



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

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January 8, 2016

Kri Pelletier  
SBA Communications Corporation  
33 Post Road West, Suite 320  
Marlborough MA 01752

RE: **DOCKET NO. 366** - SBA Towers II, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 52 Stadley Rough Road in Danbury, Connecticut.

Dear Ms. Pelletier:

During a public meeting held on January 7, 2016, the Connecticut Siting Council (Council) voted to deny your November 24, 2015 Motion to Reopen and Modify the Council's April 23, 2009 Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, maintenance and operation of a telecommunications facility at 52 Stadley Rough Road in Danbury, Connecticut, to eliminate the requirement that all antennas on this telecommunications facility be flush-mounted on the basis that this requirement is part of a court-ordered Stipulation for Judgement dated January 6, 2010. The Council cannot legally grant the request to eliminate the requirement for flush antenna mounts unless the Stipulation for Judgement is amended accordingly.

Enclosed please find the Council's Staff report on this matter.

Sincerely,

Robert Stein  
Chairman

RS/CMW/cm

c: Parties and Intervenors



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Docket No. 366

SBA Infrastructure LLC (SBA)

52 Stadley Rough Road, Danbury

Request to Reopen and Modify the Certificate

Staff Report

January 7, 2016

On April 23, 2009 the Connecticut Siting Council (Council) granted a Certificate of Environmental Compatibility and Public Need (Certificate) to SBA Towers II, LLC (SBA) (formerly known as Optasite Towers LLC) for the construction, maintenance and operation of a telecommunications facility at 52 Stadley Rough Road in Danbury, Connecticut. The facility is also the subject of a Superior Court stipulation dated January 6, 2010.

SBA owns the existing 140-foot monopole located on property owned by Christ the Shepherd Church. The facility provides service to the northeast portion of the City of Danbury, including the area north of the Interstate 84 and Route 7 junction. The host property and surrounding area is zoned residential.

Once the facility became operational the Council has acted on the following requests:

Type of request	Town	Location	Carrier/Tower Management	Proposed Action	Council Decision Date
Docket 366	Danbury	52 Stadley Rough Road	T-Mobile	flush mount 3 panel antennas @ 137 feet	04/23/09
Tower Share			MetroPCS	flush mount 6 panel antennas @ 117 feet	05/18/10
Tower Share			Clearwire	flush mount 3 WiMax panel antennas @ 107 feet	06/17/10
Tower Share			Verizon	flush mount 6 antennas @.97 feet	01/05/12
Exempt Mod			T-Mobile	replace 3 antennas with three flush-mounted dual band antennas @ 137 feet	06/27/13
Exempt Mod			Verizon	add 3 antennas to existing 6 antennas	02/25/14
Tower Share			AT&T	flush mount 6 antennas at 107 feet	03/06/14
Revised Tower Share			AT&T	reduce size of equipment shelter and eliminate backup generator	05/15/15
Exempt Mod			T-Mobile	Add 3 LTE antennas and relocate 3 panel antennas on T-arm mounts	11/09/15 DENIED

On November 24, 2015, SBA Communications filed a Request to Reopen and Modify the Council's issuance of said Certificate. Specifically, the request relates to the removal of a portion of Condition No. 1 of the Certificate that requires "All antennas attached to the monopole shall be flush-mounted." Due to advancements in technology and increased consumer demand, SBA is requesting use of T-arm antenna mounts rather than flush antenna mounts on this existing tower to avoid increasing the height of the tower to comply with the flush antenna mount condition.



The January 6, 2010 court-ordered Stipulation for Judgment required antennas to be flush mounted to the tower and any new equipment to be installed within the fenced compound in a shelter with a pitched roof and siding with a cedar appearance; the height of the tower shall not be increased unless consented to by the City of Danbury; and a fuel cell used for backup power if such technology is readily available for use and meets the backup power requirements for the site, but if a fuel cell is not used for backup power, the carrier shall provide written notice to parties to the court proceeding.

During the 2000s, the Council balanced wireless carriers' needs to provide service to their customers with potential visibility of the antennas and supporting structure. This precipitated consideration of mounting antennas flush to the tower and in some instances painting the tower and antennas to minimize the presence of the facility.

SBA respectfully requests the Council remove the requirement that all antennas be flush mounted on this facility for the following reasons:

- T-Mobile proposes to add three new antennas together with three existing antennas to meet increased consumer usage and demand including enhanced wireless services and E911. T-arm mounts would be needed to support the antennas at the top of the tower. It has become commonplace for carriers to require more tower and ground space for equipment utilizing multiple frequency licenses supporting 2G/3G legacy technologies and newer LTE/4G systems. Installation of flush mount antennas at a lower height would reduce coverage. Installation of flush mounted antennas at a higher height would require an increase in tower height. Neither of these options are reasonably practicable and functionally equivalent alternatives. Furthermore retaining the flush mount antenna condition may have the effect of precluding tower sharing by other carriers.
- T-Mobile's proposed work will not present any change to the environmental conditions. No material changes to environmental conditions are expected from those presented in the original Docket 366 Findings of Fact. The anticipated composite radio frequency maximum permissible exposure for the proposed work will be 9.7 percent of the allowable Federal Communications Commission general public limit.
- T-Mobile's proposed work will not present any significant adverse visual impact on the surrounding area. The T-arm mounting configuration will result in a marginal additional visibility from areas that already view the structure. The T-arm mount is approximately five feet on the horizontal plane which maintains a four-foot separation between antennas. The T-arm mount would extend 24-inches from the tower.
- T-Mobile's proposed modification is consistent with necessary changes being made to existing site configurations. It is known that flush mount configurations limits future capacity demand that may require additional antennas and technological advances might not be deliverable with flush mount antennas.

SBA provided its request to parties and intervenors to the original docket proceeding, as well as abutting property owners.

Per a Council memo dated November 30, 2015, parties and intervenors were requested to submit comments or statements of position in writing to the Council with respect to whether the Request to Reopen and Modify the Certificate should be granted or denied and **whether a public hearing should be held on this request** by the close of business on or before January 4, 2016.

As of January 7, 2016 no comments have been received.





View of existing facility from Stadley Rough Road in front of church. Google Earth image dated 10/2012