



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square
New Britain, Connecticut 06051
Phone: (860) 827-2935
Fax: (860) 827-2950

April 26, 1999

Honorable Samuel D. Bartlett
First Selectman
Town of Guilford
Town Hall, 31 Park Street
Guilford, CT 06437

RE: TS-BAM/SCLP/NEXTEL-060-980821 - Cellco Partnership d/b/a Bell Atlantic Mobile, Springwich Cellular Limited Partnership, and Nextel Communications request for an order to approve tower sharing at an existing telecommunications facility located at 1919 Boston Post Road, Guilford, Connecticut.

Dear Mr. Bartlett:

Pursuant to our meeting held on April 15, 1999, I am providing you with a revised landscaping plan that Nextel has agreed to develop. This plan appears to be consistent with the requests by the adjacent property owner, Richard Russo, for additional screening on the southern and eastern sides of the compound. Because some of the proposed trees may be planted on Mr. Russo's property, Nextel will require an access agreement with Mr. Russo to gain authorization to plant these trees on his property.

It is my understanding that you will provide this plan to Town Planner George Kral and Mr. Russo for their comments. Please contact me if these plans are acceptable and/or if any changes are necessary.

Very truly yours,

Joel M. Rinebold
Executive Director

JMR:sg

Enclosure (1)

c: Ronald C. Clark, Nextel Communications
Julie M. Cashin, Hurwitz & Sagarin, PC

NEXTEL

April 23, 1999

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APR 26 1999

CONNECTICUT
SITING COUNCIL

Mr. Richard Russo
RCK Builders, Inc.
787 Nut Plains Road
Guilford, Connecticut 06437

Dear Mr. Russo:

Thank you so very much for your time on the telephone this morning and for providing me with your thoughts and background on the communications facility being built next to your property in Guilford. I am most appreciative and certainly understand your position.

As promised, I have attached a copy of the revised site plan that was prepared as a result of my meeting last Friday with Mr. Joel Rinebold. It shows the additional tree plantings that I believe were discussed during your meeting with Mr. Rinebold last week. I hope the plan meets with your expectations.

If you have any questions, would like more information or wish to meet at the site to discuss this material in person, please let me know.

Thanks again.

Respectfully,



Ronald C. Clark
Manager Real Estate Operations

Enclosure (1)



April 21, 1999

Mr. Joel M. Rinebold
Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, Connecticut 06051

Dear Mr. Rinebold:

First, and on Behalf of Nextel Communications, Inc., I wish to express my thanks for your interest and assistance concerning construction of the shared use communications facility at 1919 Boston Post Road in Guilford. We are indeed appreciative.

As a result of your site meeting and our subsequent discussion, Nextel hereby agrees to modify it's landscaping plan as follows:

1. Add a row of ten (10), 5-foot White Pine trees along the southern border of the fenced compound. These trees would be planted on Mr. Russo's property, along the property line.
2. Extend the row of White Pines to be planted along the Eastern side of the compound by planting five (5), additional 5-foot trees on Mr. Russo's property. The northernmost White Pine will extend "above" the southern side of the storage building on Mr. Stone's property.

A copy of a revised site plan that shows these changes is attached.

Please keep in mind Nextel will need to execute an Access Agreement with Mr. Russo to gain authorization to plant these trees on his property. We will provide you a copy of this document, when signed, for your files.

Thanks Again. If you have any questions or would like more information, please let me know.

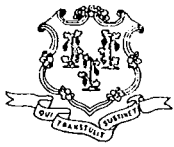
Respectfully,

A handwritten signature in black ink, appearing to read "Ronald C. Clark". The signature is written in a cursive, flowing style.

Ronald C. Clark
Manager Real Estate Operations

Enclosure (1)

CC: Christopher B. Fisher, Esq.



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square
New Britain, Connecticut 06051
Phone: (860) 827-2935
Fax: (860) 827-2950

September 15, 1998

Kenneth C. Baldwin
Robinson & Cole
One Commercial Plaza
280 Trumbull Street
Hartford, CT 06103-3597

RE: TS-BAM/SCLP/NEXTEL-060-980821 - Cellco Partnership d/b/a Bell Atlantic Mobile, Springwich Cellular Limited Partnership, and Nextel Communications request for an order to approve tower sharing at an existing telecommunications facility located at 1919 Boston Post Road, Guilford, Connecticut.

Dear Attorney Baldwin:

At a public meeting held on September 10, 1998, the Connecticut Siting Council (Council) ruled that the shared use of this existing tower site is technically, legally, environmentally, and economically feasible and meets public safety concerns, and therefore, in compliance with General Statutes § 16-50aa, the Council has ordered the shared use of this facility to avoid the unnecessary proliferation of tower structures.

