



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
Web Site: portal.ct.gov/csc

VIA ELECTRONIC MAIL

October 5, 2021

G. Scott Shepherd
Sr. Property Specialist
SBA Communications Corporation
134 Flanders Rd., Suite 125
Westborough, MA 01581
GShepherd@sbsite.com

RE: **EM-T-MOBILE-066-210820** – T-Mobile notice of intent to modify an existing telecommunications facility located at 133 Clearview Avenue, Harwinton, Connecticut.

Dear Mr. Shepherd:

The Connecticut Siting Council (Council) is in receipt of your correspondence of September 30, 2021 submitted in response to the Council's September 29, 2021 notification of an incomplete request for exempt modification with regard to the above-referenced matter.

The submission renders the request for exempt modification complete and the Council will process the request in accordance with the Federal Communications Commission 60-day timeframe.

Thank you for your attention and cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Melanie Bachman".

Melanie Bachman
Executive Director

MAB/FOC/laf

From: Glenn Shepherd <GShepherd@sbsite.com>
Sent: Thursday, September 30, 2021 11:37 AM
To: Robidoux, Evan <Evan.Robidoux@ct.gov>
Cc: CSC-DL Siting Council <Siting.Council@ct.gov>
Subject: RE: [External] Council Incomplete Letter for Multiple T-Mobile Sites

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Evan, Council,

Re: **EM-T-MOBILE-066-210820**

In response to the your letter of incomplete, please see following attached documents with regard to

- Property Card identifying the underlying property owner;
- Property Map;
- Original facility approval from the town

I believe these documents will render this notice of exempt modification complete.

- **I also attached the letter of incomplete from Council for your reference and will mail hard copies via FedEx overnight delivery.**

G. Scott Shepherd

Site Development Specialist II

508.251.0720 Ext.3807 + **T**

508.366.2610 + F + **F**

508.868.6000 + C + **C**

SITE ID #4275-040

SITE NAME: Harwinton

CT01944-S

JOB COST #001944

ZONING/PERMITTING COMPLETION FORM

Zoning Classification for Site:LI

Special Relief (setback, height variance, special use permit, wetlands permit etc.):

Special Use Permit

* Date of Zoning Decision: 03/13/00

Summary of zoning conditions (Include details of any conditions relative to time restrictions, expiration dates, renewal obligations, monetary obligations, performance obligation, inspection fees).

annual EMF certification

See attached conditions.

Submitted by: Esther McNany

Title: Territory Manager

Territory Manager Approval:

* Attach a copy of the Zoning decision and forward to the Regional Compliance Manager as soon as possible, after the decision.

4275-040

HARWINTON ZONING COMMISSION

**Notice of Decision re:
Special Permit and Site Plan Approval**

March 13, 2000

SITE # 4275-040

FILE TYPE Zoning

SECTION _____

Application No.: 3764

Applicant: SBA Communications, Inc.
49 Leavenworth Street, Suite 200
Waterbury, CT 06701
Attn: Thomas F. Flynn, III

Owner: Clearview Industrial Park, LLC
115 Orchard Hill Road
Harwinton, CT 06791

Property: 133 Clearview Avenue

Assessor's Map: B7-01-0017

APPLICATION HISTORY

The above applicant filed an application for a special permit and site plan approval for a 195' tall monopole telecommunications tower with the Zoning Commission on October 10, 1999. The application was formally received at the Zoning Commission's meeting on October 12, and a public hearing was set for November 8, 7:30 p.m. Legal notices were published in the Republican American on October 29, and November 5. The applicant sent certified mail notices to property owners within 200' of the boundaries of the subject property on October 22.

The public hearing convened on November 8, and was continued to December 13. At the request of the applicant and subject to the applicant's written extension, the public hearing was continued to January 10, 2000, at which time it was adjourned.

OTHER AGENCY APPROVALS

The Inland Wetlands & Watercourses Commission issued a declaratory ruling of no wetlands impact on October 4, 1999.

APPLICATION SUMMARY

The property is located in the Light Industrial ("LI") zone for a depth of 1,000' from Clearview Avenue. The total area of the property is 12.59 acres and is currently used for a contractor's garage (30' x 96') and two (2) sheet metal storage buildings (30' x 96' and 60' x 100'). The property is basically a ledge plateau which rises from 950' elevation at Clearview Avenue to 990' in the rear.

The applicant proposes to lease a plot of 100' by 100' from the owner for a term of twenty (20) years, and to construct a 195' tall monopole telecommunications tower at the rear of the property.

The leased site will be fenced for security. The site plan dated 8/26/99, revised to 9/28/99, does not propose any other structures in connection with the tower on the property.

The tower site is located at the western end of the property, within the LI zone. The tower site is to be accessed by a proposed 195' extension of the existing 840' driveway, 20' in width. The base of the tower is located at least 200' from existing property lines.

The proposed elevation of the base of the tower is 990' NAVD 88. The tower location coordinates are NAD 27 Lat. North 41° 46' 32.25" Long. West 73° 05' 56.45"; NAD 83 Lat. North 41° 46' 32.60" Long. West 73° 05' 54.84".

The tower is designed to accommodate five (5) licensed carriers' antennae, at 10' intervals starting at the top.

STATUTORY AUTHORITY

This application is governed by C.G.S. §8-3c re special permits and §8-3(g) re

site plans.

