SHORING AS FORMS. SHORING CAN BE  
CUT OFF 3' MINIMUM BELOW GRADE  
AND LEFT IN PLACE.

TEMPORARY SOIL  
STOCKPILE AREA. NO SOIL  
IS TO BE DUMPED IN  
WETLANDS. SURROUND  
WITH SILT FENCE TO  
PREVENT EROSION INTO  
WETLANDS.

NEW MONOPOLE MATT  
FOUNDATION FURNISHED  
& INSTALLED BY  
CONTRACTOR, 19' X 19'  
(DESIGNED BY OTHERS)

TEMPORARY STYLING  
BASIN AS REQUIRED FOR  
DEWATERING ACTIVITIES  
SEE DETAIL 6, PAGE 06.



#### EXCAVATED MATERIAL / WATER HANDLING

1. NO SPECIAL HANDLING IS REQUIRED FOR NON-SATURATED SOILS (i.e. SOIL ABOVE THE WATER TABLE).
2. EXCAVATED SATURATED SOIL (i.e. SOIL BELOW THE WATER TABLE) THAT WILL BE RETURNED TO THE AREA OF CONSTRUCTION ACTIVITIES REQUIRES NO SPECIAL HANDLING. STORE SATURATED SOILS AT AN UPLAND AREA MORE THAN 50' FROM WETLANDS UNTIL SOILS ARE DRAINED.
3. EXCAVATED SOILS THAT WILL BE TRANSPORTED OFF-SITE OR TO ANOTHER LOCATION ON THE PROPERTY SHALL BE STORED AND LOCATED IN THE FOUL SETTING AND MAINTAINED IN COORDINATION WITH APPLICABLE STATE AND FEDERAL GUIDELINES.
4. Dewatering of excavation below 7' should be monitored and managed in accordance with applicable local, state, and federal regulations. Since the bottom of footing is 6' below grade, excavation below 7' is not required and should not be completed without SIA approval.

**WETLAND PROTECTION NOTE:**  
DISTURBANCE OF FLAGGED WETLAND AREA IS NOT  
PERMITTED. CONTRACTOR TO PROTECT WETLANDS AT  
ALL TIMES DURING CONSTRUCTION. SILT FENCING TO  
SURROUND WETLANDS AT ALL TIMES AND MUST BE  
MAINTAINED THROUGHOUT DURATION OF CONSTRUCTION.  
FLOW OF CONSTRUCTION DEBRIS SHALL BE DIRECTED  
AWAY FROM WETLANDS.

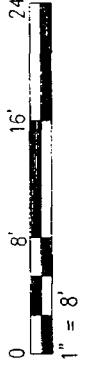
NEW SILT FENCE, TYP.

FURNISHED & INSTALLED

BY CONTRACTOR. SEE

DETAIL 4,

PAGE C-6









**SEEDING NOTES:**

ALL DISTURBED AREAS SHALL BE SONN AND SEEDED WITH THE FOLLOWING

**SEEDING MIX:**JDR, HASSAU, KENTUCKY BLUEGRASS  
25% BELMONT, KENTUCKY BLUEGRASS

25% TIDY LENDT, KENTUCKY BLUEGRASS

25% FINE TURF, KENTUCKY BLUEGRASS

2. WEED SEED CONTENT SHALL NOT EXCEED 0.25%.

3. THE SEED MATURE SHALL BE DISTRIBUTED BY MEANS OF HYDRO-SEEDING.  
4. THE FERTILIZER SHALL BE A 5-10-5 COMMERCIAL GRADE FERTILIZER APPLIED AT THE MANUFACTURER'S RECOMMENDED APPLICATION RATE.

5. SEEDING APPLICATION RATE SHALL BE 5 LBS PER 1,000 SQ FT.

**TOPSOIL NOTES:**

1. ALL DISTURBED AREAS TO BE SICKED OR PLANTED SHALL RECEIVE TOPSOIL (6" minimum depth).

2. TOPSOIL SHALL CONSIST OF FERTILE, FRAMBLE, NATURAL LOAM FREE OF SUBSOIL, CLAY LUMPS, BRUSH, STONES OR OTHER DELTERIOUS MATERIALS. LARGER THAN 2" IN GREATEST DIAMETER AND MEETING THE FOLLOWING GRADATION. PH AND ORGANIC CONSTITUTE REQUIREMENTS.

