

Tab 9



September 13, 2019

Mr. Lucas Karmazinas
c/o All Points Technology Corp.
3 Saddlebrook Drive
Killingworth, CT 06419

Subject: Proposed Wireless Telecommunications Facility
183 Soundview Lane
New Canaan, CT
Homeland Towers, LLC
ENV-20-0192

Dear Mr. Karmazinas:

The State Historic Preservation Office (SHPO) has reviewed the information submitted by All Points Technology Corp. (All Points) dated September 9, 2019. The proposed activities are subject to review by this office pursuant to the National Historic Preservation Act and in accordance with Federal Communications Commission regulations. SHPO understands that the proposed undertaking includes the installation of a 90 foot tall “monopine” within a 23.5 foot by 86 foot chain-link equipment compound, located in the northern portion of the Subject Property. A 12 foot wide gravel access drive is proposed to lead from the compound west to Soundview Lane. Utilities would be routed from a existing electrical vault on the property.

No previously identified archaeological sites are located within 0.5 miles of the project area. Three properties listed or determined eligible for listing on the National Register of Historic Places are located within 0.5 miles of the project area: the John Black Lee House (NR# 10000568), the Charles and Peggy Murphy House (NR# 10000563) and the Landis Gores House (NR# 02000189); however, they will not be impacted by the proposed undertaking. One property, the Town Farm/Poor Farm, located at 485 and 500 Laurel Road, does appear potentially eligible for listing on the National Register under Criterion A for its association as an intact, municipally-owned farm for the community’s indigent in the 19th and early 20th century. However, it will not be adversely impacted by the undertaking due to distance and intervening foliage

A review of historical maps and aerial images revealed that the Subject Property remained a wooded and undeveloped parcel. Soil profiles of the area contain Paxton and Montauk series soils, characterized as low sloped, and well drained. A pedestrian survey completed in August 2019 confirmed that the parcel has remained wooded and largely undisturbed, with few rock outcroppings. This type of setting retains a moderate to high degree to contain intact archaeological deposits.

State Historic Preservation Office

450 Columbus Boulevard, Suite 5 | Hartford, CT 06103 | P: 860.500.2300 | DECD.org

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We therefore concur that a Phase IB professional cultural resources assessment and reconnaissance survey that includes subsurface testing techniques be completed in areas identified as having moderate to high archaeological sensitivity and will be impacted by the proposed project prior to construction. All work should be in compliance with our *Environmental Review Primer for Connecticut's Archaeological Resources* and no construction or other project-related ground disturbance should be initiated until SHPO has had an opportunity to review and comment upon the requested survey.

The State Historic Preservation Office appreciates the opportunity to review and comment upon this project. These comments are provided in accordance with the Connecticut Environmental Policy Act and Section 106 of the National Historic Preservation Act. For further information please contact Marena Wisniewski, Environmental Reviewer, at (860) 500-2357 or marena.wisniewski@ct.gov.

Sincerely,

A handwritten signature in blue ink that reads "Mary B. Dunne". The signature is fluid and cursive.

Mary B. Dunne
State Historic Preservation Officer

State Historic Preservation Office

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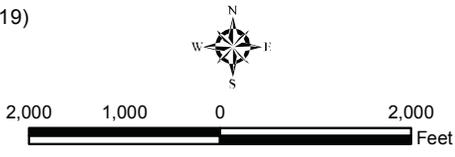
Legend

-  Site
-  Municipal Boundary
-  Natural Diversity Database (NDDB June 2019)

**NDDB
Attachment A: Overview Map**

Proposed Wireless Telecommunications Facility
183 Soundview Lane
New Canaan, Connecticut

Map Notes:
Base Map Source: USGS 7.5 Minute Topographic Quadrangle Maps:
Norwalk North (1975), CT
Map Scale: 1 inch = 2,000 feet
Map Date: July 2019



Tab 10



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Lucia Chiochio
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October 1, 2019

VIA OVERNIGHT MAIL

Kevin Moynihan
First Selectman
Town of New Canaan
Town Hall
2nd Floor
77 Main St.
New Canaan, CT 06840

Re: Homeland Towers, LLC and New Cingular Wireless PCS LLC ("AT&T")
Proposed Wireless Telecommunications Tower Facility
183 Soundview Lane, New Canaan, Connecticut

Dear First Selectman Moynihan:

This letter is being submitted to you on behalf of Homeland Towers, LLC ("Homeland Towers") and New Cingular Wireless PCS, LLC ("AT&T") with respect to the above referenced matter involving a proposed wireless telecommunication tower facility to be located at 183 Soundview Lane in the Town of New Canaan. The purpose of this letter is to commence a formal consultation process with you and other Town officials prior to any application being filed by Homeland Towers and AT&T with the Connecticut Siting Council. Enclosed you will find a detailed Technical Report prepared by Homeland Towers and AT&T which includes information on AT&T's need for the new tower, alternatives evaluated, and the environmental effects of the project as identified at this time.

