



# 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)

[www.ct.gov/csc](http://www.ct.gov/csc)

### CERTIFIED MAIL RETURN RECEIPT REQUESTED

May 30, 2017

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

RE: **PETITION NO. 1299** - 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 wireless telecommunications facility on the roof of the existing commercial building located at 777 Boston Post Road, Darien, Connecticut.

Dear Attorney Baldwin:

At a public meeting held on May 25, 2017, 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:

1. Testing of the backup generator shall only occur during daytime hours;
2. Approval of any minor project changes be delegated to Council staff;
3. 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;
4. 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 Town of Darien,
5. Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed;
6. 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;
7. 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

8. The facility owner/operator shall remit timely payments associated with annual assessments and invoices submitted by the Council for expenses attributable to the facility under Conn. Gen. Stat. §16-50v;
9. This Declaratory Ruling may be transferred, provided the facility owner/operator/transferor is current with payments to the Council for annual assessments and invoices under Conn. Gen. Stat. §16-50v and the transferee provides written confirmation that the transferee agrees to comply with the terms, limitations and conditions contained in the Declaratory Ruling, including timely payments to the Council for annual assessments and invoices under Conn. Gen. Stat. §16-50v; and
10. If the facility owner/operator is a wholly owned subsidiary of a corporation or other entity and is sold/transferred to another corporation or other entity, 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.

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 April 19, 2017, and additional information received May 23, 2017.

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

Very truly yours,



Robert Stein  
Chairman

RS/MAB/bm

Enclosure: Staff Report dated May 25, 2017

- c: The Honorable Jayme J. Stevenson, First Selectman  
Kathleen Clarke Buch, Town Administrator, Town of Darien  
David J. Keating, Zoning Enforcement Officer, Town of Darien  
Jeremy Ginsburg, Planning & Zoning Director, Town of Darien



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### **Petition No. 1299**

#### **Cellco**

**777 Boston Post Road, Darien**

**Rooftop Wireless Telecommunications Facility**

**Staff Report**

**May 25, 2017**

On April 19, 2017, 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 rooftop wireless telecommunications facility at 777 Boston Post Road, Darien, Connecticut. The facility would improve wireless service for Cellco for both the 1900 MHz long term evolution (LTE) and 2100 MHz LTE frequency bands.

Cellco's rooftop wireless telecommunications facility would be installed on an existing commercial building owned by The Fidelity Building Company. Cellco would install one sector of the facility on an antenna mast in the eastern corner of the roof and one sector on an antenna mast in the southern corner of the roof. The southern sector would have four panel antennas and four remote radio heads (RRHs). The eastern sector would have two panel antennas and two RRHs. Both sectors would be screened by concealment shields. The proposed concealment shields would reach a maximum height of 43 feet above ground level (agl). This is approximately 4.5 feet above the existing roof parapet height of 38.5 feet agl. Cellco's equipment would be installed in the basement of the building. Cellco's utilities would also connect in the basement equipment area.

A 20-kilowatt diesel-fueled backup generator surrounded by a stockade fence would be installed to the rear of the parcel in a cleared area immediately west of the parking lot. The most up to date specification sheet for the diesel generator was submitted by Cellco on May 23, 2017. The electric utility connection to the generator would be underground from the generator to the building. Emergency backup generators are exempt under the Connecticut Department of Energy and Environmental Protection (DEEP) Noise Control Standards § 22a-69-1.8(f). Staff suggests including a condition that any testing of the generator occur during daytime hours.

There are no wetland areas in the vicinity of the project. The backup generator would be located in a cleared area and would not result in the loss of any parking locations.

The subject property is located within Darien's Designed Business One (DB-1) Zone. While there are abutting residential properties, the visual impact is not expected to be significant due to the concealment shields designed to match the finish of the building and the limited height of the facility (i.e. approximately 4.5 feet above the existing roof parapet of the building). Cellco's radio equipment would be indoors in the basement of the building. The ground-mounted backup generator would be screened by the proposed stockade fence. Cellco would also install landscape plantings around the stockade fence for aesthetics.

The calculated power density would be 1.2 percent of the applicable limit using a -10 dB off-beam adjustment. Notice is not required to the Federal Aviation Administration.