3. SEEDING SHALL BE PERFORMED ON TOPSOIL.

4. TOPSOIL SHALL BE PLANTED ON TOPSOIL.

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**PLANTING SCHEDULE**

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	SPACING	SYMBOL	REMARKS
TC	12	TAXUS CUSPIDATA	CAPITATA YEW	8'-0" TALL	B & B	10'-0" O.C.		FULL TO BASE
WP	7	THUJA OCC. 'TECHN'	MISSION ARBORVITAE	8'-0" TALL	B & B	10'-0" O.C.		FULL TO BASE
JV	6	Juniperus virginiana	EASTERN RED CEDAR	8'-0" TALL	B & B	10'-0" O.C.		FULL TO BASE



DRAFTS FOR APPROVAL

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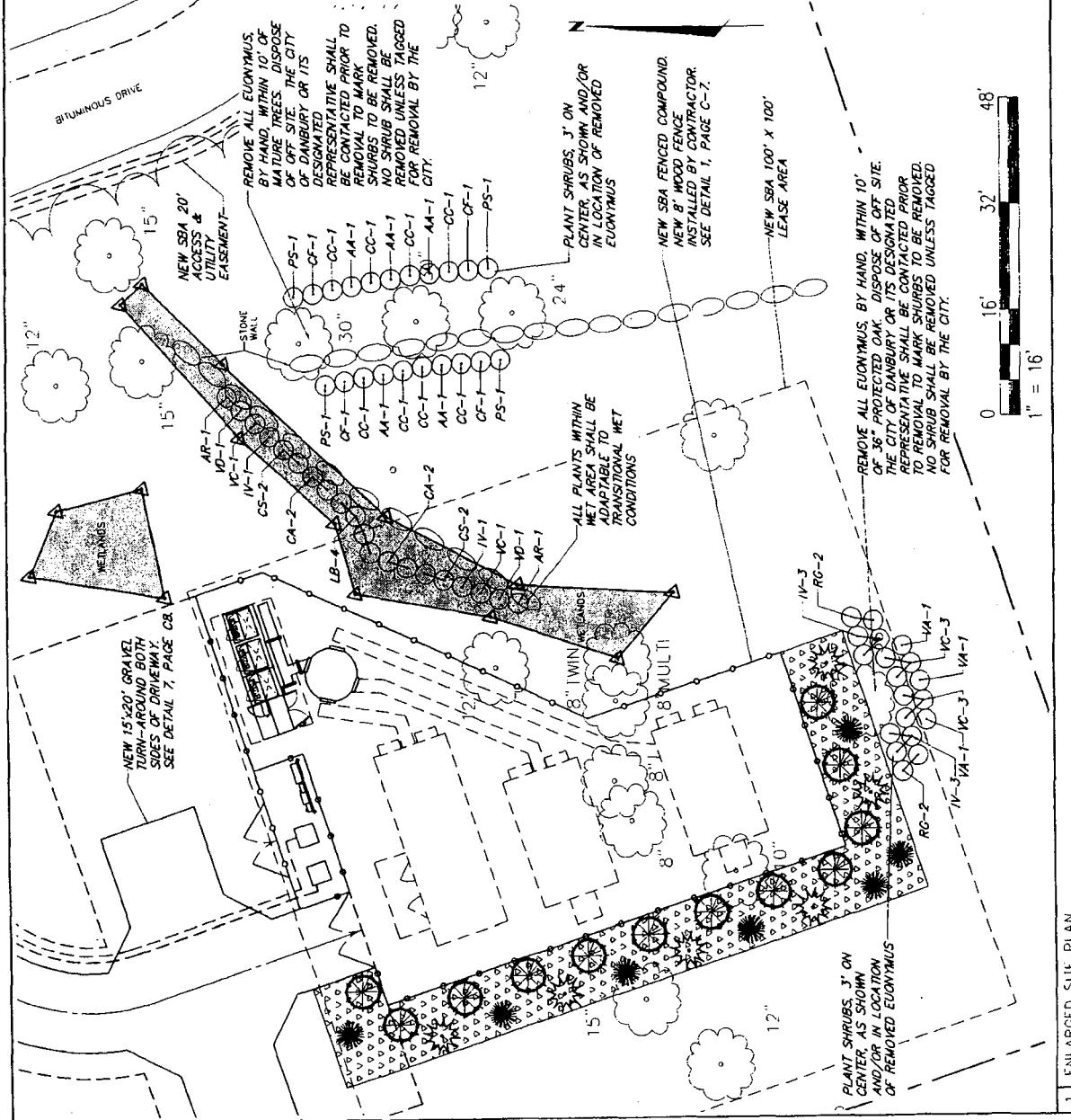
TOWERS II LLC  
BROKEN SOUND  
ARKWAY, NW  
CON, FL 33487-2797  
(561) 226-9523  
(561) 226-9768