Background and Need for the Tower

Homeland Towers is an innovative company that provides wireless infrastructure solutions to meet the wireless communication needs of communities. Homeland Towers works closely with municipalities, commercial wireless carriers and public safety agencies and has installed numerous facilities (communications towers, antennas, and supporting equipment shelters and other infrastructure) throughout Connecticut, New York and New Jersey. This specific project is the result of years of review to provide reliable wireless services to the northeastern portion of the Town.

As you probably know through your own experience, the exponential growth in consumer use of mobile data and overall network demands requires the development of additional wireless infrastructure to reliably serve the public. Indeed, as you may recall, the December 2014 Wireless Market Study for the Town of New Canaan, CT prepared by Centerline Solutions concluded that while the major wireless service providers maintain coverage footprints within

the Town, coverage gaps in reliable service still exist.¹ As shown in the Technical Report materials including data from AT&T, this proposed tower facility would provide reliable 4G LTE service to over 1,000 residents in the area and several miles of main and secondary roads.

The Tower Project

For this project, Homeland collaborated with AT&T and is proposing a new tower at 183 Soundview Lane to meet AT&T's and other FCC wireless carriers' need for new infrastructure to reliably serve the public in the immediate area. Homeland Towers would own, maintain and operate the tower facility subject to any approval the Connecticut Siting Council may issue for the project. The project as currently proposed would consist of an 85' tall monopine structure with faux branches extending another 5' above the top of the monopine within a fenced compound in the northwest portion of the 4.05-acre parcel.

AT&T's antennas would be placed at a centerline height of 81' with equipment installed at grade within the compound. Should the Town EMS, fire or police services have a need at this location, they could be accommodated as well. The tower and fenced compound are designed to support the antennas and equipment of other FCC licensed wireless carriers. The facility will be unmanned with no sanitary or water facilities and will generate an average of one vehicle trip per month by each carrier at the site, consisting of a service technician in a light duty van or truck.

State Siting Council - Balance Of Need With Environmental Impact

Connecticut State policy generally recognizes the need for new towers to serve the public and has designated the Connecticut Siting Council as the state agency with responsibility for reviewing and approving specific tower proposals. The Siting Council will evaluate this project once an application is filed with the agency. The Siting Council's evaluation is focused on balancing the need for a tower on a case by case basis with any significant adverse environmental impacts. Jurisdiction over any proposed cellular telecommunications facility rests exclusively with the Siting Council and would be in lieu of local zoning, wetlands and other types of municipal land use review and approvals.

Town Input & Procedural Next Steps

Homeland Towers and AT&T are providing the enclosed Technical Report to the Town of New Canaan in accordance with Section 16-50l of the Connecticut General Statutes. The statute requires consultation with a municipality in which a tower facility is proposed prior to submission of an application with the Siting Council. The purpose of the local consultation is to give the municipality in which the facility has been proposed an opportunity to provide the prospective applicant with any recommendations or preferences it may have prior to the filing of an application with the Siting Council.

¹ Wireless Market Study for the Town of New Canaan, CT, prepared by Centerline Solutions, December 1, 2014, pages 5-6.

Upon review of Section 16-50l(g) of the Connecticut General Statutes, you will note that municipalities also have the option of conducting a noticed public information session on any proposed wireless telecommunications tower facility. State law requires any such information session to be held by the Town during the first 60 days of the 90-day period afforded to the municipalities for consultation with a prospective Siting Council applicant. As such, should New Canaan elect to conduct a public information meeting regarding this project, it should occur on or before December 2, 2019. For such public information sessions, our typical practice is for introductions to be made by a municipal official, have the project team make a presentation (usually a power point) and then respond to public questions moderated by a local official or agency.