This facility has been carefully modeled to ensure that radio frequency emissions are conservatively below State and federal standards applicable to the frequency now used on this tower. Any additional change to this facility will require explicit notice to this agency pursuant to Regulations of Connecticut State Agencies Section 16-50j-73. Such notice shall include all relevant information regarding the proposed change with cumulative worst-case modeling of radio frequency exposure at the closest point uncontrolled access to the tower base, consistent with Federal Communications Commission, Office of Engineering and Technology, Bulletin 65. Any deviation from this format may result in the Council implementing enforcement proceedings pursuant to General Statutes § 16-50u including, without limitation, imposition of expenses resulting from such failure and of civil penalties in an amount not less than one thousand dollars per day for each day of construction or operation in material violation.

This decision applies only to this request for tower sharing and is not applicable to any other request or construction.

The proposed shared use is to be implemented as specified in your letter dated August 21, 1998, and errata dated August 31, 1998 and September 9, 1998. Please notify the Council when all work is complete.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Mortimer A. Gelston".

Mortimer A. Gelston
Chairman

MAG/RKE/jlh

c: Honorable Samuel D. Bartlett, First Selectman, Town of Guilford

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280 Trumbull Street
Hartford, CT 06103-3597
860-275-8200
Fax 860-275-8299

Kenneth C. Baldwin
860-275-8345
Internet: kbaldwin@rc.com

September 9, 1998

Via Hand Delivery

Joel M. Rinebold
Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

RECEIVED

SEP - 9 1998

CONNECTICUT
SITING COUNCIL

Re: **Guilford Tower Share Proposal**
TS-BAM/SCLP/NEXTEL - 060-980821

Dear Mr. Rinebold:

As you requested on Friday morning, September 4, 1998, representatives of Bell Atlantic Mobile, Springwich Cellular Limited Partnership and Sprint Spectrum LP met with Guilford Town Planner George Kral regarding the above-referenced tower share proposal. We described for Mr. Kral the Siting Council approval process under C.G.S. § 16-50aa and the proposed modifications to the existing 50' x 50' Sprint site compound. Mr. Kral was assured that the modifications to the Sprint facility would not extend beyond the site compound and that the replacement tower would not exceed the height of the existing tower.

At Mr. Kral's request, the carriers agreed to supplement the proposed plantings along the easterly boundary of the site compound to increase the overall buffer between the compound and the adjacent property to the east. Mr. Kral had no other comments with respect to the proposed modifications.

Following the Siting Council's September 1, 1998 meeting, you made some additional comments with respect to the proposed replacement tower and site grading. In response to those comments we offer the following information.

1. The new tower, proposed to replace the existing Sprint tower will have a diameter, at the base, of 40.2" and a diameter, at the top, of 20". The existing tower has a diameter, at the base, of 42.7" and a diameter, at the top, of 16".

Joel M. Rinebold
September 8, 1998
Page 2

2. The existing white pines, planted by Sprint pursuant to the approval of the Guilford Planning and Zoning Commission will be replanted outside the new fence-line, as shown on the project plans. Overall, the number of trees used to screen the new site compound will increase significantly over that which is currently in place. The enclosed plan also shows the additional plantings along the easterly side of the site compound added at the request of Mr. Kral.

3. In an effort to better illustrate site grading, particularly along the southerly side of the site compound, BAM engineers have developed two cross-section drawings through the site compound. As you can see, actual grading of soil along the southerly compound line will be minimal due, in large part, to the location and character of the proposed building foundations. For example, the building foundation which will support the BAM equipment structure will be somewhat larger than the footprint of the building itself. By doing this, the southerly and westerly portion of the building foundation will act as a retaining wall in the corner of the site compound. To avoid additional need for grading in this same area, the plans call for the mounting of the 8' high security fence on the building foundation itself. This approach will allow BAM and the other carriers to expand the site compound to the west while not disturbing the existing grades to the south of the compound area. (See attached letter from URS Greiner.)

I trust this information satisfies your remaining concerns about the proposal. If you have any additional questions between now and the Council's September 10th meeting, please contact me immediately. We look forward to your comments and Siting Council action on September 10, 1998.

Sincerely,



Kenneth C. Baldwin

KCB/kmd

Enclosures

cc: Sandy M. Carter
Christopher Gelinias
Michelle Carlo
Ronald C. Clark

URS Greiner

September 8, 1998

Ms. Sandy Carter
Manager Real Estate-Zoning
Bell Atlantic Mobile
20 Alexander Drive
Wallingford, CT 06492

**Re: Guilford Tower Share Proposal
1919 Boston Post Road
Guilford, CT
F301727.04**

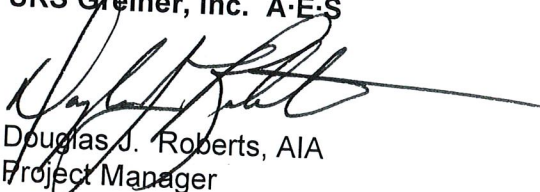
Dear Ms. Carter:

At your request, this letter is being provided to explain the grading at the Guilford Site and specific design elements which were incorporated to allow the facility to be constructed without the use of retaining walls.

