



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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www.ct.gov/csc

CERTIFIED MAIL RETURN RECEIPT REQUESTED

August 10, 2015

Christopher B. Fisher, Esq.
Cuddy & Feder LLP
445 Hamilton Avenue, 14th Floor
White Plains, NY 10601

RE: **PETITION NO. 1169** – Blue Sky Towers, LLC and New Cingular Wireless PCS, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed installation of a temporary telecommunications facility to be located at 220 Evergreen Street, Bridgeport, Connecticut.

Dear Attorney Fisher:

At a public meeting held on August 6, 2015, the Connecticut Siting Council (Council) considered and ruled that the above-referenced proposal would not have a substantial adverse environmental effect, and pursuant to Connecticut General Statutes § 16-50k, would not require a Certificate of Environmental Compatibility and Public Need with the following conditions:

- Unless otherwise approved by the Council, if the temporary facility authorized herein is not fully constructed within eighteen months from the date of the mailing of the Council's decision, this decision shall be void, and the facility owner/operator shall dismantle the facility 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 decision shall not be counted in calculating this deadline. Authority to monitor and modify this schedule, as necessary, is delegated to the Executive Director. The facility owner/operator shall provide written notice to the Executive Director of any schedule changes as soon as is practicable;
- Any request for extension of the time period to fully construct the facility shall be filed with the Council not later than 60 days prior to the expiration date of this decision and shall be served on the City of Bridgeport;
- Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed;
- Any nonfunctioning antenna and associated antenna mounting equipment on this facility owned and operated by the Petitioner shall be removed within 60 days of the date the antenna ceased to function;

- If the facility ceases to provide wireless services for a period of one year the Petitioner shall dismantle the tower and remove all associated equipment or reapply for any continued or new use to the Council within 90 days from the one year period of cessation of service. The Petitioner may submit a written request to the Council for an extension of the 90 day period not later than 60 days prior to the expiration of the 90 day period;
- This Declaratory Ruling may be transferred or partially transferred, provided both the facility owner/operator/transferor and the transferee are current with payments to the Council for their respective annual assessments and invoices under Conn. Gen. Stat. §16-50v. The Council shall be notified of such sale and/or transfer and of any change in contact information for the individual or representative responsible for management and operations of the facility within 30 days of the sale and/or transfer. Both the facility owner/operator/transferor and the transferee shall provide the Council with a written agreement as to the entity responsible for any quarterly assessment charges under Conn. Gen. Stat. §16-50v(b)(2) that may be associated with this facility; and
- The equipment shelter shall be elevated 2 feet above the 100-year flood evaluation.

This decision is under the exclusive jurisdiction of the Council and is not applicable to any other modification or construction. All work is to be implemented as specified in the petition dated July 2, 2015, and supplemental information dated July 23, 2015.

Enclosed for your information is a copy of the staff report on this project.

Very truly yours,

 *Robert Stein* ^{NAB}

Robert Stein
Chairman

RS/MP/lm

Enclosure: Staff Report dated August 6, 2015

- c: The Honorable Bill Finch, Mayor, City of Bridgeport
Parag Agrawal, Planning Director, City of Bridgeport
David Kooris, Director, Office of Planning and Economic Development, City of Bridgeport
Chapin & Bangs Company



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Petition No. 1169

Blue Sky Towers, LLC and New Cingular Wireless PCS, LLC

220 Evergreen Street, Bridgeport

Temporary Tower

Staff Report

August 6, 2015

On July 6, 2015, the Connecticut Siting Council (Council) received a petition (Petition) from Blue Sky Towers, LLC (BST) and New Cingular Wireless PCS, LLC (AT&T) (collectively, the Petitioner) for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed installation of a temporary wireless telecommunications facility at 220 Evergreen Street, Bridgeport. This Petition was field reviewed by Council Chairman Robin Stein and Council staff members Michael Perrone and Cyron Holzschuh on July 27, 2015.

Currently, AT&T maintains a wireless facility on top of the existing HI HO concrete and steel coal storage facility (HI HO Structure) at 370 North Avenue in Bridgeport. (Sprint and Verizon Wireless also are co-located on this facility.) However, because of the age of the structure (circa 1930s) and its deterioration due to some coal left inside the structure, an engineering firm has deemed the structure a “serious hazard to technicians, tower hands or anyone else working on or around the structure.” Thus, AT&T is unable to perform any maintenance or repairs to the structure. Its radio frequency (RF) capability has declined significantly as only one out of three sectors currently fully operational. The RF issues involving the other two sectors cannot be resolved because technicians are not allowed on the structure for safety reasons. The engineering firm recommends that the entire structure be demolished and all antennas removed from the structure. (However, the HI HO Structure is not Council-approved. Thus, the future of the structure is an issue for the property owner and the City of Bridgeport.)