In advance, we thank you for your consideration and will follow this correspondence with a call to your office to discuss next steps regarding the municipal consultation process. We look forward to meeting with you further on this project and learning more about New Canaan's interests, concerns and any recommendations prior to filing an application with the Siting Council.

Very truly yours,

A handwritten signature in blue ink, reading 'Lucia Chiochio', is written over the typed name.

Lucia Chiochio

Enclosure

cc: Planning & Zoning Commission
Manuel Vicente, Homeland Towers
Raymond Vergati, Homeland Towers
Harry Carey, AT&T
Jessica Rincon, AT&T
Project Consultant Team



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Lucia Chiochio
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October 7, 2019

VIA OVERNIGHT MAIL

Kevin Moynihan
First Selectman
Town of New Canaan
Town Hall
2nd Floor
77 Main St.
New Canaan, CT 06840

Re: Homeland Towers, LLC and New Cingular Wireless PCS LLC ("AT&T")
Proposed Wireless Telecommunications Tower Facility
183 Soundview Lane, New Canaan, Connecticut

Dear First Selectman Moynihan:

This letter is submitted on behalf of Homeland Towers, LLC ("Homeland Towers") and New Cingular Wireless PCS, LLC ("AT&T") in connection with the above referenced matter and in furtherance of the Site Search Summary included with the Technical Report sent on October 1, 2019.

For more than a decade, AT&T has actively collaborated with Town Officials to improve its network and address the recognized need to provide reliable wireless telecommunications services within the Town. Indeed, over the last ten years, AT&T has participated in numerous meetings with yourself and former First Selectmen as well as the current and former Chairmen of the Utilities Commission to assist the Town with identifying areas both within in the Town and outside of the Town's boundaries for potential infrastructure to improve its network. During this decade-long collaboration, AT&T shared a significant amount of data with the Town and responded to requests from the Town for information regarding its network in support of the Town's efforts to improve wireless service.

As part of its engagement with the Town, AT&T funded several search rings in areas of Town where new infrastructure was needed to provide reliable wireless services. AT&T retained specialized real estate professionals to search for potential sites for the installation of AT&T's network infrastructure and coordinate with property owners and AT&T's radio frequency design engineers. As you may know from the Town's December 2014 independent wireless market study, AT&T currently provides wireless service from its facilities at Silver Hill Hospital, the State Armory, the Country Club, the water tank at Waveny Park and a building mount at 135 Main Street.

However, in the south-central and western areas of Town, an exhaustive review by AT&T and its real estate professionals that commenced sometime in 2012 and lasted several years, did not



October 7, 2019
Page 2

result in any possible wireless tower sites. For the south-central area of the Town, in 2013 and 2014, AT&T was actively engaged with the Town about use of a portion of the Town's Transfer Station property. The Town ultimately decided not to pursue a lease of this location. AT&T's search efforts in the western part of the Town, which included review of an existing water tank among other locations, did not result in any potential sites. AT&T's efforts in the northeast part of Town yielded similar results with no feasible sites. AT&T's real estate professional consultant contacted St. Luke's School approximately five years ago as part of the search for sites in the northeast. Well before that site search effort in the northeast part of Town, approximately 20 years ago, AT&T had discussed a site with St. Luke's School.

AT&T remains committed to its decade-long efforts to improve its network to serve its customers in New Canaan as demonstrated by coordinating with Homeland Towers on the proposed tower facility at 183 Soundview Lane. AT&T looks forward to continuing its collaboration with the Town to provide reliable wireless services through the municipal consultation process for the proposed Homeland Towers facility.

Very truly yours,

A handwritten signature in blue ink that reads "Lucia Chiochio".

Lucia Chiochio

cc: Harry Carey, AT&T
Jessica Rincon, AT&T
Manuel Vicente, Homeland Towers
Raymond Vergati, Homeland Towers
Project Consultant Team



TOWN OF NEW CANAAN

PLANNING AND ZONING DEPARTMENT
TOWN HALL, 77 MAIN STREET
NEW CANAAN, CT 06840

Planner's Memorandum

To: Members, Planning and Zoning Commission

K. Moynihan, Selectman (via email)

K. Devereaux, Selectman (via email)

N. Williams, Selectman (via email)

I. Bloom, Town Attorney (via email)

T. Mann, Director of Public Works (via email)

From: Lynn Brooks Avni, AICP Town Planner and Shannon Vallerie, Planner 1

Date: Soundview Telecom Information Meeting Memo – November 18

1. Proposed Wireless Telecommunications Tower Facility located at 183 Soundview Lane

Discussion: This analysis is with respect to a proposed telecommunications facility located at 183 Soundview Lane. This Applicant will submit an application to the Connecticut Siting Council (CSC) as required by the Connecticut General Statutes (CGS). However, the Statute requires consultation with the municipality in which a facility is proposed prior to the submission of an application to the CGS. This public information session allows for an opportunity to provide recommendations and/or preferences, from the Town prior to the filing of the application.