As can be seen from the attached site plan, the compound area while fairly level on the east side, drops off sharply to the west. Due to the existing Sprint lease limitations, the BAM and NEXTEL equipment shelters will have to be located in this area. In order to avoid constructing high retaining walls to contain the compound and the two equipment shelters, the foundations for the buildings will act as retaining walls by extending further to the west than the shelters. The proposed foundation pad will have the dual purpose of providing a surface for the chain link fence to be mounted on.

If you have any questions or need any additional information relative to this site, please call me.
Sincerely,

URS Greiner, Inc. A-E-S


Douglas J. Roberts, AIA
Project Manager

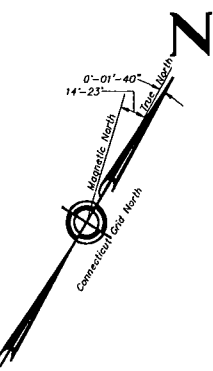
cc: K. Baldwin
I. Artaiz
A. Abadjian

URS Greiner, Inc. A-E-S
500 Enterprise Drive, Suite 3B
Rocky Hill, Connecticut 06067-4002
Telephone: (860) 529-8882
Facsimile: (860) 529-3991
Offices in Principal Cities Nationwide

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SEP - 9 1998

**CONNECTICUT
SITING COUNCIL**



N/F
Richard M. Russo
Et Al

PLANNING
SUBMISSION

NOT FOR CONSTRUCTION

PROJECT NO:
NEXTEL F301731.00
BAM F301727.04
SNET F301049.38

DRAWN BY: DFG

CHECKED BY:

ISSUED FOR	
05-18-98	PLANNING AND ZONING
06-19-98	REVIEW
06-23-98	PLANNING AND ZONING
08-19-98	SITING COUNCIL
09-08-98	SITING COUNCIL

THE INFORMATION CONTAINED
IN THIS SET OF DOCUMENTS
IS PROPRIETARY BY NATURE.
ANY USE OR DISCLOSURE
OTHER THAN THAT WHICH
RELATES TO NEXTEL IS
STRICTLY PROHIBITED.

