



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

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### CERTIFIED MAIL RETURN RECEIPT REQUESTED

February 15, 2019

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

RE: **PETITION NO. 1360** – Sprint Spectrum Realty Company, LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed installation of a temporary rooftop tower facility and associated equipment to be located at 201 High Ridge Road, Stamford, Connecticut.

Dear Attorney Fisher:

At a public meeting held on February 14, 2019, 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:

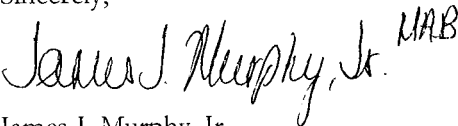
1. Approval of any minor project changes be delegated to Council staff;
2. Approval of the installation of this temporary facility is valid for three years from the date of this decision;
3. The required post modifications shall be performed in accordance with Section 1-4 of the Structural Analysis Report prepared by CENTEK Engineering, Inc., dated January 2, 2019 and stamped and signed by Camilo Gaviria;
4. Within 45 days following completion of temporary tower installation, Sprint shall provide documentation certified by a Professional Engineer that the modifications were performed as specified in the Structural Analysis Report;
5. 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;
6. 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 Stamford;

7. Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed;
8. 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;
9. 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;
10. 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
11. 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 January 7, 2019 and additional information received on January 30, 2019.

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

Sincerely,

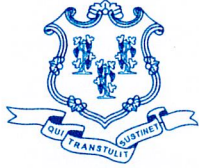


James J. Murphy, Jr.  
Acting Chairman

JM/MP/lm

Enclosure: Staff Report dated February 14, 2019

- c: The Honorable David Martin, Mayor, City of Stamford  
Ralph Blessing, Land Use Bureau Chief, City of Stamford  
HRC 201 I LLC- HRC 201 IV LLC, property owner



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### Petition No. 1360

**Sprint Spectrum Realty Company, LLC**

**201 High Ridge Road, Stamford**

**Temporary Tower**

**Staff Report**

**February 14, 2019**

### Introduction

On January 8, 2019, the Connecticut Siting Council (Council) received a petition (Petition) from Sprint Spectrum Realty Company, LLC (Sprint or Petitioner) for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed installation of an approximately 40-foot temporary rooftop wireless telecommunications tower at 201 High Ridge Road, Stamford. The proposed temporary tower would maintain continuity of service while an existing rooftop telecommunications facility located on the same subject property is removed and replaced as part of a development project at the site.

Notice was provided to the City of Stamford (City), the subject property owner, and abutting property owners on or about January 4, 2019. On January 8, 2019, the Council sent correspondence to the City stating that the Council has received the Petition and invited the municipality to contact the Council with any questions or comments by February 7, 2019. By email dated January 15, 2019, Ralph Blessing, Land Use Bureau Chief, City of Stamford notes that the City Land Use Bureau supports the proposed project.

The Council submitted interrogatories to Sprint on January 16, 2019. Sprint responded to the Council's interrogatories on January 29, 2019.

### Existing Facility

The subject property was owned and occupied by General Electric (GE) as one of its office campuses in Fairfield County. However, GE sold the site and no longer maintains offices in the buildings. Sprint has maintained a rooftop wireless facility on a portion of one of the existing office buildings at the site for over 15 years. The existing facility was permitted by the City. Sprint's antennas are located at a centerline height of roughly 57 feet above ground level (agl). This facility serves commercial and residential areas in this part of the City.

### Proposed Temporary Facility

In December 2018, the City's Zoning Board approved demolition of the portion of the building that supports Sprint's existing telecommunications facility as part of the development of a new senior housing facility by the new owners of the site, HRC 201 (I-IV) LLC (HRC or Property Owner). Thus, HRC and Sprint have entered into an agreement for Sprint's existing facility to be permanently relocated to the roof of the new senior residence building once construction of that project is completed. In the interim and to maintain continuity of Sprint's services, the agreement also requires the construction of a temporary facility for the duration of the demolition and construction activities at the site.

Specifically, the Petitioner seeks to install an approximately 40-foot tall temporary guyed lattice tower on top of an existing elevated steel platform in the northeastern portion of the roof of the building complex. The top of the existing roof is approximately 29-feet 6.5-inches agl. The top of the tower would reach a height of approximately 72-feet 6.5-inches.