The applicant conceded that it is not a licensed telecommunications carrier within the meaning of the Telecommunications Act of 1934, as amended by the Telecommunications Act of 1996, 47 U.S.C.A. §332(c)(7), and does not have a co-applicant which is a licensed carrier. The applicant intends to seek tenant carriers for the tower only if it obtains approval.

ZONING REGULATIONS

This application is governed by Zoning Regulations §8.10 et seq, as follows:

8.10 TRANSMISSION TOWERS. A special permit may be granted for the erection and operation of radio relay and similar towers in any zone. In approving applications the Commission must find the following:

8.10.1 That the tower is located a distance from any property line which exceeds the height of the tower.

8.10.2 That the tower is required for the public interest, convenience or necessity.

8.10.3 That the proposed location is necessary and that alternate locations where similar special permit uses are located are not available.

8.10.4 That the visual inconvenience of the location is clearly less than the public necessity which requires the tower.

In addition, all special permit applications are governed by Zoning Regulations, §8.1 (Procedures), and §8.1.1. (General Standards).

Furthermore, a site plan is required under Zoning Regulations, §§7.1 - 7.5, and an erosion and sediment control plan is required under §7.6.

FINDINGS OF FACT

§8.10.1 - Fall zone: The proposed site of the 195' tower shown on the site plan is 208'± from an interior northeasterly boundary corner, 292.5'± from the northerly boundary and 208'± from the westerly boundary of the property, and clearly more than 195' from the southerly boundary. It is 1041'± from the street line and 651.7'± from the closest of the three (3) buildings on the property. It therefore satisfies the fall zone requirement of §8.10.1.

§8.10.2 - Public interest, convenience or necessity: The applicant admitted that it is not a provider of "personal wireless services," meaning a provider of "commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services" within the meaning of the Telecommunications Act, 47 U.S.C. §332(c)(7)(C), and had no specific providers as lessees or co-applicants. It was therefore able to present only one Sprint and one Nextel propagation study for the tower service area. As far as the two existing SNET towers in the service area, i.e. an existing lattice cellular tower at 125 Wildcat Hill Road and a 180' high monopole cellular tower on Weingart Road, the applicant simply stated that the SNET tower (presumably on Weingart Road) "would not work for PCS coverage" and "was structurally not capable." An overlap with existing towers in Torrington and Plymouth is required to serve the Route 8 corridor, and the west side of Harwinton and East Litchfield areas. The applicant presented no evidence as to the level of service or signal quality required to do so. Finally the applicant did not specifically demonstrate why a 195' high tower was required, as opposed to a lesser height.

The applicant's evidence was quite weak in regard to public necessity; however, the Commission feels that the merits of the proposed location of the tower outweigh the applicant's failure to clearly demonstrate its necessity and proposed height.

§8.10.3 - Alternate locations: Based on information and belief, it appears that the SNET lattice tower at 125 Wildcat Hill Road is not in service at this time, and the SNET monopole tower on Weingart Road may accommodate one additional carrier, although an engineering assessment of the structural capability of that tower may be

required.

There are currently pending before the Commission five (5) tower applications. Two of them - SBA at 205 County Line Road and Sprint Spectrum LP at 529 Burlington Road - are clearly intended to serve the east side of Harwinton and a portion of Burlington. Two others - SBA at 601 Hill Road and Sprint Spectrum LP at 123 Campville Hill Road - are intended to serve the Route 8 corridor and the southwestern part of Harwinton; however, both of those proposed towers are in the Country Residential ("CR") zone and appear to be more visible sites in residential neighborhoods.

Therefore the Commission believes that this site is the most appropriately zoned tower site for this service area.

§8.10.4 - Visual inconvenience vs. public necessity: Assuming that a 195' high tower is necessary somewhere in western Harwinton, this site appears to be the least obtrusive and most appropriately zoned of the three (3) sites proposed to serve the Route 8 corridor.

§8.1.1. - General standards; Subject to appropriate conditions of approval, the application will satisfy the general standards applicable to special permits.

§§7.1 - 7.6 - Site plans and erosion control plan: Subject to appropriate modifications, the site plan and erosion control plan can be made to satisfy these requirements.

THEREFORE, based on the foregoing regulations, findings of fact and reasons for decision, Application No. 3764 for a special permit to construct a 195' monopole telecommunications tower at 133 Clearview Avenue, as shown on 5 sheets constituting the site plan and erosion control plan, dated 8/26/99, revised 9/28/99, are hereby APPROVED, subject to the following conditions and modifications:

1. Tower Manager: That a Tower Manager be designated by name, address, contact person and telephone number as the person and firm responsible for the construction and operation of the tower, and be kept current and on file with the Commission at all times.