GUILFORD
WEST STONE
1919 BOSTON POST ROAD
GUILFORD, CT

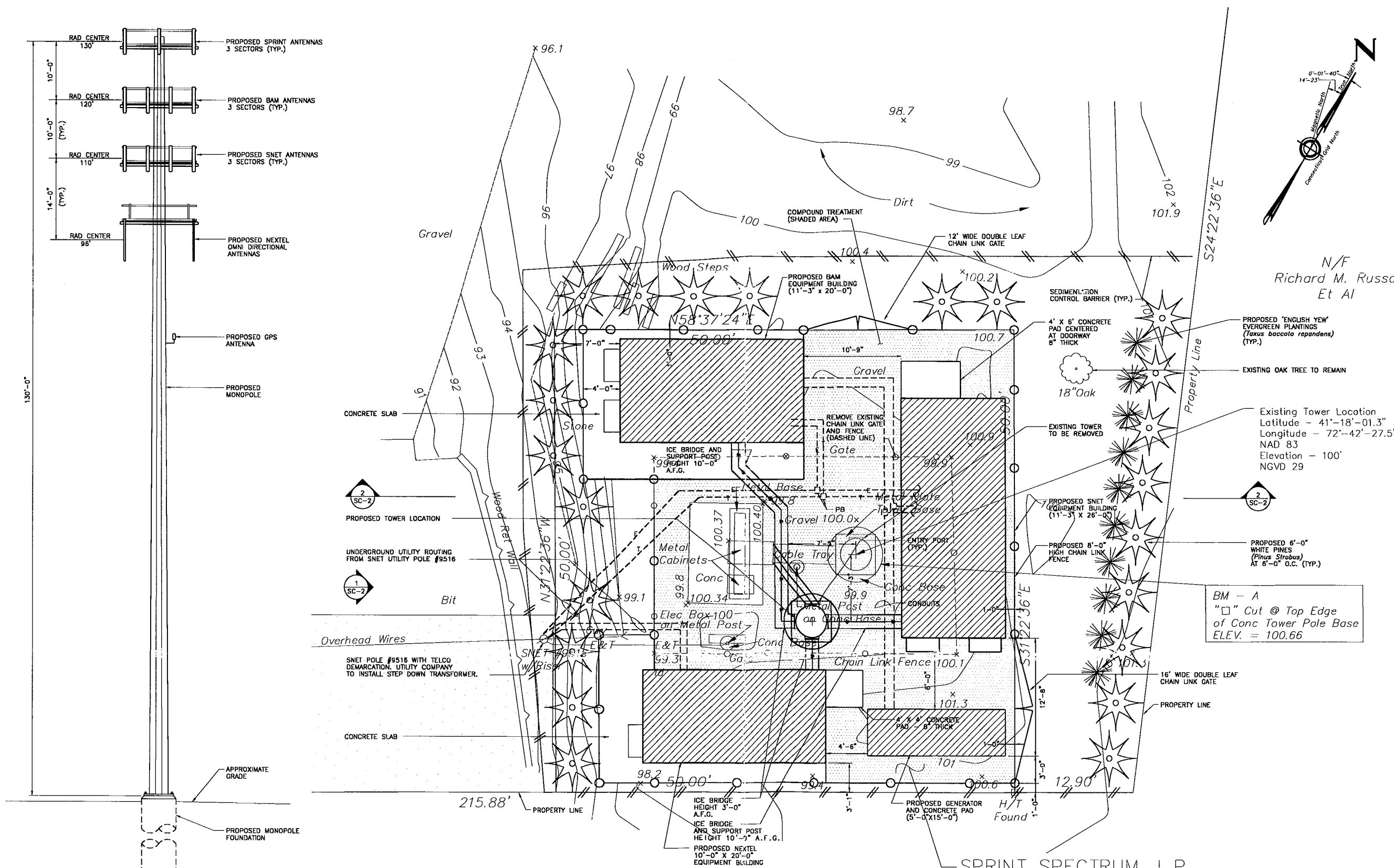
SCALE: AS NOTED

DATE: 05-18-98

DRAWING 1 OF 2

SITE
PLAN

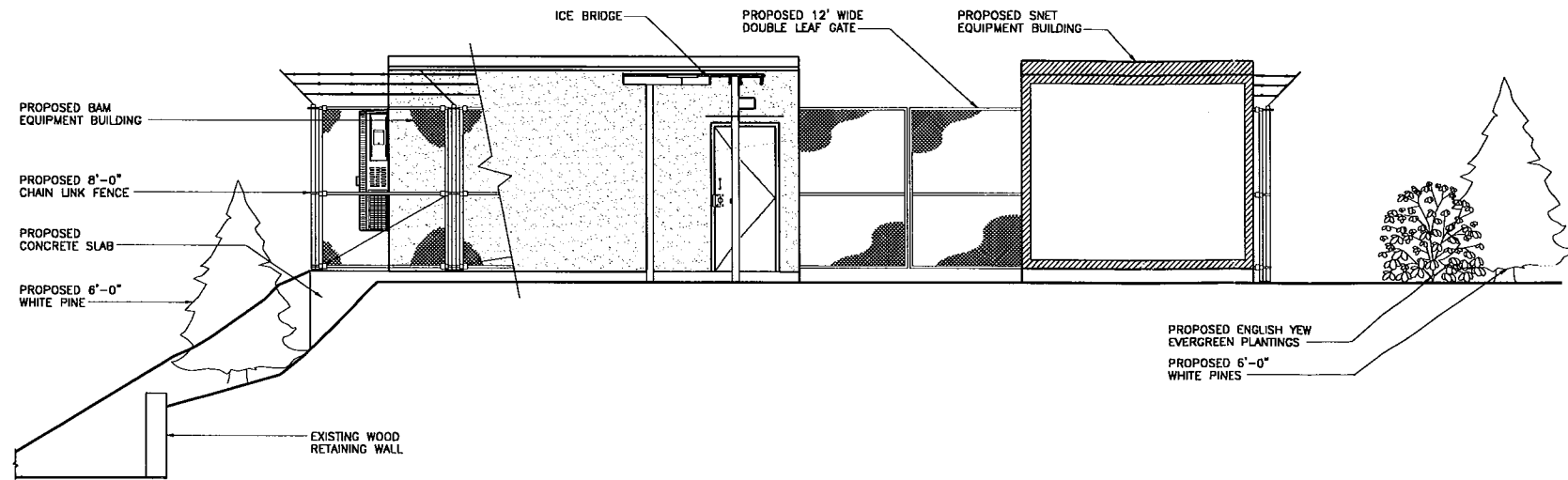
SC-1



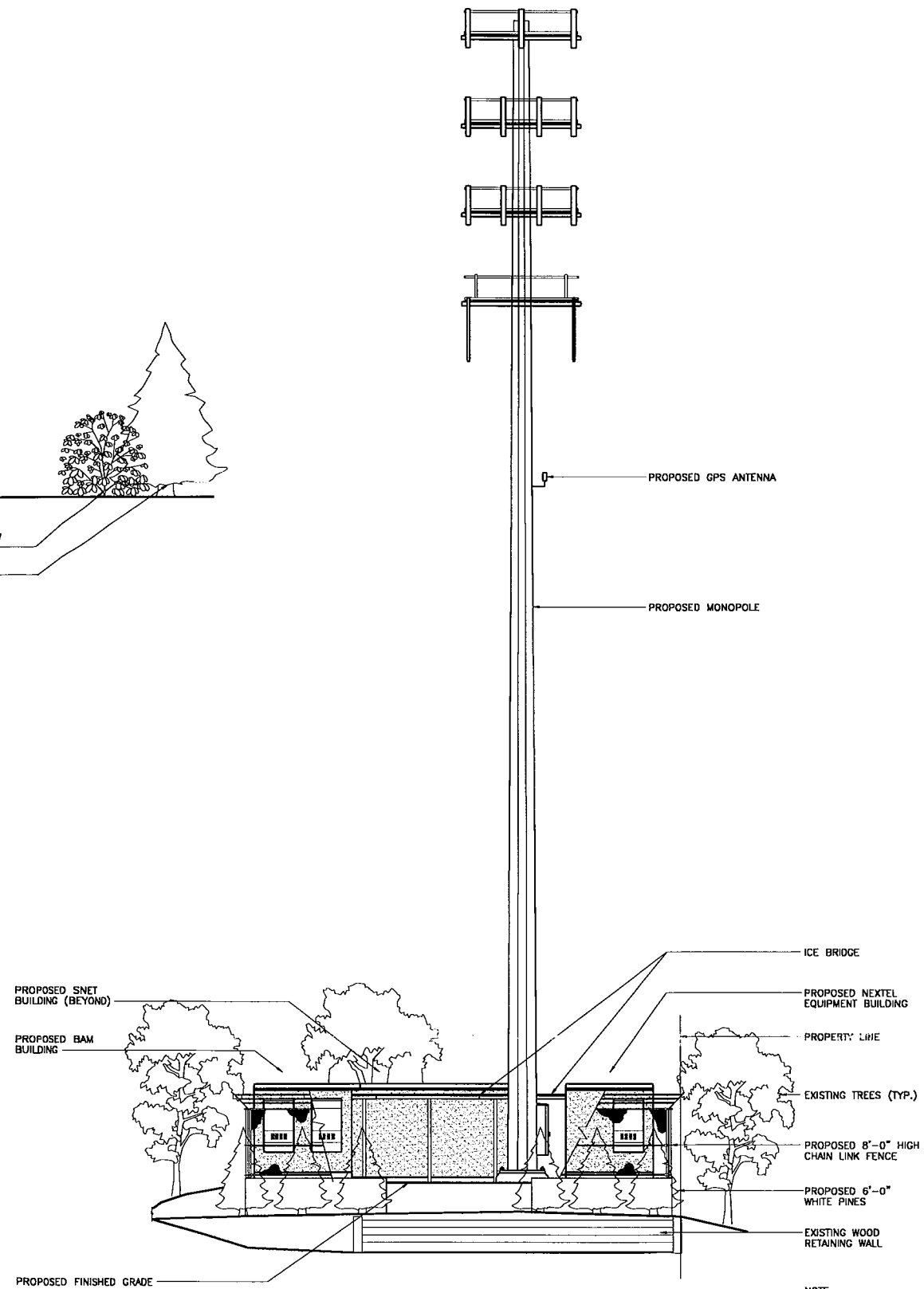
2 TOWER ELEVATION
SCALE: 1/8" = 1'-0"

1 SITE PLAN
SCALE: 1" = 5'-0"

SPRINT SPECTRUM, L.P.
LEASE PARCEL
AREA = 2500 SQ.FT.



2 SECTION THRU COMPOUND
 SC-2 SCALE: 1/4" = 1'-0"



1 WEST COMPOUND ELEVATION
 SC-2 SCALE: 1/8" = 1'-0"

NEXTEL



A&E FIRM
URS Greiner, Inc.
A-E-S
 500 ENTERPRISE DRIVE
 ROCKY HILL, CONNECTICUT
 1-(800)-529-8882

A&E SEAL

PLANNING SUBMISSION

NOT FOR CONSTRUCTION

PROJECT NO:
 NEXTEL F301731.00
 BAM F301727.04
 SNET F301049.38

DRAWN BY: DFG, JCF

CHECKED BY:

ISSUED FOR	
05-18-98	PLANNING AND ZONING
06-19-98	REVIEW
06-23-98	PLANNING AND ZONING
08-19-98	SITING COUNCIL
09-08-98	SITING COUNCIL

THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO NEXTEL IS STRICTLY PROHIBITED.

GUILFORD WEST STONE
 1919 BOSTON POST ROAD
 GUILFORD, CT

SCALE: AS NOTED

DATE: 05-18-98

DRAWING 2 OF 2

COMPOUND ELEVATION AND SECTION

SC-2

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LAW OFFICES

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280 Trumbull Street
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Kenneth C. Baldwin
860-275-8345
Internet: kbaldwin@rc.com

August 31, 1998

Via Facsimile

Joel M. Rinebold
Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Re: **Guilford Tower Share Proposal**

Dear Mr. Rinebold:

Pursuant to your request for additional information regarding the above-referenced proposal, I, on behalf of Bell Atlantic Mobile, Springwiche Cellular Limited Partnership and Nextel Communications offer the following:

1. Below is the breakdown of the RF Power Densities for each of the four carriers.

	<u>Standard</u> <u>mW/cm²</u>	<u>Power Density</u> <u>mW/cm²</u>	<u>Percentage of Standard</u>
Sprint	1.0	0.0285	2.85%
BAM	0.583	0.0474	8.13%
Springwiche	0.5867	0.0564	9.62%
Nextel	0.572	0.0351	<u>6.14%</u>
			26.74%

2. The 18" oak tree located near the northeasterly corner of the 50' x 50' site compound will not be removed as a part of this proposal. The lines of white pines shown on the site plan attached to the tower share proposal are those which were required by the

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Guilford Planning and Zoning Commission when it approved the Sprint facility and were installed with the property owner's consent. These white pines will not be removed as a part of the current proposal. Finally, at the property owner's request, no additional plantings will be installed along the southeast perimeter of the site compound.