The existing roof that the proposed temporary tower would be located on is about 30 feet lower in height than that of the existing building to be demolished. Thus, the height of the proposed temporary tower would be necessary for the radio frequency signals to clear the height of the proposed building to be constructed at the site.

Sprint would face-mount three panel antennas at the 69-foot 6.5-inch level of the proposed temporary tower. Sprint would also install 12 diplexers at the same elevation. The tops of the antennas would be approximately flush with the top of the tower (i.e. no higher than ~73 feet agl).

Sprint would install its equipment on a 10-foot by 10-foot concrete pad on the ground adjacent to the northwest corner of the building. The concrete equipment pad would contain three cabinets and a utility backboard. The ground equipment cabinets would include a battery cabinet that would provide backup power. The site would be able to run on this backup power for approximately eight hours (depending on the load) without the deployment of a mobile generator. The overall site would be secured during the significant construction project on the property which involves demolition and construction of the new building. However, as a secondary level of security for the ground equipment, Sprint proposes temporary fencing around the ground equipment. Utilities would run underground from an existing pole on the eastern side of High Ridge Road to the proposed utility backboard.

### **Public Safety**

A Professional Engineer duly licensed in the State of Connecticut has certified that the proposed temporary tower would be structurally adequate to support the proposed loading; however, the existing steel platform would require certain modifications/reinforcements. Specifically, eight existing posts consist of 3.5-inch outside diameter pipes. One pair of posts was found to exceed the allowable structural capacity to support the tower. Sprint would remove and replace these two posts/pipes with new 4" x 4" x 5/16" square hollow structural sections to ensure compliance with applicable structural standards.

The maximum worst-case power density would be 9.62 percent of the applicable limit using a -10-dB adjustment.

Per the TOWAIR analysis, the proposed temporary telecommunications facility would not require registration with the Federal Aviation Administration.

### **Environmental**

The proposed site is located within the Federal Emergency Management Agency (FEMA) unshaded Zone X, an area outside of the 500-year flood zone. No wetlands or watercourses are located in the vicinity of the proposed ground equipment.

The project would comply with the Connecticut Department of Energy and Environmental Protection (DEEP) noise control standards.

The proposed site is not located within the shaded area of the DEEP Natural Diversity Database.

The subject property is located within the City's C-D (Commercial District) Zone. The site abuts a campus-style office development to the north and residences to the south, east and west. There would be some limited seasonal (i.e. leaf-off) views of the temporary tower extending approximately 0.25-mile to the west and approximately 0.1-mile to the south of the site. Views of the proposed temporary facility to the north would be limited to the adjacent corporate office building, and views to the east would be obscured by mature trees separating those neighborhoods from the subject property. However, there would be no permanent visual impacts because the proposed tower would be temporary.

### **Facility Construction**

If approved, the proposed temporary facility would be installed by the end of March 2019. The proposed temporary facility would be in service for approximately two to three years during which time demolition of the existing building and facility and construction of the new building and installation of a permanent rooftop wireless facility would take place as part of the property owner's development.

The proposed construction hours would be limited to Monday through Friday 7:00 a.m. to 5:00 p.m.

### **Conclusion**

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

- 1) Approval of any minor project changes be delegated to Council staff;
- 2) The required post modifications shall be performed in accordance with Section 1-4 of the Structural Analysis Report prepared by CENTEK Engineering, Inc., dated January 2, 2019 and stamped and signed by Camilo Gaviria; and
- 3) Within 45 days following completion of temporary tower installation, Sprint shall provide documentation certified by a Professional Engineer that the modifications were performed as specified in the Structural Analysis Report.



**PHOTO LOG**

**Legend**

- Site
- Visible

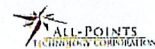
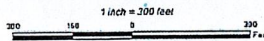


Figure 1. Proposed temporary facility location.



<b>PROPOSED</b>			
PHOTO	LOCATION	ORIENTATION	DISTANCE TO SITE
1	HOST PROPERTY	SOUTHEAST	+/- 313 FEET

Figure 2. Photo-simulation of the proposed temporary tower as viewed from the subject property access drive off of High Ridge Road.