In Connecticut jurisdiction over the siting of cellular telecommunications facilities rests exclusively with the CSC, which is generally in lieu of local zoning, wetlands or other municipal land use approvals. Generally the CSC reviews the public need for the cellular communication facility and weighs it against any significant adverse environmental impacts.

In this project Homeland Towers has partnered with AT&T and is proposing an 85 foot tall monopine structure with faux branches which will extend another five (5) feet above

the top of the monopine structure. The monopine will be located within a fenced compound in the northwest portion of the approximately 4.05 acre parcel located at 183 Soundview Lane.c

Pursuant to Sect. 7.8.F.1 of the Zoning Regulations the proposed new telecommunications facility is regulated by the CT Siting Council. New Canaan has expressed their preferences in Sect. 7.8.G of the Zoning Regulations with respect to the siting, screening, and design of telecom facilities. Homeland Towers and New Cingular Wireless (AT&T) have proposed to construct a monopine, which is noted in Sect. 7.8.G of the Zoning Regulations as not preferred; however, the Applicant has clearly documented in their application that there were 23 sites that were considered for this wireless communications facility. Each of the 23 sites is noted in the materials submitted to the Town. Due to the terrain, characteristics of the area, the distance between targeted coverage areas and existing sites options to provide service are limited.

POCD

In the 2014 Plan of Conservation and Development (POCD) there is a section that discusses the need for the Town to enhance wireless communications coverage in the community. Further the POCD noted that there are areas in the northern portion of the Town where wireless service is not available. Presently, public safety communications from the police, fire and ambulance can be challenging in the northern parts of Town. The POCD recommended that public safety communications be improved.

Documents Included

- a) Technical Report to the Town of New Canaan Proposed Wireless Telecommunications Facility
- b) Plans Titled Wireless Telecommunications Facility: Boundary and Topographic Survey; Site Plan and Abutters Map; Compound Plan & Tower Elevation; Site Details;
- c) Tree Inventory
- d) Wetland Inspection
- e) Calculated Radio Frequency Exposure Report
- f) Visual Assessment & Photo Simulations

Chiocchio, Lucia

From: Moynihan, Kevin <kevin.moynihan@newcanaanct.gov>
Sent: Tuesday, December 24, 2019 11:14 AM
To: rv@homelandtowers.us; CAREY, HARRY C
Cc: mv@homelandtowers.us; Chiocchio, Lucia; Brooks Avni, Lynn; Goodwin, John; Williams, Nick; Devereaux, Kit
Subject: Comments on the proposed cell tower at 183 Soundview Lane

Ray/Harry,

I am advised that our Planning & Zoning Commission intends to submit written comments to you as part of the 90-day municipal consultation period on the proposed cell tower at 183 Soundview Lane.

I understand the comments from P&Z will ask that you consider making the setbacks match what P&Z regulation Sec. 7.8 states for the following: 1) setbacks, 2) Fall zone/yield point, 3) Fencing, 4) Landscaping and 5) Equipment shelter concealed. Town Planner Lynn Avni will be sending you a letter with those comments upon her return from the holidays.

You have my feedback from the introductory remarks I made at the public information session on November 20th, which I am providing to you for your record below.

Best wishes for the Holidays and for the New Year,

Kevin

Kevin J. Moynihan
First Selectman
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Remarks by First Selectman Kevin Moynihan at Joint Meeting of Board of Selectmen and Planning and Zoning Commission on Nov 20, 2019

Good evening.

This is a joint meeting of the Board of Selectmen and the Planning & Zoning

Commission, and P&Z Chairman John Goodwin and I will serve as moderators

for this public information session regarding a new cell tower that is being

proposed by Homeland Towers and AT&T at 183 Soundview Lane. We have a quorum of both the BOS and P&Z.