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**NOTE:** ALL PLANTINGS SHALL BE INSPECTED AT THE END OF EACH YEAR AFTER THE DATE OF SUBSTANTIAL COMPLETION THROUGH THE END OF THE YEAR. ANY DEAD PLANTINGS FOUND AT EACH SUCH INSPECTION SHALL BE REPLACED. SUCH AN ANNUAL REPORT DOCUMENTING THIS SHALL BE SUBMITTED TO THE CITY OF DANBURY DEPARTMENT OF HEALTH & HOUSING.

## PLANTING SCHEDULE









SBIA TUMERS & LLL  
9900 BROKEN SOUND  
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BOCA RATON, FL 33487-2797  
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2022-23 Session Dates/Holiday, Rule 217 - Budget 142, CT 1003/2022

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NAME PROJECT #. 15362-1030-1601

SEARCHED BY: **PAUL**

## REVISIONS

12/10/01 60/01 1000 COMMUN

10/10/80 AUTOMATION

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15363-1030-1601

DANBURY-1

CT13549

52 STADLEY ROUGH ROAD  
DANSEY, ST. 00-81

DESIGN TYPE, **RAW LAND**

**SHEET TITLE**      **SINGLE LINE DIAGRAM**

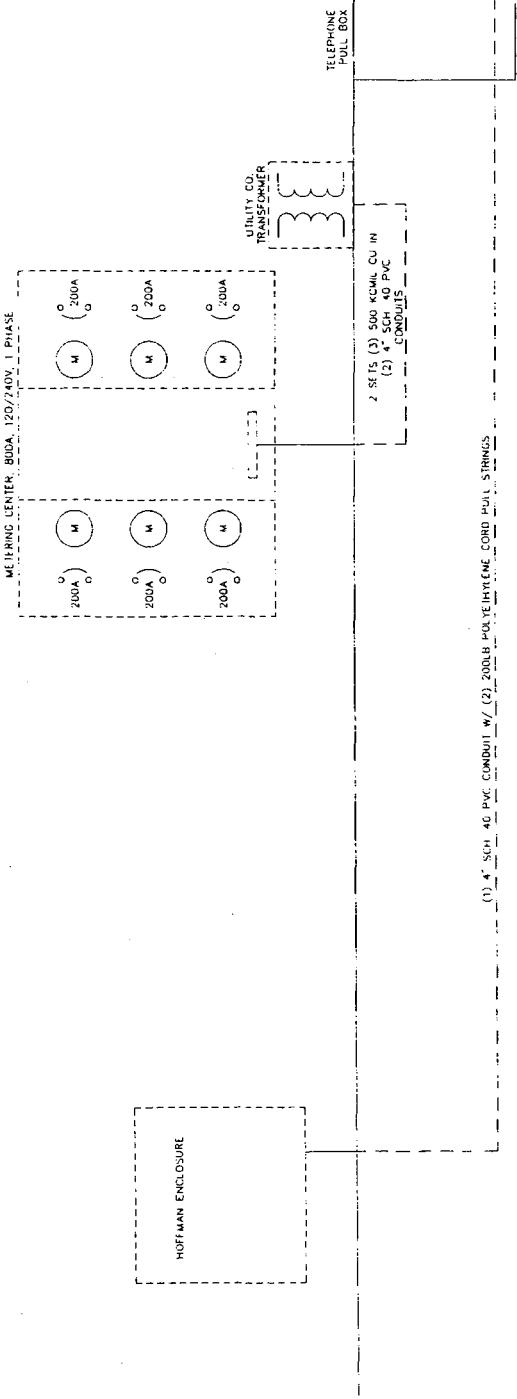
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SBA TOWERS II LLC  
5900 BROKEN SOUND  
PARKWAY, NW  
A. RAYON, FL 33487-279

