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Daniel M. Laub
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May 30, 2017

VIA EMAIL AND OVERNIGHT DELIVERY

Hon. Robert Stein, Chairman
and Members of the Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Re: Petition 1300
New Cingular Wireless PCS, LLC ("AT&T")
Petition for a Declaratory Ruling
1 Circular Drive, Hamden, Connecticut

Dear Chairman Stein and Members of the Council:

On behalf of New Cingular Wireless PCS, LLC (AT&T), we respectfully enclose an original and fifteen (15) copies of responses to interrogatories in the captioned Petition.

Should the Council or Staff have any questions about this matter please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "D. Laub", written over the typed name "Daniel M. Laub".

Daniel M. Laub

cc: AT&T
Centerline
Christopher B. Fisher, Esq.



CERTIFICATION OF SERVICE

I hereby certify that an original and fifteen copies of the foregoing letter and included responses were forwarded by overnight delivery to the Connecticut Siting Council on May 30, 2017.

Date

A handwritten signature in dark ink, appearing to read "D. Laub", written over a horizontal line.

Daniel M. Laub
Cuddy & Feder LLP
445 Hamilton Avenue, 14th Floor
White Plains, New York 10601

Attorneys for:
New Cingular Wireless PCS, LLC (AT&T)

CONNECTICUT SITING COUNCIL

PETITION OF NEW CINGULAR WIRELESS PCS,)
LLC ("AT&T") TO THE CONNECTICUT SITING)
COUNCIL FOR A DECLARATORY RULING THAT) PETITION NO. 1300
NO CERTIFICATE OF ENVIRONMENTAL)
COMPATIBILITY AND PUBLIC NEED IS) MAY 30, 2017
REQUIRED FOR THE REMOVAL OF AN)
EXISTING ROOFTOP FLAGPOLE TOWER)
FACILITY AND INSTALLATION OF NEW)
REPLACEMENT FLAGPOLE TOWER FACILITY)
ON THE EXISTING BUILDING LOCATED AT)
1 CIRCULAR AVENUE, HAMDEN, CONNECTICUT

PETITION FOR DECLARATORY RULING TO
REMOVAL OF AN EXISTING ROOFTOP FLAGPOLE TOWER FACILITY AND
INSTALLATION OF NEW REPLACEMENT FLAGPOLE TOWER FACILITY ON THE
EXISTING BUILDING LOCATED AT
1 CIRCULAR AVENUE, HAMDEN, CONNECTICUT

Q1. How was the existing facility approved, e.g. approved by the Town of Hamden (Town)?
Were there any conditions on the Town approval?

A1. *AT&T made an application for site plan approval to the Hamden Planning and Zoning Commission in August of 2002. The original approval is attached. The site was approved as proposed with no conditions.*

Q2. Explain why New Cingular Wireless PCS, LLC (AT&T) is proposing to relocate the existing flagpole facility.

A2. *Current antenna technology necessary for AT&T's service at this site includes dimensions which require a slightly wider "flagpole" than currently on the roof. While AT&T's records indicate that the State Historic Preservation Office ("SHPO") approved the original facility in 2002, federally mandated consultation with SHPO for this slightly wider flagpole resulted in SHPO's conclusion that the flagpole should be moved further back from the front of the building to the proposed location to mitigate potential visual impacts to historic resources.*

Q3. Is the new antenna and equipment configuration designed to improve AT&T's coverage and/or capacity from this site? If yes, for which frequency bands would the coverage and/or capacity be improved? Would only 1900 MHz be deployed at this site?

A3. *The proposed alteration of the site represents an upgrade and enhancement of the technology and operation of AT&T's existing site. The upgrade is necessary in order to assure maximum data throughput speeds thereby assuring adequate capacity and continued reliable service to this area of Hamden. 1900 MHz, 850 MHz and 737 MHz service will be deployed at the upgraded facility.*

Q4. If the project is approved, would the existing facility be left in place until the new facility is operational? If yes, would that affect the Structural Analysis Report dated March 31, 2017 (SAR) or the capacity of what the building can support?

A4. Construction plans are being finalized but it is anticipated that since both removal and installation will require the coordinated use of a crane the existing flagpole will be removed just prior to installation of the proposed new flagpole tower. Accordingly at this time no change or impact to the Structural Analysis Report is anticipated.

Q5. The SAR and AT&T Drawing A-4 show the proposed antennas as Kathrein No. 80010798. The RF Site Compliance Report dated March 8, 2017 shows Quintel No. QS66512-3 antennas. Explain the discrepancy. For example, are the Kathrein antennas proposed, but the Quintel antennas are functionally equivalent for the purposes of RF power density analysis?