3. The retaining wall to the west is outside of the 50' x 50' leased area and will not be affected by the proposed changes within the site compound. Changes to existing site grades will be minimal and are shown on the site plan attached to the tower share proposal.

Please contact me if you need any additional information regarding the Guilford tower share proposal.

Sincerely,



Kenneth C. Baldwin

KCB/kmd

cc: Sandy M. Carter
Christopher Gelinias
Ronald C. Clark
Peter Van Wilgen
Christopher B. Fisher, Esq.
Peter J. Tyrell, Esq.

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Internet: kbaldwin@rc.com

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AUG 21 1998

August 21, 1998

CONNECTICUT
SITING COUNCIL

Joel M. Rinebold
Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Re: Request by Celco Partnership d/b/a Bell Atlantic Mobile, Springwich Cellular Limited Partnership and Nextel Communications of the Mid-Atlantic, Inc. d/b/a Nextel Communications for the Shared Use of an Existing Tower Facility at 1919 Boston Post Road, Guilford, Connecticut

Dear Mr. Rinebold:

Pursuant to Connecticut General Statutes (C.G.S.) § 16-50aa, Celco Partnership d/b/a Bell Atlantic Mobile ("BAM"), Springwich Cellular Limited Partnership ("SCLP") and Nextel Communications of the Mid-Atlantic, Inc. d/b/a Nextel Communications ("Nextel") (collectively the "Applicants") hereby request an order from the Connecticut Siting Council ("Council") to approve the proposed shared use of a tower located at 1919 Boston Post Road, Guilford, Connecticut ("Property"). The Property is owned by Roger W. Stone, from which Sprint Spectrum LP ("Sprint") leases a 50-foot x 50-foot parcel for their existing tower facility. Sprint owns and operates the existing tower. Pursuant to an agreement between the parties, Sprint and the Applicants propose the shared use of a tower at the Property. (See Authorization letter from Sprint PCS attached hereto as Exhibit A.) As shown on the drawings attached hereto as Exhibit B and as further described below, the Applicants propose to install antennas on a new replacement tower, no taller than the existing tower and install three additional equipment shelters within Sprint's existing facility compound. The Applicants request that the Council find that the proposed shared use of the Sprint facility satisfies the criteria in C.G.S. § 16-50aa and issue an order approving the proposed shared use of this facility.

Joel M. Rinebold
August 21, 1998
Page 2

Background

BAM and SCLP are licensed by the Federal Communications Commission ("FCC") to provide cellular telephone service in the New Haven, New England County Metropolitan Area (NECMA). Nextel is licensed by the FCC to provide specialized mobile radio (SMR) service to the New Haven NECMA. The New Haven NECMA includes that area to be served by the Applicants' proposed installations at the Sprint facility.

The Sprint facility in Guilford, Connecticut consists of a 130-foot monopole tower located in the southerly portion of the Property, approximately 200 feet north of the Boston Post Road. The tower and Sprint's equipment cabinet are located within a 50-foot x 50-foot leased area. In the Spring of 1998, BAM and SCLP approached Sprint to discuss the potential shared use of the existing Sprint tower. According to project engineers, the existing tower could accommodate the additional load associated with BAM and SCLP antennas. Subsequently, Nextel approached Sprint regarding its interest in sharing Sprint's existing tower. Following further structural analysis of the tower it was determined that the tower could not collectively support the additional loads of Nextel, BAM and SCLP antennas. In an effort to comply with the State's legislative mandate to avoid the proliferation of towers in Connecticut and the Council's goal to require tower sharing whenever feasible, Nextel has proposed to reconstruct the Sprint tower, at a height no taller than the existing structure, to allow for the shared use of the tower by Sprint, BAM, SCLP and Nextel.

As shown on the attached plans, the new Sprint tower would be located approximately eight feet southwest of the existing tower. BAM would install 12 panel-type antennas at the 120-foot level on the rebuilt tower. SCLP would install 12 panel-type antennas at the 110-foot level on the rebuilt tower. Nextel would install 3 whip-type antennas at the 100-foot level on the rebuilt tower. BAM and Nextel would also install separate GPS antennas on the tower at approximately 80 feet above ground level. Sprint antennas will remain at the 130-foot level on the rebuilt tower. Radio transmission equipment associated with each of the Applicants' antennas would be housed in individual equipment structures located near the base of the tower, completely within the existing 50-foot x 50-foot Sprint facility compound. (See Exhibit B).

C.G.S. § 16-50aa provides that, upon written request for approval of a proposed shared use, "if the council finds that the proposed shared use of the facility is technically, legally, environmentally and economically feasible and meets public safety concerns, the council shall issue an order approving such shared use." (C.G.S. § 16-50aa(c)(1).)