226-9525

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144 PROJECT 1533-1981

DRAWN BY:	CLM	11/20/09	REVISED PER TOWER COMMENT
CHECKED BY:	PAL	10/21/09	REVISED PER TOWER COMMENT
		10/20/09	REVISED TOWER FOUNDATION

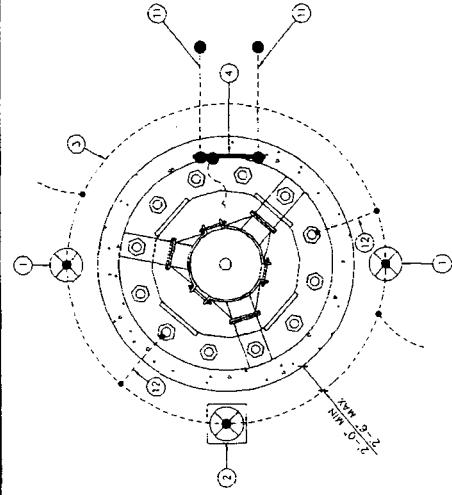
08/21/08 ISSUED FOR CONSTRUCTION

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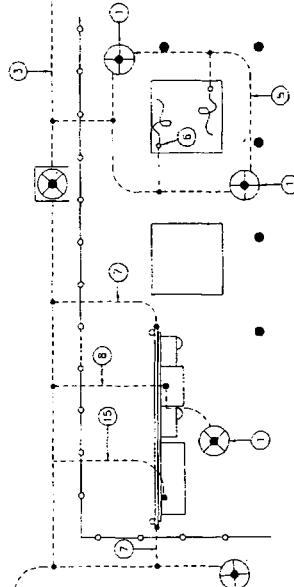
PROJECT NO. 15363-1030-1601  
SITE NAME: DANBURY-1  
WHITE RANGER C 13349  
SITE ADDRESS 52 STADDLEY ROUGH ROAD  
DANBURY CT 06811

