CITY OF DANBURY

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PLANNING COMMISSION
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MINUTES
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walls are an important part of where they locate the antennas. If they move them further in, they might have to be taller to clear the roof.

Harbir Singh, the RF engineer from Pinnacle Telecom Group, showed a map of sites they are planning to put in Danbury. He then presented a map showing the coverage area – with and without these antennas.

Mr. Egan said the property owner and the applicant had requested the location be as shown. Mr. Urice pointed out that it seems as though they placed them so the customers of hotel will not see them on the front of the building with little regard for the residents who live behind it. He suggested they consider screening them. Mr. Egan said there would be additional structural items involved if they do that. Attorney Muska said of course, they could do it if the Commission wants it that way, but it would be a screen around the perimeter of the platform. The antennas would be mounted on the screen because if you put them behind the screen, it would interfere with the radio frequency. He added that they usually do not screen this type of antenna; they usually screen the equipment from view.

Tom Shevlin, HRC Development, this building was identified due to the elevation and overall height of building. The Target site was the first choice but the power lines caused problems and that site was eliminated. Attorney Muska said they had tried to find a site for internal installation but there was nothing in this area so then they moved to rooftop. He reviewed the findings from the Zoning Regs. that the Commission must make in order to approve this. He said this complies with both the CG-20 and the wireless telecommunication regulations. He then submitted an FCC emissions report which demonstrates that there are no health or safety issues.

Chairman Finaldi asked if there was anyone to speak in opposition to this and there was no one.

Chairman Finaldi then said there are unique elevation issues with this site. The Commission has discretion to have the applicant put up a test balloon and given the proximity to the residential development; it would make it clear exactly where this would be. He added that he hates to do this to the applicant but feels it is necessary in this situation.

Mrs. Emminger said the applicant needs time anyway to respond to staff comments. She asked Attorney Muska to let her know by e-mail once they know when they will fly the balloon and she will immediately notify the Commission members. Attorney Muska said of course they will do it, but he has to coordinate it with the contractors because this is a construction site.

Mr. Urice made a motion to continue the public hearing. Mr. Keller seconded the motion and it was passed unanimously.

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Mike Egan, from URS said the proposal is for six panel antennas and associated equipment to be installed on the roof of the commercial building. The antennas will be mounted to an existing penthouse wall in close vicinity to the existing Nextel antennas. The equipment and platform will be placed inside an existing screened enclosure located on the roof. These antennas will be the same height as the existing antennas. Mr. Keller asked the maximum height of these antennas. Attorney Muska said about 5½ feet above the existing screen.

Harbir Singh, from Pinnacle Telecom Group, said he had already shown them a map of the sites where they need to provide service in Danbury. This location will provide coverage along I-84 and the roads surrounding this site.

Mrs. Emminger said she had made a typo in the Planning Dept. Staff Report regarding the number of antennas being proposed, it says eight but it should say six. This application is for six new antennas. Attorney Muska said they still need to provide a copy of the lease for the file, but otherwise they have satisfied all of the requirements for this type of application. He again reviewed the findings that the Commission must make in order to approve this. Mr. Keller asked if the Airport needs to get involved. Mrs. Emminger said Airport Administrator Paul Estefan has reviewed the plans and this is not in the Airport Approach zone and what they are proposing is no higher than the existing antennas, so he has no problem with this.

Chairman Finaldi asked if there was anyone to speak in opposition and there was no one.

Mr. Keller made a motion to close the public hearing. Mr. Manuel seconded the motion and it was passed unanimously.

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Mr. Urice made a motion to close the public hearing. Mr. Cerminara seconded the motion and it was passed unanimously.

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these kinds of circumstances which could potentially cause problems. The letter also included two additional conditions which they feel are necessary in this situation. The conditions apply only if the property continues to be utilized as the mobile home park and allow for construction of utilities within McKay Rd. Mr. Urice asked if they could caveat their recommendation by adding a statement about the assessments for the extension. Chairman Finaldi said they do not have that power. Mr. Keller made a motion to give this a positive recommendation subject to compliance with the submission of plans and documents satisfactory to Corporation Counsel's office and the standard City Engineering Dept. conditions including the following additional conditions from the Engineering Dept. letter:

Condition #9. This approval is only for service to the 202 homes in the park. If at some time in the future, the property ceases to be used as a trailer park, City sanitary sewer and water services will no longer be provided to the property and all such services will be terminated accordingly. A notice relative to this restriction is to be filed in the land records for future reference, if and when a sale of this property takes place. (This notice will assist City personnel who will be monitoring the status of the use of this property.)

Condition #10. Construction of the sanitary sewer line and water main will not be allowed to begin until the developer/property owner has provided the Corporation Counsel's office with any and all documentation, including but not limited to title searches, necessary at its sole discretion, for it to make a determination with respect to the status of ownership of McKay Road and the necessity for the developer/property owner to acquire easements for the installation of the utilities. If the Corporation Counsel's office determines that such easements are required, these easements are to be provided to the City before any utility installation begins.

Mr. Urice seconded the motion and it was passed unanimously.

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Chairman Finaldi said they would deviate from the rule and let the Attorney speak because the Commission members all had questions. Attorney Paul Jaber then said that based upon the site plan revisions, the unit owners at both Crystal Bay and Poet's Landing (the neighboring community) have come to an agreement which will further clean up the parking area and enhance the marina waterfront. He said Poet's Landing actually owns the marina. The agreement is amend paragraphs 3(h) & 3 (i) of the Covenants & Restrictions, and would eliminate boat storage in the marina parking lot and to eliminate the parking of boats, boating accessories and vehicles in the marina parking lot during the winter months. This is also important because the docks are removed in the fall and returned in the spring. Both groups felt that eliminating the boat storage would enhance the aesthetic appearance of the marina parking lot area and make the two developments look like one large one. Attorney Jaber said the unit owners at both Crystal Bay and Poet's Landing have all signed off on this. He added that they have been working on this for three years. Mr. Keller asked if this was only during the winter months. Mrs. Emminger said no, it is year-round. She then read the new language into the record. Mr. Urice made a motion to allow the changes as read to be made to paragraphs 3(h) and 3 (i) of the Covenants & Restrictions of Crystal Bay. Mr. Keller seconded the motion and it was passed unanimously.

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