2. Tower Removal Bond: That the applicant file, prior to construction, a tower removal bond, in sufficient amount, and with sufficient surety, to guarantee the cost of removal of the tower, fence, and accessory structures, when the tower is no longer in service (other than for routine maintenance and testing), or its lease (and renewal options) expire, whichever occurs first. The bond shall protect both the Town of Harwinton and the landowner, and their heirs, successors and assigns, as per C.G.S. §8-3(g) and Zoning Regulation §7.4.
3. Landscaping and Fencing: That the tower site be fenced with a secure chain link fence with green webbing, and such fence be maintained in a safe condition at all times.
4. Security Alarm: That the tower be protected by a security alarm which shall be regularly tested and operational at all times.
5. EMF Certification: That each carrier shall certify that the EMF output of any antenna, combined with that of any previously installed antenna(s), is within FCC standards for public health and safety, and that the Tower Manager provide annual certification during the service life of the tower.
6. Tower Construction: That the monopole tower satisfy all structural requirements of the State Building Code, as certified by a Connecticut licensed structural engineer; that the applicant comply with the threshold structural notification requirements of C.G.S. §29-276b and the Connecticut Supplement to the State Building Code; and that the monopole be of a matte gray finish with no lights or striping.
7. Fall Zone: That the property lines be maintained at all times while the tower is standing at a distance from the base of the tower not less than its total height.
8. Municipal, VFD and EMS Use: As offered by the applicant at the public hearing, that the Town of Harwinton, the Westside Volunteer Fire Department, the Harwinton Volunteer Fire Department and the Harwinton Ambulance Association be allowed to place their antenna(s) on the tower at no cost, provided that there is no proven signal interference and subject to such reasonable terms and conditions as the applicant or Tower Manager may impose.
9. Future structures and modifications: That any future structural additions or modifications, including accessory structures, be submitted to the Zoning

Commission in accordance with the Zoning Regulations of the Commission then in effect, i.e., Regulations §A.8.10.1 - A.8.10.12, as amended, and any other land use regulations and ordinances as may then be in effect.

10. Recording and filing: That this special permit and the mylar site plans, be recorded in the Harwinton Land Records within fifteen (15) days, and shall run with the land described in the Harwinton Land Records in Volume 149 at Pages 796-97 and Volume 154 at Pages 105-06.

Dated at Harwinton, Connecticut this 13th day of March, 2000.

HARWINTON ZONING COMMISSION

By:



John Byrnes, Its Chairman

A:\MDR.harwinton.2\HPC. notice of decison - 133 Clearview Ave



Summary

ParcelId 589
Account Number 1060
Location Address 133 CLEARVIEW AVE
Map-Block-Lot B7 /01 /0017

Use Class/Description 2-1 COMM LAND
Assessing Neighborhood 0001A
Census Tract 07
Acreage 14.13
Utilities



Owner

CLEARVIEW STORAGE PARK LLC
 P O BOX 155
 HARWINTON, CT 06791

Current Appraised Value

	2017	2016	2015
+ Building Value	\$1,028,960	\$1,028,960	\$1,028,960
+ XF Value	\$0	\$0	\$0
+ OB Value	\$22,370	\$22,370	\$22,370
+ Land Value	\$202,950	\$202,950	\$202,950
+ Special Land Value			
+ Total Appraised Value	\$1,254,280	\$1,254,280	\$1,254,280
+ Net Appraised Value	\$1,254,280	\$1,254,280	\$1,254,280
+ Current Assessment	\$878,010	\$878,010	\$878,010

Assessment History

An error has occurred while trying to display this part of the page.
 We apologize for any inconvenience.

Land

Use	Class	Zoning	Area	Value
2-1 COMM LAND	C		0.01 SF	\$0
2-1 COMM LAND	C		0.01 SF	\$0
2-1 COMM LAND	C		0.01 SF	\$0
2-1 COMM LAND	C		0.01 SF	\$0
2-1 COMM LAND	C		0.01 SF	\$0
2-1 COMM LAND	C	LI2	4.73 AC	\$351,630
5-2 EX COMM	C		9.4 AC	\$67,680
3-1 IND LAND	I		1 BL	\$180,000

Commercial Building

Building # 1
Style Warehouse
Actual Year Built 1987
Effective Year Built 1986
Gross Area 6000
Stories 1
Grade Average +10
Exterior Wall Pre-finish Metl
Interior Wall Minim/Masonry
Wall Height 16
Units 1
Roof Cover Metal/Tin
Roof Structure Gable/Hip
Floor Type Average
Heat Type Oil
Heat Fuel Hot Water

AC Type HEAT/AC SPLIT
 Sprinkler 01
 Construction STEEL
 Plumbing AVERAGE
 Comm Walls 0

Building Sub Areas

Code	Description	Living Area	Gross Area	Effective Area
BAS	First Floor	6000	6000	6000
	Totals	6000	6000	6000

Building # 2
 Style Mini Warehouse
 Actual Year Built 1992
 Effective Year Built 1991
 Gross Area 2880
 Stories 1
 Grade Average +10
 Exterior Wall Pre-finish Metl
 Interior Wall Drywall/Sheet
 Wall Height 10
 Units 1
 Roof Cover Metal/Tin
 Roof Structure Gable/Hip
 Floor Type Concr-Finished
 Heat Type Coal or Wood
 Heat Fuel None
 AC Type NONE
 Sprinkler 01
 Construction STEEL
 Plumbing NONE
 Comm Walls 0

Building Sub Areas

Code	Description	Living Area	Gross Area	Effective Area
BAS	First Floor	2880	2880	2880
	Totals	2880	2880	2880

Building # 3
 Style Mini Warehouse
 Actual Year Built 1991
 Effective Year Built 1991
 Gross Area 2880
 Stories 1
 Grade Average +10
 Exterior Wall Pre-finish Metl
 Interior Wall Minim/Masonry
 Wall Height 10
 Units 1
 Roof Cover Metal/Tin
 Roof Structure Gable/Hip
 Floor Type Average
 Heat Type Coal or Wood
 Heat Fuel None
 AC Type HEAT/AC SPLIT
 Sprinkler 01
 Construction STEEL
 Plumbing NONE
 Comm Walls 0