DRAWING NO. : 001		REVISION
DESIGN TYPE : RAW LAND		D
SHEET TITLE: GROUNDING PLAN & DETAILS		
DRAWING NO. : FG-1		

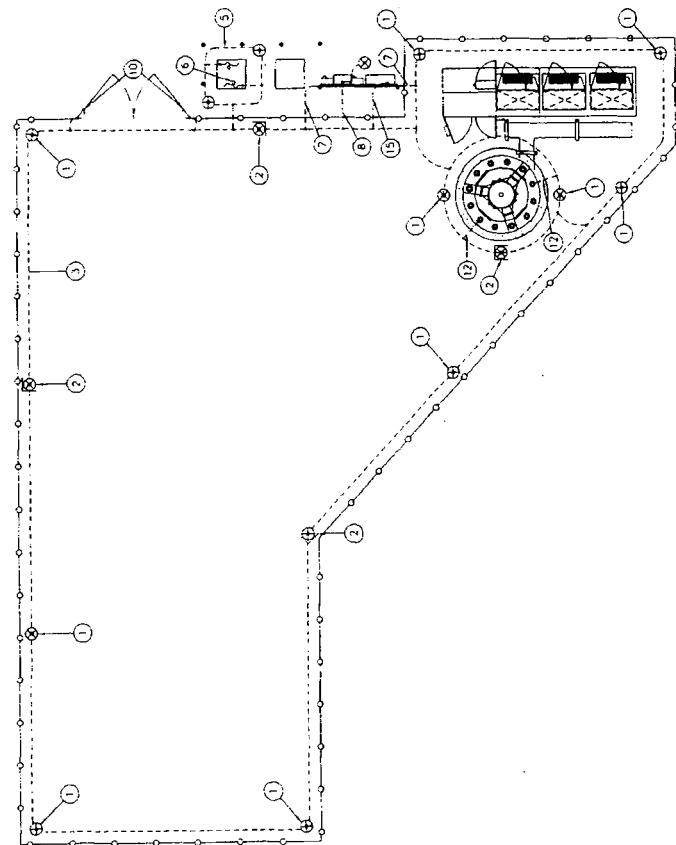
## SYMBOLS LEGEND



## 2 ENLARGED GROUNDING PLAN @ LOWER BASE (TYP)



### ENLARGED GROUNDDING PLAN @ UTILITY & TELCO PEDESTAL



BALLOON REFERENCE NOTES

(1) 5'x8'-#8 COPPER CLAD GROUND ROD BURIED 36" BELOW GRADE (MIN.)

(2) GROUND ROD ACCESS WELL (WIN. OF 4 EACH PER COMPOUND)

(3) #8 SOLID, TINNED, BARE COPPER WHITE GROUND RING

(4) 1 1/4" x 40" INNED COPPER GROUND BAR, 2 TIP, 1/8" AL. BASE AND TOP OF TOWER

(5) #8 SOLID, TINNED, BARE COPPER WHITE GROUND RING (CONTINUOUS STRAND) FOR UTILITY TRANSFORMER PER NEC AND UTILITY COMPANY SPECIFICATIONS

(6) #8 SOLID, INNED, BARE COPPER GROUND LEAD FROM UTILITY TRANSFORMER TO GROUND RING. (2 TYPICAL)

(7) #8 SOLID, INNED, BARE COPPER WHITE GROUND LEAD TO UTILITY FRAME SUPPORT POST

(8) SERVICE ENTRANCE GROUND TO DEDICATED GROUND ROD

(9) #8 SOLID, INNED, BARE COPPER WIRE FROM PPC TO GROUND RING

(10) #2 INSULATED, STRANDED COPPER BOND STRAP FROM GATE FRAME TO GATE POST (1 PC EACH GATE)

(11) #2 SOLID, TINNED, BARE COPPER GROUND LEAD FROM GROUND BAR AT MUNDPOL BASE TO GROUND RING ROUTE IN 5/4" FLEX CONDUIT AND WEATHERPROOF OPEN END (2 TYPICAL)

(12) #2 SOLID, INNED, BARE COPPER GROUND LEAD FROM MONOPOLE BASE TO GROUND RING (2 TYPICAL, 180' SEPARATION)

(13) 1 1/4" x 40" TINNED COPPER GROUND BAR

(14) #2 SOLID, TINNED, BARE COPPER GROUND LEAD FROM GROUND BAR TO GROUND RING, ROUTE IN 5/4" FLEX CONDUIT AND WEATHERPROOF OPEN END (2 TYPICAL)

(15) #2 SOLID, TINNED, BARE COPPER WIRE FROM HOW-MAN BOX TO GROUND RING

(16) #2 SOLID, TINNED, BARE COPPER WIRE FROM EQUIPMENT CABINET TO GROUND RING

1 SITE CECO/INDIA PI AN (TYPE)

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AAE PROJ. CTR. #

15363-1030-1601

DRAWN BY

CH2

CHECKED BY

PAE

REVISIONS

1

DATE

08/21/10

DESCRIPTION

PROJECT No.

15363-1030-1601

SITE NAME:

DANBURY-1

SITE NUMBER:

CT13549

SITE ADDRESS:

52 STADLEY ROUGH ROAD

DANBURY, CT 06811

Soil Type:

RAW LAND

STREET NAME:

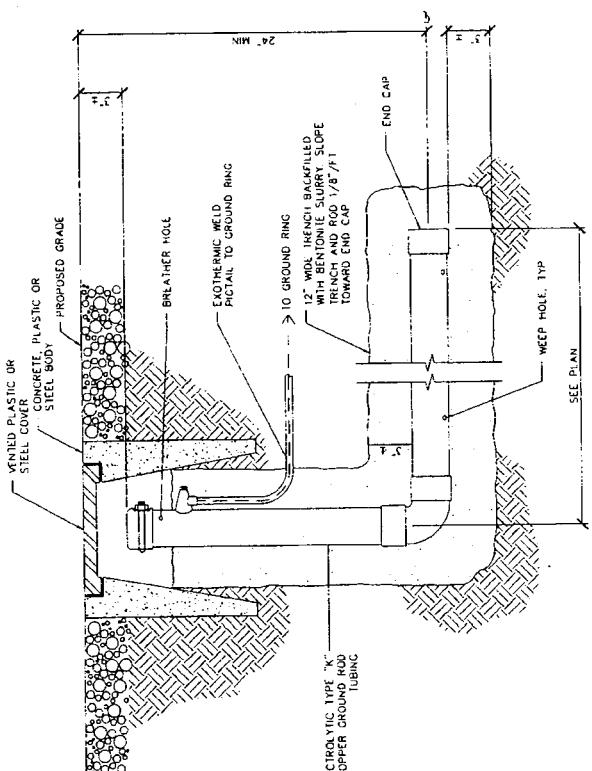
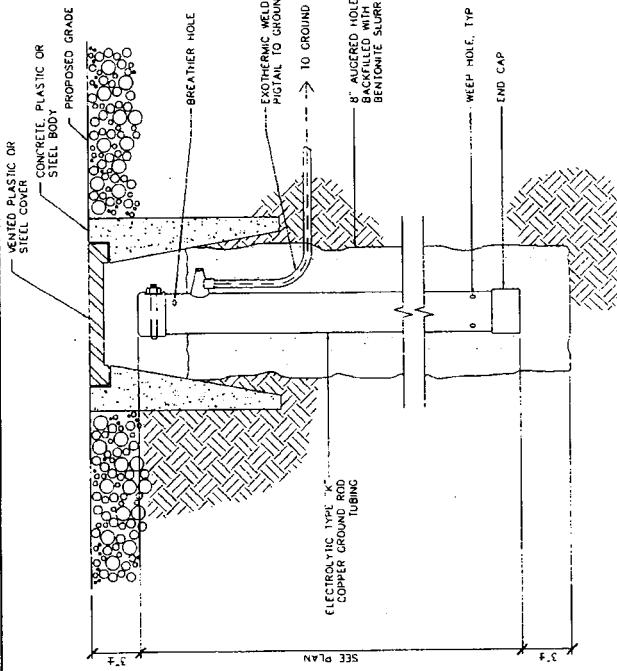
GROUNDING DETAILS

DRAWING NO.

EG-3

REVISION:

D



SCALE N 1 S

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1 X11 CHEMICAL GROUND DETAIL HORIZONTAL (WHEN REQUIRED) 2 X11 CHEMICAL GROUND DETAIL VERTICAL (WHEN REQUIRED)

SCALE N 1 S

**DOCKET NO. 366** - Optasite Towers LLC and Omnipoint } Connecticut  
Communications, Inc. application for a Certificate of }  
Environmental Compatibility and Public Need for the } Siting  
construction, maintenance and operation of a telecommunications } Council  
facility located at 52 Stadley Rough Road in Danbury, }  
Connecticut.

April 23, 2009

### **Decision and Order**

Pursuant to the foregoing Findings of Fact and Opinion, the Connecticut Siting Council (Council) finds that the effects associated with the construction, operation, and maintenance of a telecommunications facility, including effects on the natural environment; ecological integrity and balance; public health and safety; scenic, historic, and recreational values; forests and parks; air and water purity; and fish and wildlife are not disproportionate, either alone or cumulatively with other effects, when compared to need, are not in conflict with the policies of the State concerning such effects, and are not sufficient reason to deny the application, and therefore directs that a Certificate of Environmental Compatibility and Public Need, as provided by General Statutes § 16-50k, be issued to Optasite Towers LLC, hereinafter referred to as the Certificate Holder, for a telecommunications facility at 52 Stadley Rough Road, Danbury, Connecticut.