The shared use of the rebuilt Sprint tower satisfies the criteria stated in C.G.S. §16-50aa as follows:

Joel M. Rinebold
August 21, 1998
Page 3

A. Technical Feasibility. The rebuilt tower will be structurally sound and capable of supporting Sprint, BAM, SCLP and Nextel antennas. The proposed shared use of this tower therefore is technically feasible.

B. Legal Feasibility. Under C.G.S. § 16-50aa, the Council has been authorized to issue an order approving the proposed shared use of an existing tower facility such as the Sprint facility on Boston Post Road. (C.G.S. § 16-50aa(c)(1).) Under the authority vested in the Council by C.G.S. § 16-50aa, an order by the Council approving the shared use of a tower would permit the Applicants to obtain a building permit for the proposed installations.

C. Environmental Feasibility. The proposed shared use would have a minimal environmental effect, for the following reasons:

1. The proposed installations would have an insignificant incremental visual impact, and would not cause any significant change or alteration in the physical or environmental characteristics of the existing railroad yard. In particular, the rebuilt Sprint tower would be no taller than the existing tower and would be located within the same 50-foot x 50-foot compound area:
2. The proposed antenna installations by the Applicants would not increase the height of the shared tower; and the shared facility would not extend the boundaries of the site outside the limits of the existing Sprint facility compound.
3. The proposed installations would not increase the noise levels at the existing facility by six decibels or more.
4. Operation of antennas at this site would not exceed the total radio frequency electromagnetic radiation power density level adopted by the FCC. The "worst-case" exposure calculated for operation of this facility (*i.e.*, calculated at the base of the tower, which represents the closest publicly accessible point within the broadcast field of the antennas) for all carriers, would be approximately 26.74% of the standard as measured for mixed-frequency sites.
5. The proposed shared use of the Sprint facility would not require any water or sanitary facilities, or generate air emissions or discharges to water bodies. After construction is complete (approximately six weeks), the proposed installations would not generate any traffic other than periodic maintenance visits.

The proposed use of this facility would therefore have a minimal environmental effect, and is environmentally feasible.

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Joel M. Rinebold
August 21, 1998
Page 4

D. Economic Feasibility. As previously mentioned, Sprint and the Applicants have entered into a mutual agreement to share use of the rebuilt Sprint tower at the Property on terms agreeable to the parties. The proposed tower sharing is therefore economically feasible.

E. Public Safety Concerns. As stated above, the existing tower is not capable of supporting the antennas of Sprint, BAM, SCLP and Nextel. However, Nextel's reconstruction of the Sprint tower, will permit all four wireless carriers to share the established Sprint facility and eliminate the need for additional tower in the immediate area. The Applicant is not aware of any other public safety concerns relative to the proposed sharing of the rebuilt tower. In fact, the provision of new and/or improved wireless telecommunications service in the Guilford area through shared use of the Sprint tower is expected to enhance the safety and welfare of area residents and travelers along I-95. The public safety benefits of wireless service are further illustrated by the recent decision of local authorities elsewhere in Connecticut and across the nation to provide cellular phones to residents to improve local public safety and emergency communications. The proposed shared use of this facility would likewise improve public safety in the Guilford area.

Conclusion

For the reasons discussed above, the proposed shared use of the rebuilt tower facility at 1919 Boston Post Road satisfies the criteria stated in C.G.S. § 16-50aa, and advances the General Assembly's and the Siting Council's goal of preventing the proliferation of towers in Connecticut. The Applicant therefore requests that the Siting Council issue an order approving the proposed shared use.

Thank you for your consideration of this matter.

Very truly yours,



Kenneth C. Baldwin

KCB/kmd

Enclosures

cc: Christopher Gelinias
Sandy M. Carter
Ronald C. Clark
Peter Van Wilgen
Christopher B. Fisher, Esq.
Peter J. Tyrell, Esq.



Stephen G. Kotfila
Field Operations
Connecticut/Western Massachusetts
Field Operations Manager

Sprint PCS
9 Barnes Industrial Road
Wallingford, CT 06492
Voice 203 294 5635
Fax 203 294 5647
PCS 860 983 9590

August 20, 1998

Ms. Sandy Carter
Bell Atlantic Mobile
20 Alexander Drive
Wallingford, CT 06492

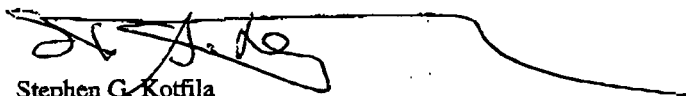
RE: Sprint tower- 1919 Boston Post Road, Guilford, CT

Dear Sandy:

Bell Atlantic Mobile may proceed with its application to the Connecticut Siting Council for the above referenced site.

Please feel free to call me with any questions.