Building Sub Areas

Code	Description	Living Area	Gross Area	Effective Area
BAS	First Floor	2880	2880	2880
	Totals	2880	2880	2880

Building # 4
 Style Warehouse
 Actual Year Built 2003
 Effective Year Built 2001
 Gross Area 4200
 Stories 1
 Grade Average +10
 Exterior Wall Pre-finish Metl
 Interior Wall Minim/Masonry
 Wall Height 15
 Units 1
 Roof Cover Metal/Tin
 Roof Structure Gable/Hip
 Floor Type Average

Heat Type Oil
 Heat Fuel Hot Air-no Duc
 AC Type NONE
 Sprinkler 01
 Construction STEEL
 Plumbing AVERAGE
 Comm Walls 0

Building Sub Areas

Code	Description	Living Area	Gross Area	Effective Area
BAS	First Floor	4200	4200	4200
	Totals	4200	4200	4200

Building # 5
 Style Mini Warehouse
 Actual Year Built 2005
 Effective Year Built 2003
 Gross Area 2000
 Stories 1
 Grade Average +10
 Exterior Wall Pre-finish Metl
 Interior Wall Minim/Masonry
 Wall Height 10
 Units 1
 Roof Cover Metal/Tin
 Roof Structure Gable/Hip
 Floor Type Average
 Heat Type Coal or Wood
 Heat Fuel None
 AC Type NONE
 Sprinkler 01
 Construction STEEL
 Plumbing NONE
 Comm Walls 0

Building Sub Areas

Code	Description	Living Area	Gross Area	Effective Area
BAS	First Floor	2000	2000	2000
	Totals	2000	2000	2000

Building # 6
 Style Mini Warehouse
 Actual Year Built 2005
 Effective Year Built 2003
 Gross Area 2625
 Stories 1
 Grade Average +10
 Exterior Wall Pre-finish Metl
 Interior Wall Minim/Masonry
 Wall Height 10
 Units 1
 Roof Cover Metal/Tin
 Roof Structure Gable/Hip
 Floor Type Average
 Heat Type Coal or Wood
 Heat Fuel None
 AC Type NONE
 Sprinkler 01
 Construction STEEL
 Plumbing NONE
 Comm Walls 0

Building Sub Areas

Code	Description	Living Area	Gross Area	Effective Area
BAS	First Floor	2625	2625	2625
	Totals	2625	2625	2625

Out Buildings\Extra Features

Description	Sub Description	Area	Year Built	Value
SHED FRAME AVE		490S.F.	2004	\$14,090
SHED FRAME AVE		288S.F.	2004	\$8,280