The facility shall be constructed, operated, and maintained substantially as specified in the Council's record in this matter, and subject to the following conditions:

1. The tower shall be constructed as a monopole, no taller than necessary to provide the proposed telecommunications services, sufficient to accommodate the antennas of Omnipoint Communications, Inc. and other entities, both public and private, but such tower shall not exceed a height of 140 feet above ground level. All antennas attached to the monopole shall be flush-mounted.
2. The Certificate Holder shall shift, to the extent feasible, the compound to the north and east to help retain the existing vegetative buffer.
3. The Certificate Holder shall incorporate an architectural treatment for the fence of the facility compound and any equipment shelters therein that is consistent with and amenable to adjacent land uses.
4. The Certificate Holder shall prepare a Development and Management (D&M) Plan for this site in compliance with Sections 16-50j-75 through 16-50j-77 of the Regulations of Connecticut State Agencies. The D&M Plan shall be served on the City of Danbury for comment, and all parties and intervenors as listed in the service list, and submitted to and approved by the Council prior to the commencement of facility construction and shall include:

- a) a final site plan(s) of site development to include specifications for the tower, tower foundation, antennas, equipment compound, radio equipment, access road, utility line, and landscaping that will provide additional vegetative buffering for the adjacent properties; and
  - b) construction plans for site clearing, grading, landscaping, water drainage, and erosion and sedimentation controls consistent with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended.
5. The Certificate Holder shall, prior to the commencement of operation, provide the Council worst-case modeling of the electromagnetic radio frequency power density of all proposed entities' antennas at the closest point of uncontrolled access to the tower base, consistent with Federal Communications Commission, Office of Engineering and Technology, Bulletin No. 65, August 1997. The Certificate Holder shall ensure a recalculated report of the electromagnetic radio frequency power density be submitted to the Council if and when circumstances in operation cause a change in power density above the levels calculated and provided pursuant to this Decision and Order.
6. Upon the establishment of any new State or federal radio frequency standards applicable to frequencies of this facility, the facility granted herein shall be brought into compliance with such standards.
7. The Certificate Holder shall permit public or private entities to share space on the proposed tower for fair consideration, or shall provide any requesting entity with specific legal, technical, environmental, or economic reasons precluding such tower sharing.
8. The Certificate Holder shall provide reasonable space on the tower for no compensation for any City of Danbury public safety services (police, fire and medical services), provided such use can be accommodated and is compatible with the structural integrity of the tower.
9. Unless otherwise approved by the Council, if the facility authorized herein is not fully constructed and providing wireless services within eighteen months from the date of the mailing of the Council's Findings of Fact, Opinion, and Decision and Order (collectively called "Final Decision"), this Decision and Order shall be void, and the Certificate Holder shall dismantle the tower and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made. The time between the filing and resolution of any appeals of the Council's Final Decision shall not be counted in calculating this deadline.
10. Any request for extension of the time period referred to in Condition 9 shall be filed with the Council not later than 60 days prior to the expiration date of this Certificate and shall be served on all parties and intervenors, as listed in the service list, and the City of Danbury. Any proposed modifications to this Decision and Order shall likewise be so served.
11. If the facility ceases to provide wireless services for a period of one year, this Decision and Order shall be void, and the Certificate Holder shall dismantle the tower and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made.

12. The Certificate Holder shall remove any nonfunctioning antenna, and associated antenna mounting equipment, within 60 days of the date the antenna ceased to function.
13. In accordance with Section 16-50j-77 of the Regulations of Connecticut State Agencies, the Certificate Holder shall provide the Council with written notice two weeks prior to the commencement of site construction activities. In addition, the Certificate Holder shall provide the Council with written notice of the completion of site construction and the commencement of site operation.

Pursuant to General Statutes § 16-50p, the Council hereby directs that a copy of the Findings of Fact, Opinion, and Decision and Order be served on each person listed below, and notice of issuance shall be published in the Danbury News-Times.

By this Decision and Order, the Council disposes of the legal rights, duties, and privileges of each party named or admitted to the proceeding in accordance with Section 16-50j-17 of the Regulations of Connecticut State Agencies.

The parties and intervenors to this proceeding are:

**APPLICANT**

Optasite Towers LLC and  
Omnipoint Communications, Inc.  
One Research Drive, Suite 200C  
Westborough, MA 01581

City of Danbury

**ITS REPRESENTATIVE**

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