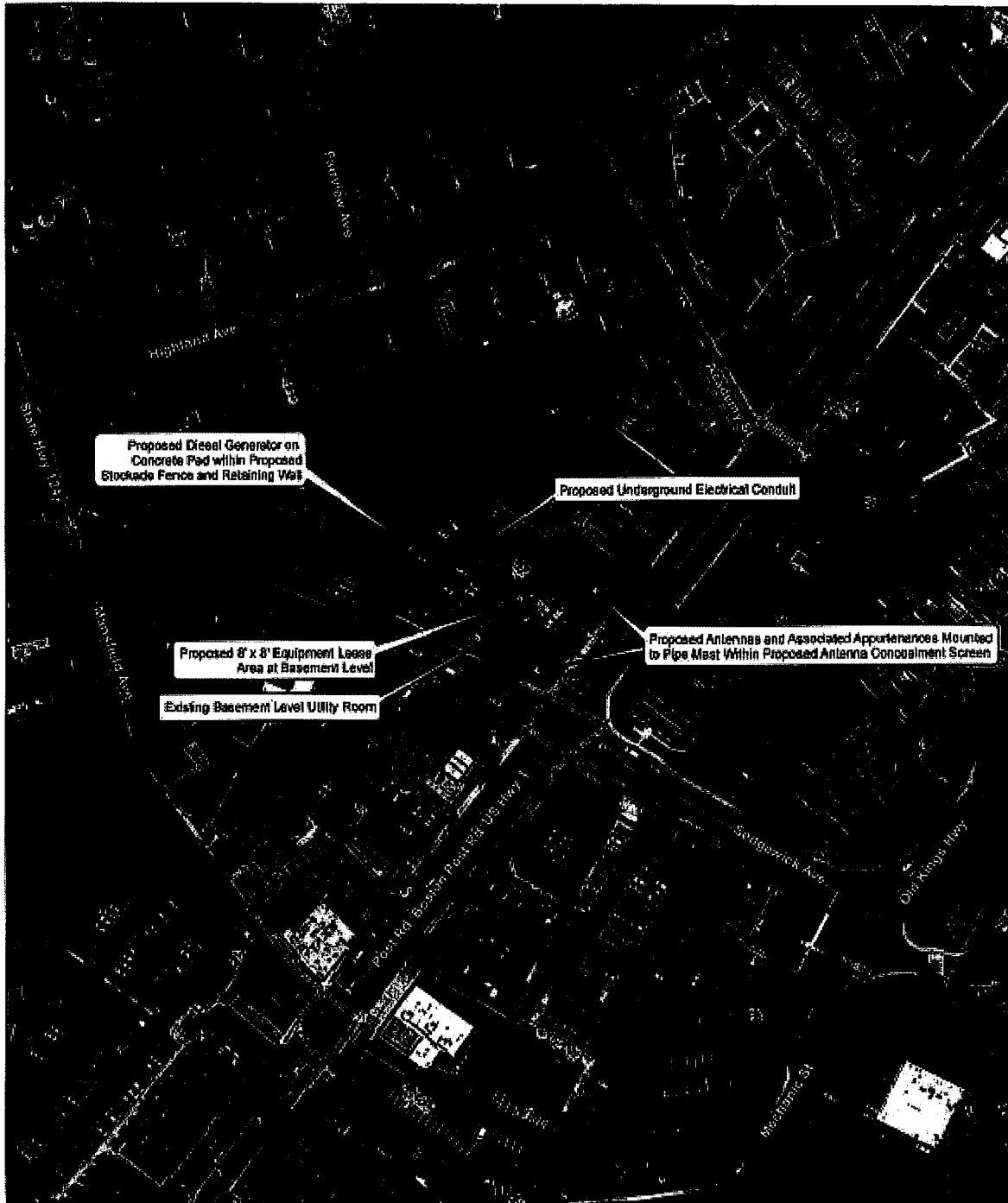
Notice was provided to the Town of Darien, the property owner, and abutting property owners on or about April 19, 2017. No comments have been received by the Council to date.

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

Staff recommends the following conditions:

1. Testing of the backup generator shall only occur during daytime hours; and
2. Approval of any minor project changes be delegated to Council staff.

## Site Location



**Photo-simulation as viewed from Sedgewick Avenue**



**PROPOSED**

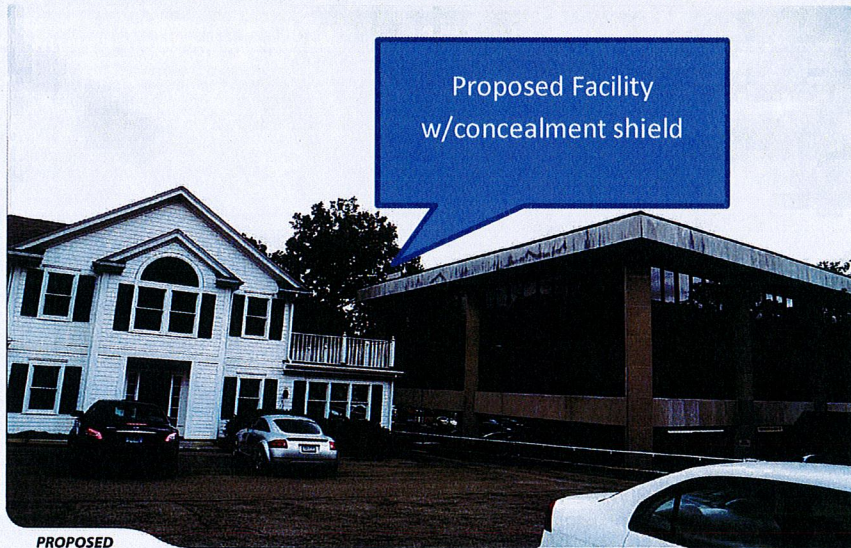
PHOTO  
2

LOCATION  
SEDGEWICK AVENUE

ORIENTATION  
NORTHWEST

DISTANCE TO SITE  
+/- 258 FEET

**Photo-simulation as viewed from adjacent to host property**



**PROPOSED**

PHOTO  
4

LOCATION  
ADJACENT TO HOST PROPERTY

ORIENTATION  
SOUTH

DISTANCE TO SITE  
+/- 167 FEET