

NEW HAVEN CITY PLAN COMMISSION SPECIAL PERMIT

RE: 129 CHURCH STREET, Special Permit for Wireless Communications Equipment in a BD-1 Zone (Property Owner: JMJ Services, Inc.; Applicant/Agent: Paul Sagristano for Vertical Development for Infinigy).
REPORT: 1497-02
ACTION: Approval with Conditions

Submission: Special Permit application, \$150 fee, project summary, Post-Mod Rooftop Frame Evaluation prepared by Maxwell Becker, EIT for Infinigy.

Previous CPC approvals for 129 Church Street: Special Permit for rooftop facility (Sprint Spectrum, LP, CPC 1360-01, 12/15/04); Special Permit for additions to rooftop facility (Sprint Nextel, CPC 1438-02, 3/17/2010); Special Permit for modifications to existing rooftop facility (Cellco Partnership, CPC 1456-01, 9/21/2011); Special Permit for modification of existing rooftop facility (Verizon Wireless, CPC 1477-05, 4/17/2013); Special Permit for modification of antenna (Verizon Wireless, CPC 1490-06, 3/19/2014).

BACKGROUND

Infinigy seeks a Special Permit to modify its existing rooftop telecommunications facility at 129 Church Street, a building owned by JMJ Services, Inc. which is located on the east side of Church Street near Chapel Street. Infinigy (under contract to Sprint) proposes to modify existing telecommunications equipment on the roof of building located in a BD-1 within a historic district. The project will add three antennas and three remote radio heads along with the required connecting cables. The new antennas will be attached to existing mounts adjacent to other existing antennas. In addition, new batteries will be placed inside an existing battery back-up cabinet.

A structural analysis provided by the applicant concludes that “the modified structure meets specified TIA code requirements. The structure is deemed adequate to support the existing and proposed loading.” The reason given for the upgrade is to provide “continued technical feasibility of the facility, and are needed for Sprint to make optimal use of the Site for the purposes intended.”

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).

PLANNING CONSIDERATIONS

Due to the building’s height and the placement of the equipment in the central area of the rooftop away from the Green, very little visual impact is anticipated from the street.

ACTION

The Commission notes the additional equipment is not mounted on the building facade but on the roof top behind screening so does not interfere with the historic nature of the building facades. Therefore no harm will be done to character of this contributing structure or the Ninth Square Historic District. For these reasons the Commission approves the proposal with conditions:

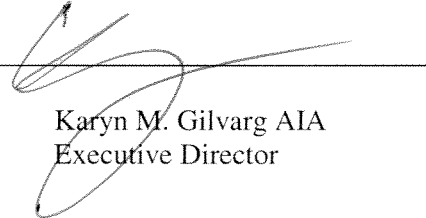
1. An original signed copy of this decision/report shall be recorded on the City's Land Records. Proof of such recording (volume and page number) shall be provided to the City Plan Department, prior to issuance of permit for installation.

2. Infinigy (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: September 17, 2014

Edward Mattison
Chair

ATTEST:



Karyn M. Gilvarg AIA
Executive Director