A5. This information is being obtained from AT&T's radio frequency consultants and is not yet available but will be provided as soon as received.

Q6. At 2421 watts effective radiated power (ERP) for one sector, 1900 MHz frequency and an antenna centerline height of 39 feet above ground level, would the maximum worst-case power density at ground level be about 57.3 percent of the Maximum Permissible Exposure for public/uncontrolled access or (equivalently) about 5.73 percent with a 10-dB reduction?

A6. Confirmation of this calculation is being sought from AT&T's radio frequency emissions consultant and will be provided as soon as received.

Q7. Where would the "new stealth chimney" referenced on Page 2, Section IV of the Petition be located?

A7. This was an error in nomenclature and should instead read as "flagless flagpole". No stealth chimney is proposed.

Q8. Page 2 of Petition notes that no Federal Aviation Administration (FAA) lighting or marking of AT&T's installation is required. Is it also correct to say that no notice to the FAA would be required?

A8. Correct, no notice to the FAA is required.

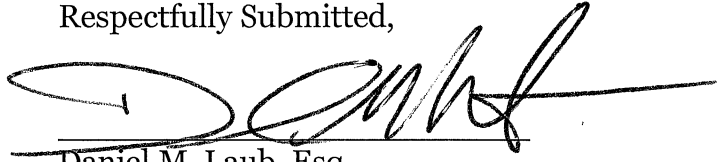
Q9. Would the modified facility have battery backup? If yes, about how long could the battery backup supply power to the facility in the event of a power outage?

A9. AT&T's equipment is equipped with a battery back-up system which would provide power to the facility for up to approximately 8 hours in the event of a power outage.

Q10. Would the relocated facility's equipment continue to meet the Connecticut Department of Energy and Environmental Protection's noise control standards at the property boundaries?

A10. Yes.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'D. Laub', written over a horizontal line.

Daniel M. Laub, Esq.

On behalf of the Petitioner, AT&T
Cuddy & Feder, LLP
445 Hamilton Avenue, 14th Floor
White Plains, New York 10601
(914) 761-1300

ATTACHMENT



TOWN OF HAMDEN
CONNECTICUT

October 1, 2003

Cuddy & Feder & Worby LLP
90 Maple Avenue
White Plains, NY 10601-5196

Re: Site Plan 02-1337
One Circular Avenue
Telecommunications Facility R-4 Zone
AT&T Wireless, Applicant

Dear Ms. Chiocchio:

The Zoning Section, Planning and Zoning Commission approved Site Plan Application 02-1337 for One Circular Avenue at its meeting of Tuesday, November 26, 2002.

Enclosed, please find the Minutes from the meeting as well as a copy of the legal notice. Should you have any questions, please contact me at 203-287-7072. Thank you.

Sincerely yours,


Holly Masi
Commission Clerk

Enclosures



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TOWN OF HAMDEN

CONNECTICUT

2002 NOV 32 P 12: 08

NOT RECORDED BY

November 29, 2002

New Haven Register
40 Sargent Drive
New Haven, CT 06511
ATTN: Judy

FAX: 865-8360
Bill: 287-7071

RE: LEGAL NOTICE TO APPEAR IN THE NEW HAVEN REGISTER ON TUESDAY,
DECEMBER 3, 2002

THE ZONING SECTION, PLANNING AND ZONING COMMISSION, Town of Hamden, held a Regular Meeting on Tuesday, November 26, 2002 at 7:00 p.m. in the Council Chambers, Memorial Town Hall. The following actions were taken:

1. Site Plan 02-1337
One Circular Avenue
Telecommunications Facility R-4 Zone
AT & T Wireless, Applicant
Approved
2. Site Plan 02-1338
41 (Lot 32) Overlook Drive
Warehouse/Office M-1 Zone
David Wlodkowski, Applicant
Approved with Conditions
3. Site Plan 02-1339
Lot 4 Corporate Ridge
Canine Training Facility M-1 Zone
Godfrey Hoffman Assoc., Applicant
Approved with Conditions

Submitted by:

Holly Masi
Holly Masi, Clerk of Commission

Tuesday, December 3, 2002

HAMDEN LEGAL NOTICE

THE ZONING SECTION, PLANNING AND ZONING COMMISSION, Town of Hamden, held a Regular Meeting on Tuesday, November 26, 2002 at 7:00 p.m. in the Council Chambers, Memorial Town Hall. The following actions were taken:

1. Site Plan 02-1337
One Circular Avenue
Telecommunications Facility
R-4 Zone
AT&T Wireless, Applicant
Approved
 2. Site Plan 02-1338
41 (Lot 32) Overlook Drive
Warehouse/Office M-1 Zone
David Wlodkowski, Applicant
Approved with Conditions
 3. Site Plan 02-1339
Lot 4 Corporate Ridge
Canine Training Facility
M-1 Zone
Godfrey Hoffman Assoc.,
Applicant
Approved with Conditions
- Submitted by: Holly Masi
Clerk of Commission



TOWN OF HAMDEN

CONNECTICUT

2002 DEC -4 P 2:36

FILED BY

I

December 3, 2002

MINUTES: THE ZONING SECTION, PLANNING & ZONING COMMISSION, Town of Hamden, held a Regular Meeting on Tuesday, November 26, 2002 at 7:00 p.m. in the Legislative Council Chambers, Memorial Town Hall, 2372 Whitney Avenue, Hamden, CT and the following was reviewed:

Commissioners in Attendance:

Michael Crocco, Planning & Zoning Chairman
David Vegliante
Linda Woodward, Alternate for Art Giuletta
Robert Roscow, Alternate
Mike Ajello, Zoning Chairman (arrived at 7:20 p.m.)
Roger J. O'Brien, Town Planner
Tim Lee, Assistant Town Attorney
Holly Masi, Commission Clerk

Staff in Attendance:

A. Review minutes of 10/22/02 Regular Meeting – This item was skipped.

B. Regular Meeting

1. Site Plan 02-1337
One Circular Avenue
Telecommunications Facility R-4 Zone
AT & T Wireless, Applicant
(Deadline for Decision 11/28/02)

Mr. Crocco called the meeting to order at 7:10 p.m. acting as Chairman in the absence of Mike Ajello. He introduced the panel and reviewed the agenda. Mr. Vegliante informed the Applicant that he works for SNET. The Applicant was not opposed to him acting as a Commissioner on this item. Mr. Vegliante did not feel it would interfere with his ability to be impartial. Lucia Chiocchio came forward to review the application and plans submitted (on file). She reviewed radio frequency plots to establish the need for the facility. The facility is proposed to enhance the service they provide to customers. Mr. Crocco asked how tall the flagpole is – Ms. Chiocchio responded that it is an 11-foot flagpole. Mr. Crocco asked how it would be lit. Lighting will point up to the flagpole. Mr. Crocco asked if any steel would be exposed. There will not be. AT&T is leasing and using this exclusively – no plans for sharing. Mr. Roscow asked if there were any other poles that they can share with. There is one across the street at Stop and Shop. A lease was not negotiated with them. It was discussed that towers can be shared, not flagpoles. Mr. Ajello arrived at 7:20 p.m. and took over as Chairman at the close of this item. Mr. O'Brien referenced a meeting with the applicant and stated they were very responsive and complied with the Zoning Regulations.

Mr. Vegliante made a motion to approve the application as presented; Ms. Woodward seconded the motion. The vote was unanimous.

2. Site Plan 02-1338
41 (Lot 32) Overlook Drive
Warehouse/Office M-1 Zone
David Wlodkowski, Applicant
(Deadline for Decision 12/26/02)

Mr. Wlodkowski came forward to address the Commission and review the application and site plan (on file). Mr. Wlodkowski referenced the letter from the Town Planner (on file). He addressed the concern for landscaping raised. The Applicant is a landscaper so Mr. Wlodkowski left the plan generic so that the Applicant can take care of the landscaping. Mr. Wlodkowski referenced the layout of the doors in the front of the building and asked if there could be flexibility with respect to putting in planters between the doors instead of the 5 foot buffer of landscaping required so as to not interfere with the doors.

There are doors in between the overhead doors that serve as entrance into the bays. Mr. Crocco stated that it has to be permanent. Mr. Wlodkowski responded that it could be curbed and permanent. Mr. Roscow raised the issue of the Applicant leasing stating that if this is approved, subsequent lessors need to have their plans reviewed by the Town Planner. Mr. Crocco stated that there needs to be something permanent across the front. Mr. Crocco asked if there is a handicap spot. There is one handicap space in the front. Mr. Crocco asked how far the handicap space is from the building. It is 32 - 40 feet away. Mr. Wlodkowski reviewed the parking on the plans. Mr. Roscow raised concern about the lack of a drive aisle and recommended a drive aisle that could be maintained and plowed. Mr. Ajello asked what would be warehoused. The Applicant replied that it would be for all the equipment related to the landscaping. There will be no third party storage. Mr. Ajello referenced the Town Engineer memo (on file) requesting that the Inland Wetlands approval conditions be incorporated into the plans. The Applicant stated that they had been incorporated into the plans. The only outdoor storage would be staging used for deliveries of plants or trees to be used for the landscaping business. Mr. Crocco suggested limiting outside storage and require the curb type planting for buffer reviewed by Town Planner and Zoning Chairman.