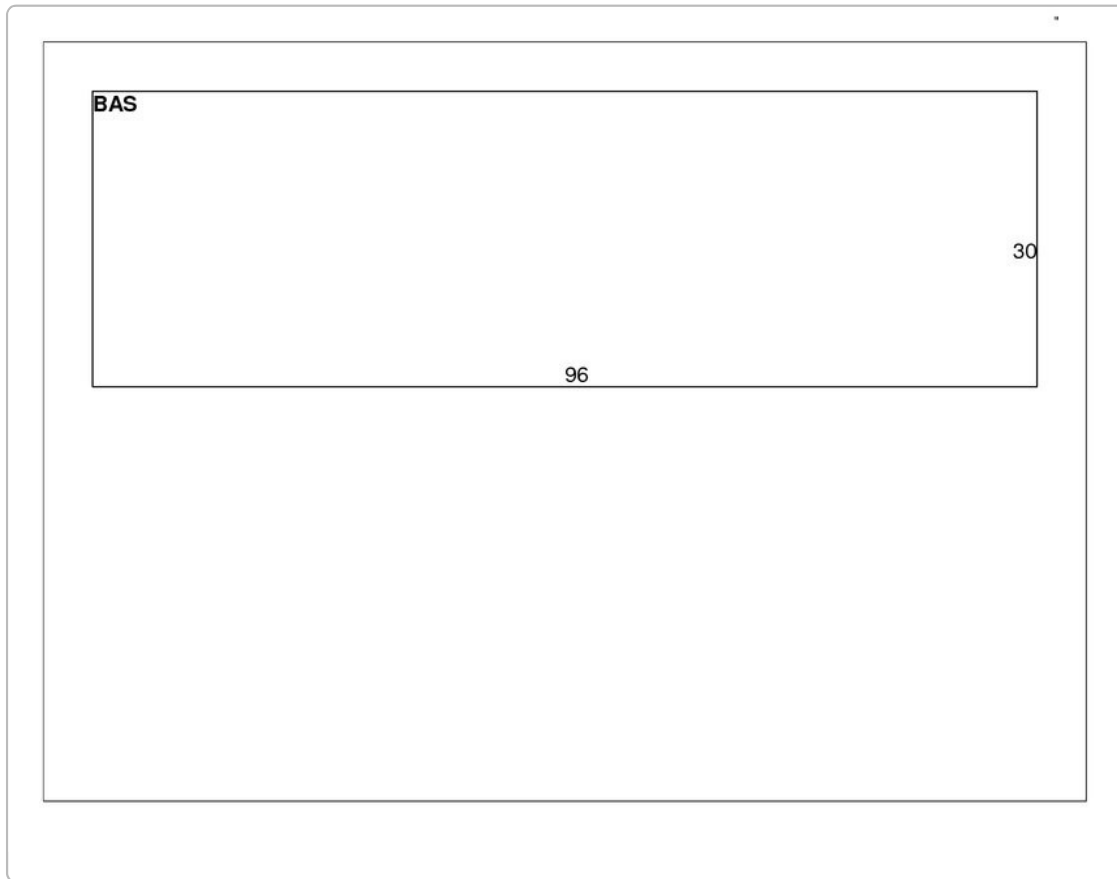
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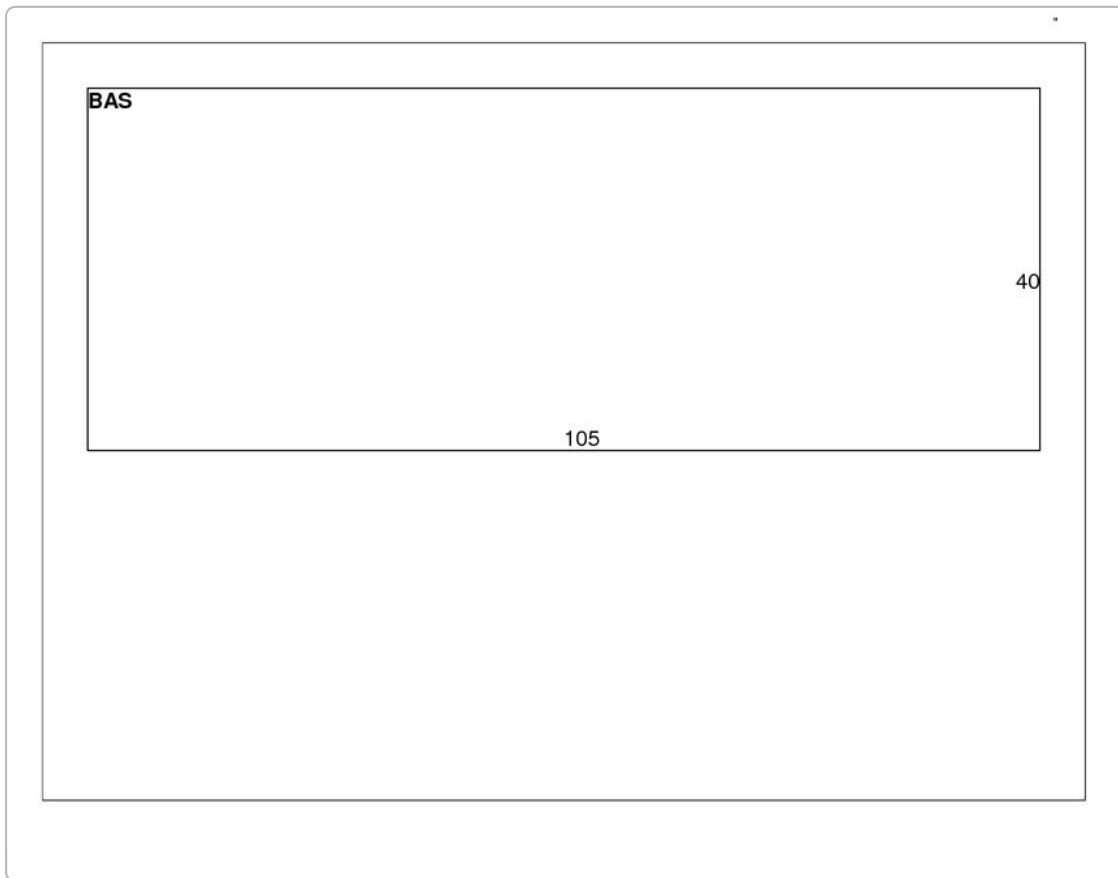
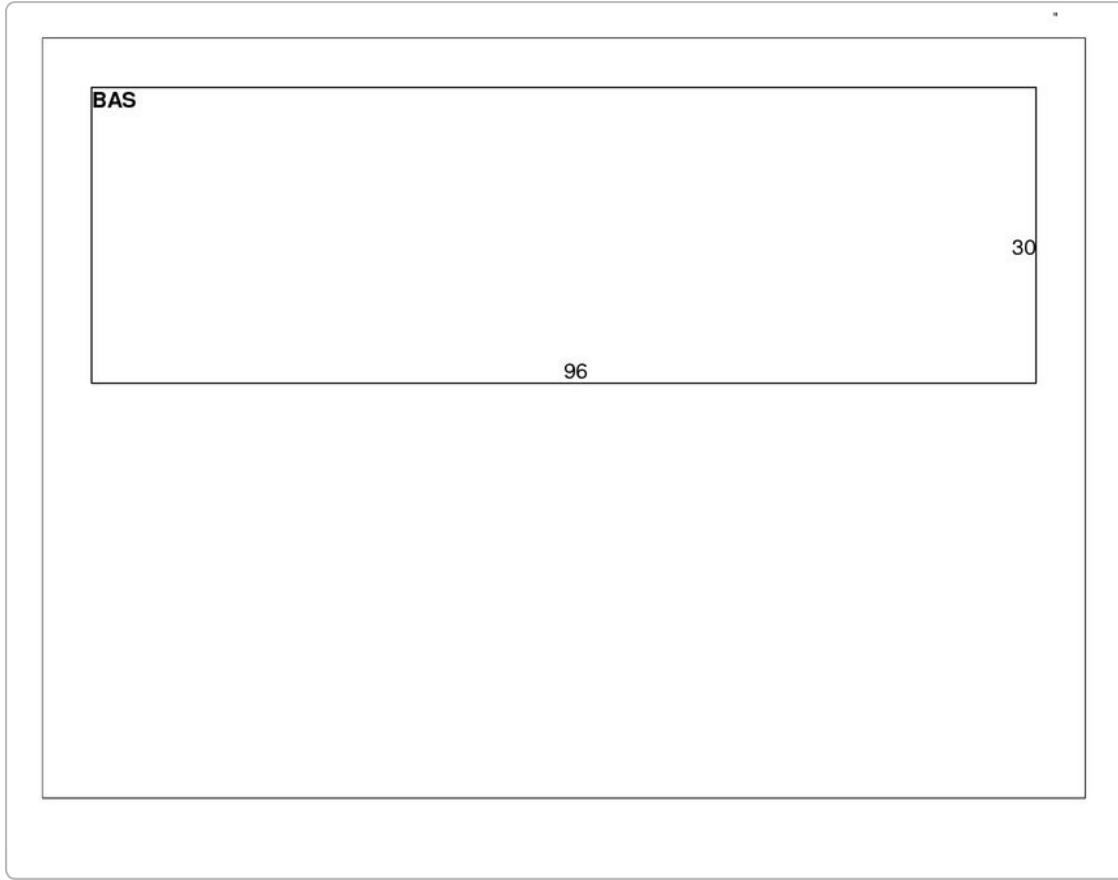
Sales Date	Type of Document	Grantee	Vacant/Improved	Book/Page	Amount
12-29-1998	Q	CLEARVIEW STORAGE PARK LLC	Improved	0178/0416	\$0
03-03-1998		CLEARVIEW INDUSTRIAL PARK LLC	Improved	0149/0796	\$0
04-07-1986		GERVAIS DANIEL R + PAMELA	Improved	0103/0733	\$0

