



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

www.ct.gov/csc

CERTIFIED MAIL RETURN RECEIPT REQUESTED

September 21, 2015

Kenneth C. Baldwin, Esq.
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103-3597

RE: **PETITION NO. 1177** - Cellco Partnership d/b/a Verizon Wireless petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed installation of a small cell telecommunications facility on the roof of an existing commercial building located at 67 Newtown Road, Danbury, Connecticut.

Dear Attorney Baldwin:

At a public meeting held on September 17, 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 facility authorized herein is not fully constructed within three years 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 all parties and intervenors, if applicable, and the City of Danbury.
- 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; and

- 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.

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 22, 2015 and additional information received on July 24, 2015.

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

Very truly yours,



Robert Stein
Chairman

RS/CH/lm

Enclosure: Staff Report dated September 17, 2015

- c: The Honorable Mark D. Boughton, Mayor, City of Danbury
Dennis Elpern, City Planner, City of Danbury
Berkshire Shopping Center, LLC





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Petition No. 1177

Cellco Partnership d/b/a Verizon Wireless

67 Newtown Road, Danbury

Staff Report

September 17, 2015

On July 22, 2015, the Connecticut Siting Council (Council) received a petition from Cellco Partnership d/b/a Verizon Wireless (Cellco) for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed installation of a small cell telecommunications facility on an existing commercial shopping center building at 67 Newtown Road in Danbury, owned by the Berkshire Shopping Center, LLC. The facility will provide capacity relief to Cellco's adjacent Germantown and Bethel North cell sites.

The proposed facility would consist of two small towers attached to the inside of a parapet wall on the roof of the building above the Ashley Furniture Retail Store. Each tower would support a single panel-type antenna, one at 1900 MHz and the other at 2100 MHz, with a remote radio head for each. Each panel antenna would extend approximately three feet above the parapet of the building, to an overall height of approximately 32.4 feet above ground level. The remote radio heads would be installed behind the parapet wall. Equipment associated with the facility would be located inside a small cabinet located on an 8-foot by 8-foot concrete pad at the southeasterly corner of the building. The cabinet and pad would be surrounded by a chain link fence with privacy slats. Power and telephone service to the facility will extend from existing service inside the building. The subject 33-acre parcel is within a general commercial district zone. The property is surrounded by commercial and industrial land uses.

The visual impact of the project is expected to be negligible as the antennas would only extend three feet above the parapet of the building. Visibility of the small cell installation would be limited to the immediate vicinity. See the photo-simulation on the next page. No new ground disturbance of any kind is necessary or proposed and no trees or vegetation of any kind will need to be removed to install the proposed small cell facility.

The maximum worst-case power density would be 12.14 percent of the applicable limit. No notice to the Federal Aviation Administration is required.

Notice was provided to Danbury's Mayor Mark Boughton, Berkshire Shopping Center LLC, the owner of the Property, and abutting property owners. No comments have been received to date.

Cellco contends that this proposed project would not have a substantial adverse environmental effect.



CONNECTICUT SITING COUNCIL
Affirmative Action / Equal Opportunity Employer



PROPOSED

| | | | |
|------------|---------------------------|--------------------------|----------------------------------|
| PHOTO 2 | LOCATION HOST PROPERTY | ORIENTATION SOUTHEAST | DISTANCE TO SITE +/- 226 FEET |
|------------|---------------------------|--------------------------|----------------------------------|



PROPOSED

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|------------|---------------------------|----------------------|----------------------------------|
| PHOTO 4 | LOCATION HOST PROPERTY | ORIENTATION NORTH | DISTANCE TO SITE +/- 126 FEET |
|------------|---------------------------|----------------------|----------------------------------|