Mr. Roscow made a motion to approve the application with the following conditions:

- Parking pavement be extended out 24 feet, as required by the zoning regulations, for a drive aisle for all parking spaces and a hammerhead be installed and be reviewed by the Town Planner and Town Engineer.
- Future tenants have their plans approved by the Town Planner before any lease can be authorized.
- 8-foot strip in front of the building be landscaped subject to review by the Town Planner.
- Applicant to use curbing and permanent planters by the overhead doors.
- Incorporate the conditions of the Inland Wetlands commission into the plans
- Only the living inventory i.e. landscaping plants, etc. to be stored outside.

Mr. Vegliante seconded the motion. The vote was unanimous.

3. **Site Plan 02-1339**
 Lot 4 Corporate Ridge
 Canine Training Facility M-1 Zone
 Godfrey Hoffman Assoc., Applicant
 (Deadline for Decision 12/26/02)

Mr. Jeffrey Granquist came forward to review the application and site plan (on file). First part of the application is a lot line revision, which he reviewed on a map submitted with the application (on file). Both lots will be conforming. This lot line revision makes the lot lines more parallel. Mr. Granquist reviewed the history of the site and reviewed the proposed use of the site. The proposed tenant Connie Nelson from Paws 'n' Effect came forward to review the nature of the proposed business. She currently has a location on Overlook Drive and is looking to grow the business. She wants to stay in Hamden. Mr. Granquist reviewed further the site plans (on file). Mr. Granquist addressed the concern raised regarding the 50-foot buffer requirement of an M-1 Zone location that abuts a residential zone. Mr. Granquist reviewed the plans, which include a row of spruce trees as well as explaining the layout and grades of the site and providing pictures of the view of the site from the houses. There is a significant grade change, as well as a row of spruce trees that will account for the waiver from the Commission of the 50-foot buffer. 9:00 p.m. is the time the last class ends. Mr. Crocco raised a concern that if there would be outdoor training of dogs, that a fence should be put in to keep the dogs on the site. Mr. Granquist referenced RWA letter (copy on file). He stated he would amend the plans to account for comments. Mr. O'Brien referenced his letter (on file) raising the buffer concerns and informed the applicant that he would need a double row of trees to meet the requirements. Mr. Granquist in response to the impervious surface calculations referenced his application to the RWA (copy submitted with his application is on file). There was discussion of the trees and how many rows. Mr. Roscow suggested staggering the proposed amount to account for the two rows.

Mr. Roscow made a motion to approve the application with the following conditions:

- Spacing for the Norwegian spruce trees be staggered and the number of trees be divided into 2 rows.
- Regional Water Authority comments be incorporated into the plans.
- If there is outdoor training of the dogs, the outdoor training area be sufficiently fenced in.

Ms. Woodward seconded the motion. The vote was unanimous.

C. Old Business

1. **Bond Release Request \$44,105**
 Site Plan 00-1250

50 Overlook Drive Lot 31
Peter Panaroni, Applicant

Mr. Ajello read the Zoning Enforcement Officer's report into the record (copy on file). The Commission reviewed with the Applicant the work that needs to be completed. The Zoning Enforcement Officer recommended not releasing the bond, but reducing the bond to \$15,000 to be held until the work has been completed.

Mr. Vegliante made a motion to reduce the bond to \$15,000 as recommended in the Zoning Enforcement Officer's report; Mr. Roscow seconded the motion. The vote was unanimous.

2. Bond Release Request \$36,938
Site Plan 97-1183
52 Crest Way
Frank Barucci, Applicant

Mr. Ajello referenced Zoning Enforcement Officer's report (on file)

Mr. Roscow made a motion to release the bond as recommended in the Zoning Enforcement Officer's report; Mr. Vegliante seconded the motion. The vote was unanimous.

3. Bond Release Request \$106,600.
Site Plan 01-1311
2300 #4 Dixwell Avenue
Retail
Wal-Mart, Applicant

Mr. Ajello referenced Zoning Enforcement Officer's report (on file).

Mr. Roscow made a motion to release the bond as recommended in the Zoning Enforcement Officer's report; Ms. Woodward seconded the motion. The vote was unanimous.

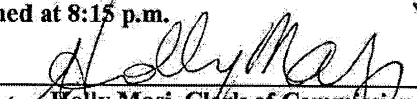
D. New Business There was none.

E. Adjournment

Mr. Roscow made a motion to adjourn; Mr. Vegliante seconded the motion. The vote was unanimous.

The Meeting adjourned at 8:15 p.m.

Submitted by:


Holly Masi, Clerk of Commission