

NEW HAVEN CITY PLAN COMMISSION SPECIAL PERMIT

RE: 129 CHURCH STREET. Special permit to replace existing antennas with newer model antennas. (Owner: 129 Church Street, LLC; Applicant: Anthony Befera of Verizon Wireless; Agent: Kenneth Baldwin of Robinson & Cole, LLP)

REPORT: 1505-05

ACTION: Approval with Conditions

Submission: Special Permit Application Packet including DATA form. NARRATIVE attached. Application fee: \$150. Received April 16, 2015.

- Authorization letter from property owner. Dated March 17, 2015. Received April 16, 2015.
- Application drawings. 8 sheets received March April 16, 2015.
 - DE-1: Roof Plan – Proposed. Drawing date December 3, 2014.
 - DE-2: West Elevation – Proposed. Drawing date December 3, 2014.
 - DE-3: Antenna Mounting Configuration – Existing (Alpha Sector) and Antenna Mounting Configuration – Proposed (Alpha Sector). Drawing date December 3, 2014.
 - DE-4: Antenna Mounting Configuration – Existing (Beta + Gamma Sectors) and Antenna Mounting Configuration – Proposed (Beta + Gamma Sectors). Drawing date December 3, 2014.
 - DE-5: Distribution Box and RRH Mounting Details (Beta + Gamma Sectors) and Distribution Box + RRH Mounting Details (Alpha Sector). Drawing date December 3, 2014.
 - DE-6: Structural Specifications. Drawing date December 3, 2014.
 - DE-7: Paint Notes. Drawing date December 3, 2014.

Previous CPC approvals for 129 Church Street: Special Permit for Rooftop facility (Sprint Spectrum PC, CPC 1360-01, 12/15/04); Special Permit for modifications to rooftop facility (Sprint Nextel Corp., CPC 1438-02, 03/17/10); Special Permit for modifications to existing rooftop facility (Cellco Partnership, CPC 1456-01, 09/21/11); Special Permit for modification of existing rooftop telecommunications facility in a BD-1 Zone (Cellco Partnership, CPC 1477-05); Special Permit for antenna modifications at an existing telecommunications Facility (Cellco Partnership, CPC 1490-06); Special Permit for Wireless Communications Equipment in a BD-1 Zone (Infinigy, CPC 1497-02).

BACKGROUND

Cellco Partnership d/b/a Verizon Wireless seeks a Special Permit to modify its existing rooftop telecommunications facility at 129 Church Street, a building owned by 129 Church Street LLC that is located on the east side of Church Street near Chapel Street. The existing facility consists of fifteen panel-type antennas mounted to the façade of a penthouse on the roof of the building. Equipment associated with the antennas is located in a 12' x 20' shelter, also located on the roof of the building.

Cellco intends to modify the existing facility by replacing nine of its existing antennas with nine newer model antennas (three per sector) and adding three new remote radio heads. The replacement antennas will be installed in the same locations on the penthouse façade as the existing antennas. All replacement antennas, RRHs, and related equipment will be painted to

match the building façade. These upgrades are to provide downtown New Haven customers with enhanced wireless voice and data services.

Due to the building's location within the Ninth Square National Register Historic District and the fact that it is a contributing building within the District, rooftop telecommunications installations are permitted by Special Permit in accord with Section 49(d)(3). Cellco also has a telecommunications installation on the rooftop of 780 State Street.

PUBLIC HEARING, MAY 20, 2015.

The Hearing will be recorded by POST reporting.

PLANNING CONSIDERATIONS

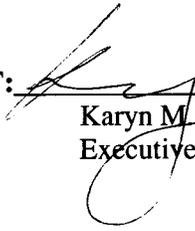
Due to the building's height, placement of the equipment in the central area of the rooftop away from the green, and the use of paint to match the building façade, very little visual impact is anticipated from the street.

ACTION

The Commission notes the additional equipment is not mounted on the building façade but on the rooftop and does not interfere with the historic nature of the building façade. Therefore no harm will be done to character of this contributing structure or the State Street Historic District. For these reasons the Commission approves the proposal with conditions:

1. An original signed copy of this decision/report shall be recorded on the City's Land Records. Proof of such recording (volume and page number) shall be provided to the City Plan Department, prior to issuance of permit for installation.
2. Cellco (or its successor) shall submit to the Zoning Administrator annually during the month of January an affidavit that the facility is in active use as a wireless site and shall certify that such use will continue for the coming calendar year.
3. If this wireless site becomes inactive for six consecutive months in any calendar year or part of any calendar year, the service facility owner shall remove it. This removal shall occur within ninety days of the end of such six-month period. Upon removal the site shall be restored to its previous appearance.

ADOPTED: May 20, 2015
Edward Mattison
Chair

ATTEST: 
Karyn M. Gilvarg, AIA
Executive Director