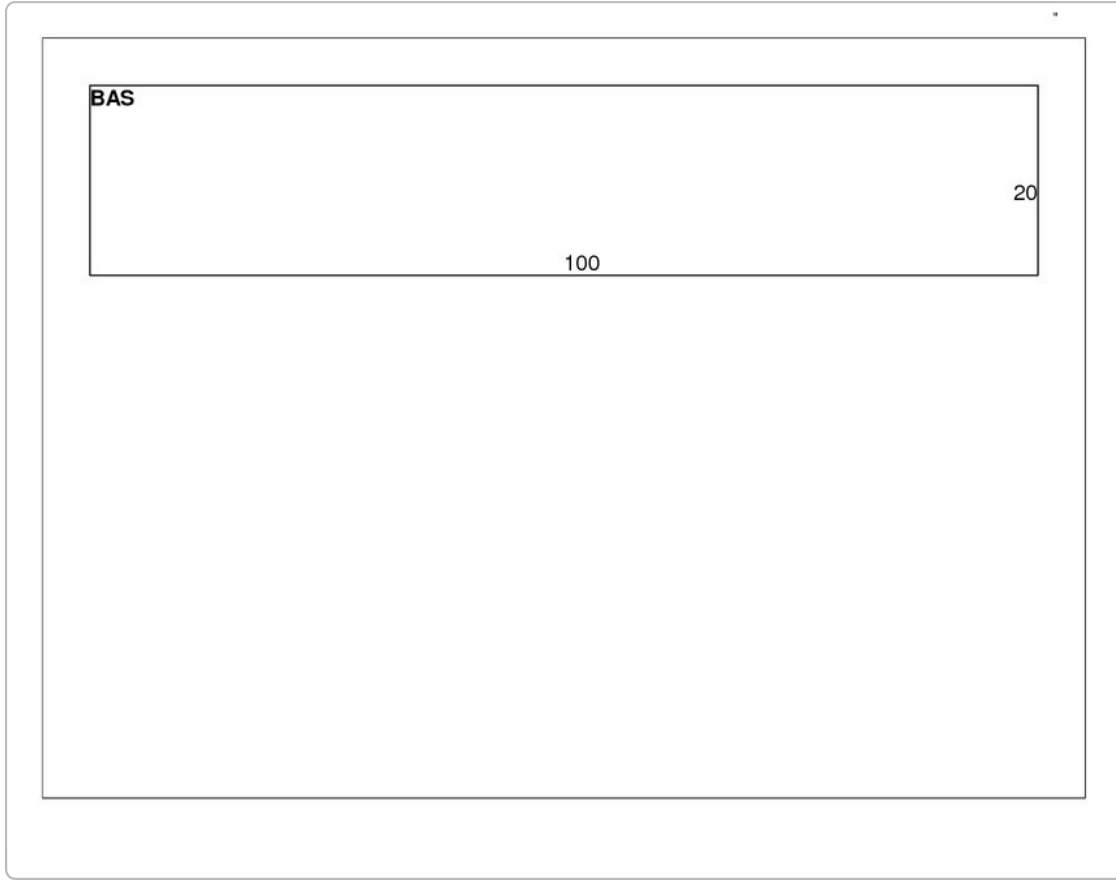
Permit Information

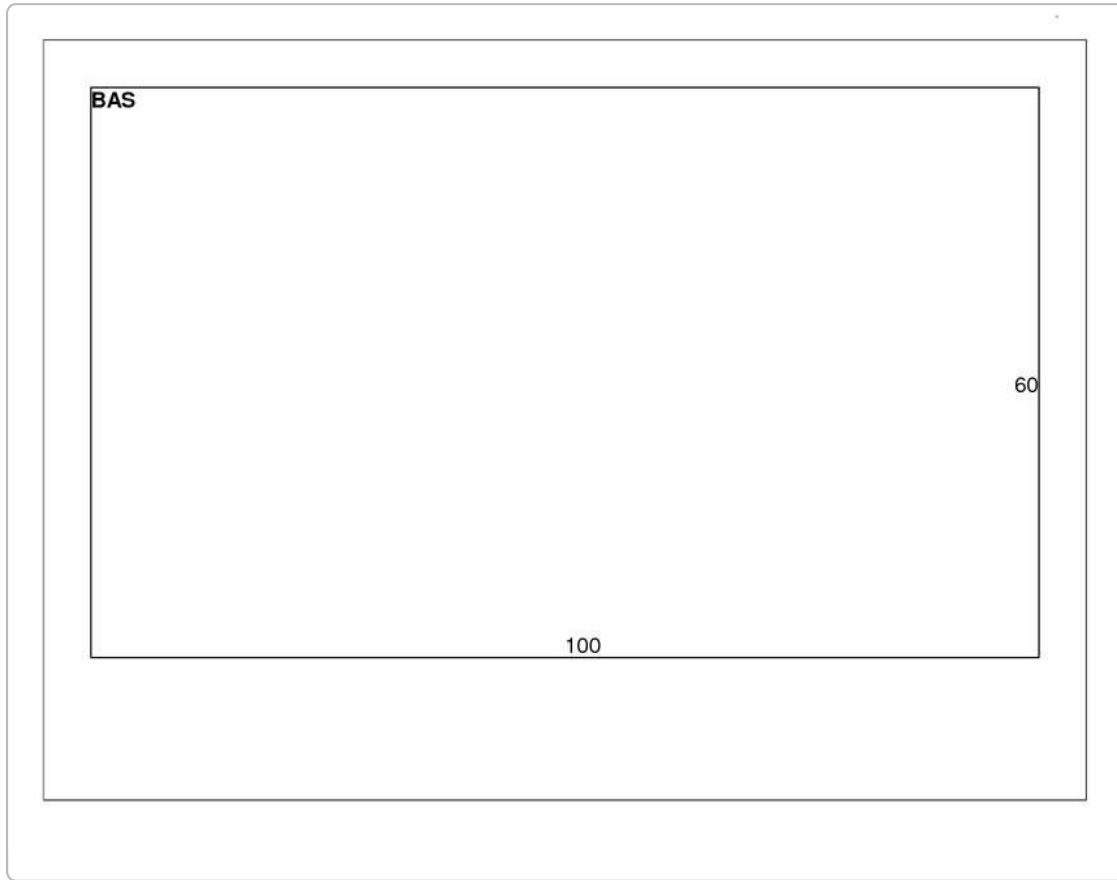
Permit ID	Issue Date	Type	Description	Amount	Inspection Date	% Complete	Date Complete	Comments
1710	04-04-2017		INSTALL LP TANKS	\$2,400		100		
	03-23-2017		CO ISSUED	\$0		0		UPGRADES TO T MOBILE
16181B	09-26-2016		UPGRADES TO ANTENNAS	\$15,000		0		
8594	09-19-2012	HE	HEATING	\$7,000		0		
8559	08-16-2012	EL	Electric	\$5,000		0		
1001	05-16-2012		30x138 bldg	\$80,000		0		
8284	11-22-2011		PROPANE TANK	\$600		0		
7918	10-20-2010	WD	WOODSTOVE	\$900		0		PELLET
7336	10-29-2008			\$399		0		WOOD BURNING STOVE
59	02-23-2004	CO	CO ISSUED	\$0		0		

Sketch









Photos



No data available for the following modules: Building Data.