This meeting tonight is part of a 90-day consultation period with the Town of New Canaan that began on October 1st and will extend through December.

I would note that Homeland Towers was selected by the Town in August 2016 pursuant to an RFP to be the Town's partner in finding solutions to improving cell service in town.

So I would first like to introduce and welcome Ray Vergati and Manny Vicente of Homeland Towers, which is based in Danbury, for their presentation tonight along with their counsel, Lucia Chiochhio, of the Cuddy & Feder LLC law firm.

I would also like to introduce and welcome AT&T's community relations representative for this part of CT, Harry Carey. I would note that AT&T has been a leader in expanding cell service for New Canaan residents and has worked continually over the last two decades to add cell service from new towers at the Country Club of New Canaan, at Silver Hill Hospital, at the Armory site at exit 38 of the Merritt Parkway and now this proposed tower at Soundview Lane.

The need for improved cell service in the Northeast section of town has been well documented over the last decade by the carriers and more recently by

independent consultants hired by the Town, especially after the greatly expanded use of smart phones by virtually every adult and teenager in town.

It is also important to note that quality cell service is now critical to public safety since 70% of 911 calls nationwide are now made by cell phone. Quality cell service is also critical to our first responders and Public Works personnel in times of emergencies when the power goes out and residents lose their cable-based phone service. And our ambulances depend on cell service for the data streams that tell EMTs critical information about the patients they carry.



TOWN OF NEW CANAAN

TOWN HALL, 77 MAIN STREET
NEW CANAAN, CT 06840

PLANNING & ZONING
DEPARTMENT

TEL: (203) 594-3046
FAX: (203) 594-3127

VIA USPS MAIL AND EMAIL

January 2, 2020

Lucia Chiocchio
Cuddy & Feder LLP
445 Hamilton Avenue, 14th Floor
White Plains, NY 10601

Dear Ms. Chiocchio:

As a follow up to the December 17, 2019 Planning & Zoning Commission meeting, I am writing this letter to you on behalf of the New Canaan Planning and Zoning Commission, with respect to the proposed telecom facility located at 183 Soundview Lane. First, let me thank Homeland Towers and yourself for addressing the Planning and Zoning Commission and the Board of Selectmen at a joint information meeting on November 20, 2019.

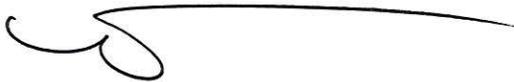
At the Planning and Zoning meeting on December 17, 2019 the Commissioners discussed the proposed application to the Connecticut Siting Council and would like to make the following recommendations regarding the proposed telecom facility located at 183 Soundview Lane.

- 1) Overall adherence to Sect. 7.8 of the Zoning Regulations. A copy is attached for your reference. The Commission respectfully requests that Homeland review and compare the Regulations to their application in detail.
- 2) Confirm that the fall point/yield zone is designed in such a way that should the tower fall, it will not land on a residential dwelling nor on school property. Both of these land uses are in the immediate vicinity of the proposed telecom.
- 3) Fencing should not be chain link; rather the fencing should more appropriately match that of a typical single family residential zone.
- 4) Landscaping. The Commission was appreciative that landscaping was proposed; however, a more robust plan that includes native plants would further improve the plan.
- 5) The Commission recognizes the need for the equipment shelter; however, in a single family zone such uses are encouraged to have an exterior appearance that resembles a typical New Canaan accessory structure. For example, a barn, shed or similar.
- 6) Clarification on the height of the tower and future potential extensions.

- 7) Minimize the views from neighboring properties as noted in the Regulations. The Commission notes that this neighborhood is a single family residence zone and ideally the views of a utility structure should be minimized.
- 8) There are products available on the market to clad the telecom pole in a bark like texture to help it blend into the landscaping in the neighborhood.

While the Commission realizes the need for increased cell service in New Canaan, it is also cognizant of the fact that the location is a single family neighborhood with a school in close proximity. Bearing this in mind the Commission makes the above noted recommendations to further enhance the project and insure that it will better fit into the neighborhood. An effort to attain the aforementioned objectives we believe, and despite the additional expense, would ultimately benefit the project and the Town.

Sincerely,



John H. Goodwin
Chairman, New Canaan Planning Commission

cc: Connecticut Siting Council
P&Z Commission
Board of Selectmen
Lynn Brooks Avni, Town Planner/Sr. Enforcement Officer

JHG/lb