Sincerely,



Stephen G. Kotfila

EXHIBIT A

ROBERT M. WARD
ATTORNEY AT LAW

388 East Main Street
Branford, CT 06405

Telephone 203-481-8226
Fax 203-481-8176

June 18, 1999

Sent by facsimile: 1-860-513-5444

Mr. Ronald C. Clark
Manager Real Estate Operations
Nextel Communications
100 Corporate Place
Rocky Hill, CT 06067

RE: Boston Post Road, Guilford, Connecticut

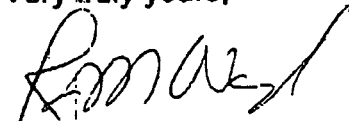
Dear Mr. Clark:

I am in receipt of your letters regarding the Tower next to my client, Richard Russo's property.

The problem with signing the agreement is, in part, your request for a release from my client. My client will agree to release any claims regarding any prior trespass that may have been committed by your company, its agents and/or contractors. He agrees to grant a license for two years for your company to enter his property for the purpose of planting and maintaining the agreed upon shrubbery. In addition, my client will agree not to pursue claims before any state or local agency including the Siting Council or the Guilford Zoning Commission regarding the alleged encroachment of the Tower, support structures and buildings within the setback areas.

In addition, my client requests \$300.00 for my legal fees incurred in relation to this settlement agreement.

Very truly yours,



Robert M. Ward

RMW/d

RECEIVED

JUN 23 1999

CONNECTICUT
SITING COUNCIL

RECEIVED

JUN 23 1999

CONNECTICUT
SITING COUNCIL

TOWN OF GUILFORD

TOWN PLANNER

31 PARK STREET

GUILFORD, CONNECTICUT 06437

SETTLED IN 1639

RECEIVED

TELEPHONE 453-8039
FAX 453-8034

MAY 25 1999

CONNECTICUT
SITING COUNCIL

May 21, 1999



THE OLD STONE HOUSE

Mr. Joel M. Rinebold
Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 05051

Re: Guilford Tower TS/BAM/SCLP/Nextel - 060-980821

Dear Mr. Rinebold:

I am writing as a follow-up to a letter on this subject from Merton McAvoy, Guilford's Zoning Enforcement Officer. As you know the Town of Guilford is seriously concerned with the ongoing construction of the above referenced facility. The Town believes that the activities of the tenants of this property may establish unfortunate precedents detrimental to both the Town and the Siting Council.

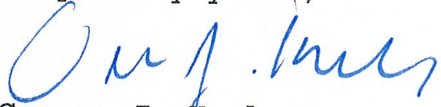
By way of background, it is important to understand that Bell Atlantic Mobile, Spingwich Cellular Limited Partnership and Sprint Spectrum LP met with me in September 1998. They assured me that the proposed modification to the Sprint facility would not extend beyond the site compound and that the replacement tower would not exceed the height of the existing tower. See letter dated September 9, 1998 from Attorney Baldwin to you. Guilford understood that the modified facility would be built within the footprint of the previously approved Sprint facility which conformed to Guilford's setback requirement.

As you know, the modified facility was not built in conformity with the tenants' representations and Guilford's setback requirements. Guilford relied upon these representations in this matter and wants assurance that they will be adhered to here.

Please let me know how you would like to proceed. I am happy to work with you and the project applicant to resolve this problem.

Mr. Joel M. Rinebold
May 21, 1999
Page 2 of 2

Very truly yours,

A handwritten signature in blue ink, appearing to read "G. J. Kral, Jr.", written in a cursive style.

George J. Kral, Jr.
Town Planner

GJK/rr

cc: Samuel D. Bartlett, First Selectman

TOWN OF GUILFORD

ZONING ENFORCEMENT OFFICER

31 Park Street

GUILFORD, CONNECTICUT 06437

SETTLED IN 1639

RECEIVED

MAY 18 1999

CONNECTICUT
SITING COUNCIL

TELEPHONE 453-8039
FAX 453-8467

THE OLD STONE HOUSE

May 17, 1999

Mr. Joel M. Rinebold
Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 05051

Re: Guilford Tower TS/BAM/SCLP/Nextel - 060-980821

Dear Mr. Rinehold:

As the Zoning Enforcement Officer in Guilford, I am concerned about the potential implications and possible precedents set by the ongoing construction of the above referenced facility. While Mr. Russo, the adjoining property owner, has apparently agreed that the construction of this facility can proceed, subject to his approval of additional landscaping. I am bothered by the fact that this structure does not conform with the setback requirements of the Guilford Zoning Code.

I understand that the Connecticut Siting Council may have permit jurisdiction over this project. I also understand, however, that this facility must conform with the Guilford Zoning Codes. I believe that you should order that this structure be brought into conformance. This is particularly important in that we were assured (see attached letter) by Ken Baldwin that this facility would be built in the footprint of the previously approved Sprint tower which did so conform.

Please let me know how you would like to proceed. I am happy to work with you and the project applicant to resolve this problem.

Very truly yours,



Merton W. McAvoy
Zoning Enforcement Officer

MWM:rr

cc: Samuel D. Bartlett, First Selectman
Richard Russo