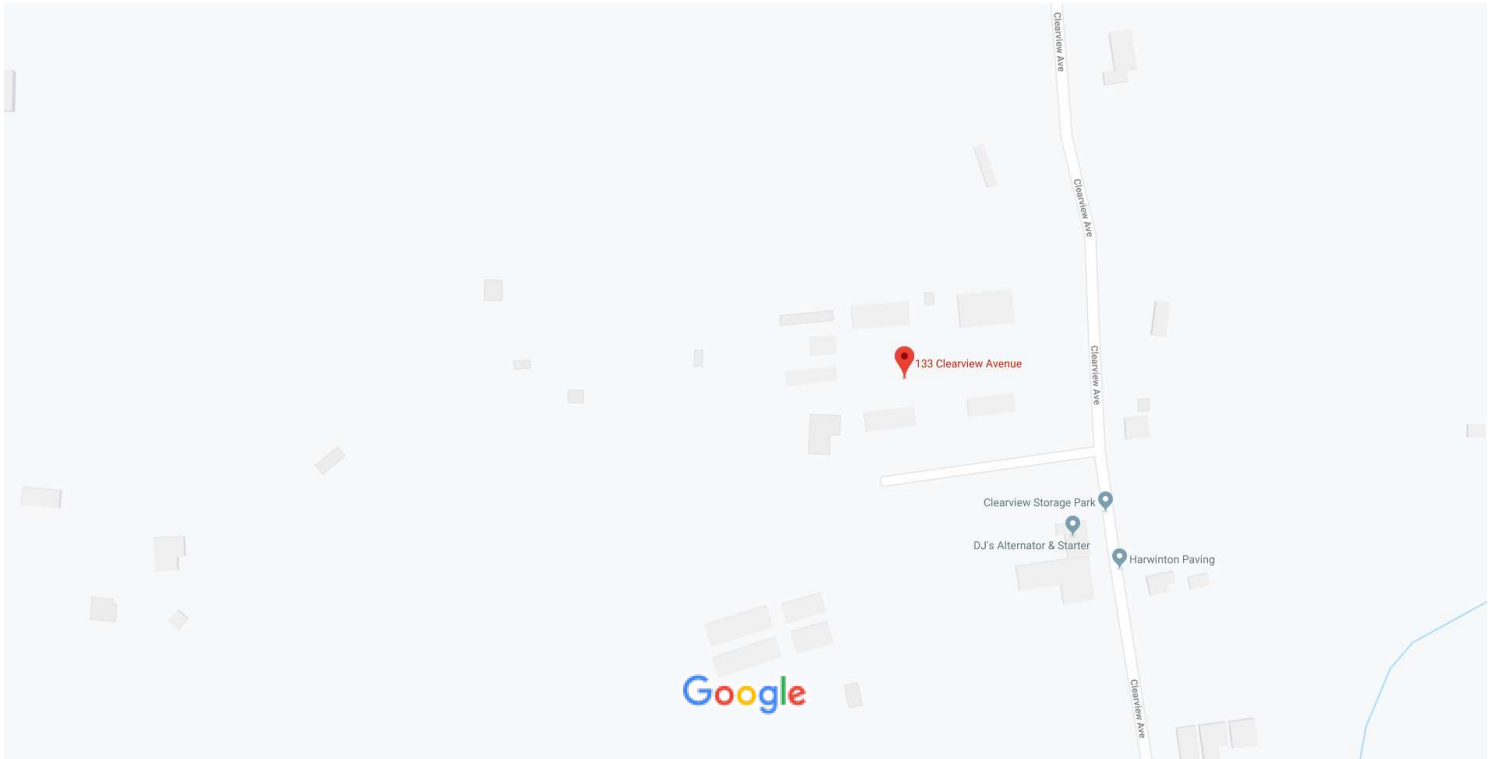
The Town of Harwinton Assessor makes every effort to produce the most accurate information possible. No warranties, expressed or implied are provided for the data herein, its use or interpretation. The assessment information is from the last certified tax roll. All other data is subject to change.

Last Data Upload: 6/17/2019, 8:35:35 PM

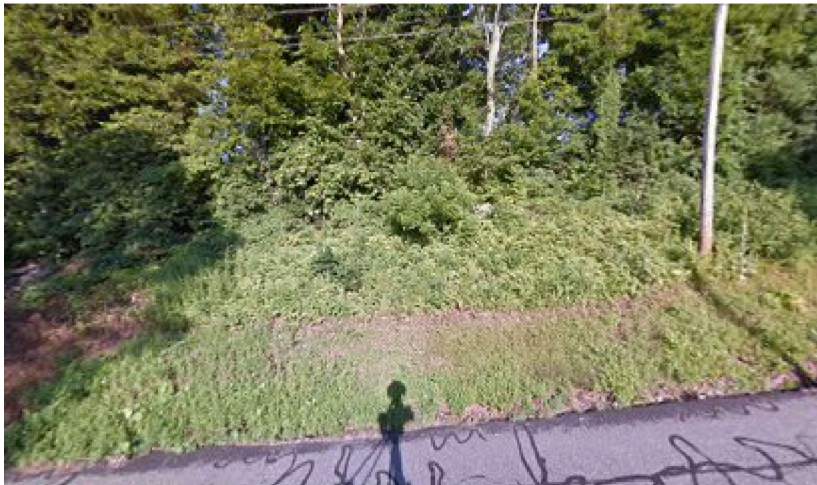
Version 2.2.25

Developed by
 Schneider
GEO SPATIAL

Google Maps 133 Clearview Ave



Map data ©2019 100 ft



133 Clearview Ave

Harwinton, CT 06791



Directions



Save



Nearby



Send to your phone

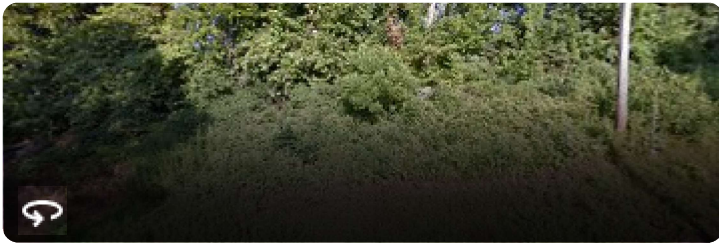


Share



QWG3+7J Harwinton, Litchfield, CT

Photos



At this location

Byrnes Electrical Services Llc

Electrician · 133 Clearview Ave # 4



Clearview Storage Park LLC

5.0 ★★★★★ (4)

Storage facility · 133 Clearview Ave # A

Open until 4:00 PM



Gervais & Sons Inc

5.0 ★★★★★ (2)

Tree service · 133 Clearview Ave

Opens at 12:00 AM



Northwest Lawn

5.0 ★★★★★ (1)

Landscaper · 133 Clearview Ave



Quality Lawn Inc

5.0 ★★★★★ (1)

Landscaper · 133 Clearview Ave