Accordingly, AT&T requires an alternative site to compensate for the loss of its HI HO facility site. AT&T considered a temporary cell-on-wheels facility (COW) on the subject property, but there was insufficient space available. AT&T performed a site search of existing structures within a four-mile radius, but was unable to locate an existing structure that would provide the required coverage and have an interested land owner. AT&T then investigated raw land sites and found a site suitable from a radio frequency perspective with a willing land owner at the Chapin & Bangs Company at 220 Evergreen Street, Bridgeport. The property is a 1-acre vacant parcel adjacent to a parcel used as part of Chapin & Bangs steel fabrication services. This site is located approximately 0.12 miles southeast of the existing HI HO Structure. (The City of Bridgeport showed some initial interest in locating the temporary facility at the animal control facility at 236 Evergreen Street, but the Petitioner was unable to receive confirmation from the City.) Thus, the Petitioner seeks to go forward with a temporary facility at 220 Evergreen Street.

Specifically, the Petitioner seeks to install a 120-foot temporary monopole on top of a ballast base (that acts as a temporary foundation) in the northwestern portion of the subject property. With the 8-foot tall ballast base, the total height of the tower would reach 128-feet above ground level. Unlike a COW, which generally only serves one carrier, this temporary monopole is capable of supporting up to three carriers including

AT&T. (The Petitioner is currently in contact with Sprint and Verizon Wireless regarding the possibility of their co-locations in the future.)

AT&T would install six panel antennas on a platform at the 124-foot level of the tower. The tops of the antennas would not extend above the top of the tower. The Petitioner would set a (temporary) 12-foot by 20-foot equipment shelter adjacent to the tower. A battery backup power system that allows for up to eight hours of run time would be included. The shelter would be placed on top of 8-inch by 8-inch timber sleepers to act as a temporary base and allow easier setup and removal. The subject property is already secured with a chain link fence. The Petitioner would install a 10-foot access gate on the Evergreen Street side of the fence to facilitate access to the tower. Utilities would be run overhead from an existing utility pole on Evergreen Street.

A Professional Engineer duly licensed in the State of Connecticut has certified that the proposed ballasted monopole would be structurally adequate to support the proposed AT&T loading (and loading of two other carriers). The maximum worst-case power density would be 14.3 percent of the applicable limit. The project is expected to meet applicable noise standards at the property boundaries.

The Lakeview Village Historic District is located one-half mile east of the proposed site. The project is not expected to impact this historic resource. No wetlands are present at the site. One existing tree was already removed, but no other trees are located within the project footprint. The location of the tower on the subject property would place it in the 500-year flood zone, but would avoid the 100-year flood zone. Council staff believes that this is a prudent approach that would significantly reduce the risk of flood-related damage to equipment.

The subject property is located within the City of Bridgeport's I-L Industrial zone. The site is used for steel fabrication services. Adjacent lots are developed commercial uses, multi-family residential rental units, and the City's animal control facility. While there would be year-round visibility of the upper sections of the tower, most views would be limited to a 1/4-mile radius. In addition, these views would be in the context of existing industrial landscape including manufacturing, warehousing, and other commercial buildings and would be temporary. The nearest school, Maplewood Annex Elementary School, is 0.43 miles away. No views of the tower from any schools are expected.

Notice was provided to the City of Bridgeport, the subject property owner, and abutting property owners on or about June 30, 2015. The Petitioner received some inquiries from abutters, but no objections to the project.

The proposed tower would remain in place for about 1.5 years until a permanent relocation site is leased, permitted, constructed, and operational. AT&T is consulting with the City of Bridgeport relative to permanent site location alternatives (including the temporary tower site) that may be the subject of a future application to the Council.

The Petitioner contends that this proposed project would not have a substantial adverse environmental impact. If approved, staff suggests including the following conditions:

- Unless otherwise approved by the Council, if the temporary facility authorized herein is not fully constructed within eighteen months from the date of the mailing of the Council's decision, this decision shall be void, and the facility owner/operator shall dismantle the facility 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 decision shall not be counted in calculating this deadline. Authority to monitor and modify this schedule, as necessary, is delegated to the Executive Director. The facility owner/operator shall provide written notice to the Executive Director of any schedule changes as soon as is practicable;
- Any request for extension of the time period to fully construct the facility shall be filed with the Council not later than 60 days prior to the expiration date of this decision and shall be served on the City of Bridgeport;
- Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed;
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- This Declaratory Ruling may be transferred or partially transferred, provided both the facility owner/operator/transferor and the transferee are current with payments to the Council for their respective annual assessments and invoices under Conn. Gen. Stat. §16-50v. The Council shall be notified of such sale and/or transfer and of any change in contact information for the individual or representative responsible for management and operations of the facility within 30 days of the sale and/or transfer. Both the facility owner/operator/transferor and the transferee shall provide the Council with a written agreement as to the entity responsible for any quarterly assessment charges under Conn. Gen. Stat. §16-50v(b)(2) that may be associated with this facility.

Site Location



Photo-simulation as viewed from south of the subject property



The above photograph is intended to be viewed 18 inches from the reader's eye when printed on 11"x17" paper.

Simulated View
Viewpoint 2 - Commercial Area South of Project Property

