



**STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL**

**RE: PETITION OF BARRETT OUTDOOR COMMUNICATIONS, INC.  
FOR A DECLARATORY RULING THAT A CERTIFICATE OF  
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED IS  
NOT REQUIRED FOR THE RELOCATION OF A  
TELECOMMUNICATIONS FACILITY FROM 28 SIDNEY  
STREET, STRATFORD, CONNECTICUT TO 200 EAST MAIN  
STREET REAR, STRATFORD, CONNECTICUT**

**PETITION FOR DECLARATORY RULING**

**OCTOBER 15, 2021**

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## I. INTRODUCTION AND AUTHORITY FOR REQUESTED RELIEF

In accordance with General Statutes §§ 4-176(a) and 16-50k(a), as well as §§ 16-50j-38 and 16-50j-39 of the Regulations of Connecticut State Agencies, Barrett Outdoor Communications, Inc. (“Barrett”), hereby submits this petition for a declaratory ruling (“Petition”) that a Certificate of Environmental Compatibility and Public Need (“Certificate”) is not required for the relocation of a wireless telecommunications facility (“Relocated Facility”) from 28 Sidney Street, Stratford, Connecticut (“Existing Location”), to nearby 200 East Main Street, Rear, Stratford, Connecticut (“Property”).

General Statutes § 4-176 (a) provides that “[a]ny person may petition an agency . . . for a declaratory ruling as to the validity of any regulation, or the applicability to specified circumstances of a provision of the general statutes, a regulation, or a final decision on a matter within the jurisdiction of the agency.”<sup>1</sup> This provision “confers broad rights on *any member of the public* to file a petition for a declaratory ruling without the need to establish any specific, personal and legal interest in the matter.” (Emphasis in the original.) *Bingham v. Dept. of Public Works*, 286 Conn. 698, 706, 945 A.2d 927 (2008).

General Statutes § 16-50k(a) provides that a Certificate is not required if the Connecticut Siting Council (“Council”) determines that the proposal “does not have a substantial adverse environmental effect in the state . . . .” As set forth herein, along with accompanying attachments, the proposed relocation of an existing wireless telecommunications facility a short distance from its original location within a commercial district, and in close proximity to an interstate highway, would not have a substantial adverse environmental impact.

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<sup>1</sup> General Statutes § 4-166 (9) defines “person” to mean “any individual, partnership, corporation, limited liability company, association, governmental subdivision, agency or public or private organization of any character, but does not include the agency conducting the proceeding.”

## **II. PETITIONER AND CONTACT INFORMATION**

Barrett is a stock corporation organized under the laws of the State of Connecticut, with a business address of 381 Highland Street, West Haven, Connecticut. Communications concerning this Petition should be addressed to the attorneys for Barrett as follows:

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Attention: Jesse A. Langer, Esq.

## **III. THE PROPOSED RELOCATION**

### **A. The Reason for the Relocation**

The Relocated Facility would replace an existing telecommunications facility located at the Existing Location and utilized by Cellco Partnership *d.b.a.* Verizon Wireless (“Verizon”) and T-Mobile Northeast LLC, a subsidiary of T-Mobile USA Inc. *d.b.a.* T-Mobile (“T-Mobile”). The Existing Location has hosted a wireless telecommunications facility for more than twenty years.

The Existing Location is part of an overall redevelopment plan for an area between the Housatonic River and Main Street generally known as the Dock Shopping Center. The existing telecommunications facility is slated for removal in furtherance of the redevelopment plan. The location and height of the Relocated Facility are a function of (1) the height of the new buildings; (2) the developer’s desire to shift the facility further away from the redevelopment; and (3) the height necessary for Verizon’s installation.

The proposed replacement facility is necessary to maintain the existing coverage, including Emergency 911 service, associated with Verizon’s wireless network. The Relocated Facility would also accommodate three additional wireless carriers, Barrett’s communications system, and municipal emergency communications equipment.

## **B. The Property**

The Property is an approximate 4.37 acre parcel located east of East Main Street in the Town of Stratford (“Stratford”). The Property sits within a Retail Commercial District (CA) and is used as a storage area for boats. The Property is developed with a single metal framed building on an asphalt lot, enclosed with a tall, chain-link fence, with entrances located at the east end of the parcel. The Property is tucked between the Metro North rail line to the north, the Housatonic River to the east, commercial development to the west, and Interstate 95 to the south. See Figure 1 on the next page.

## **C. The Relocated Facility**

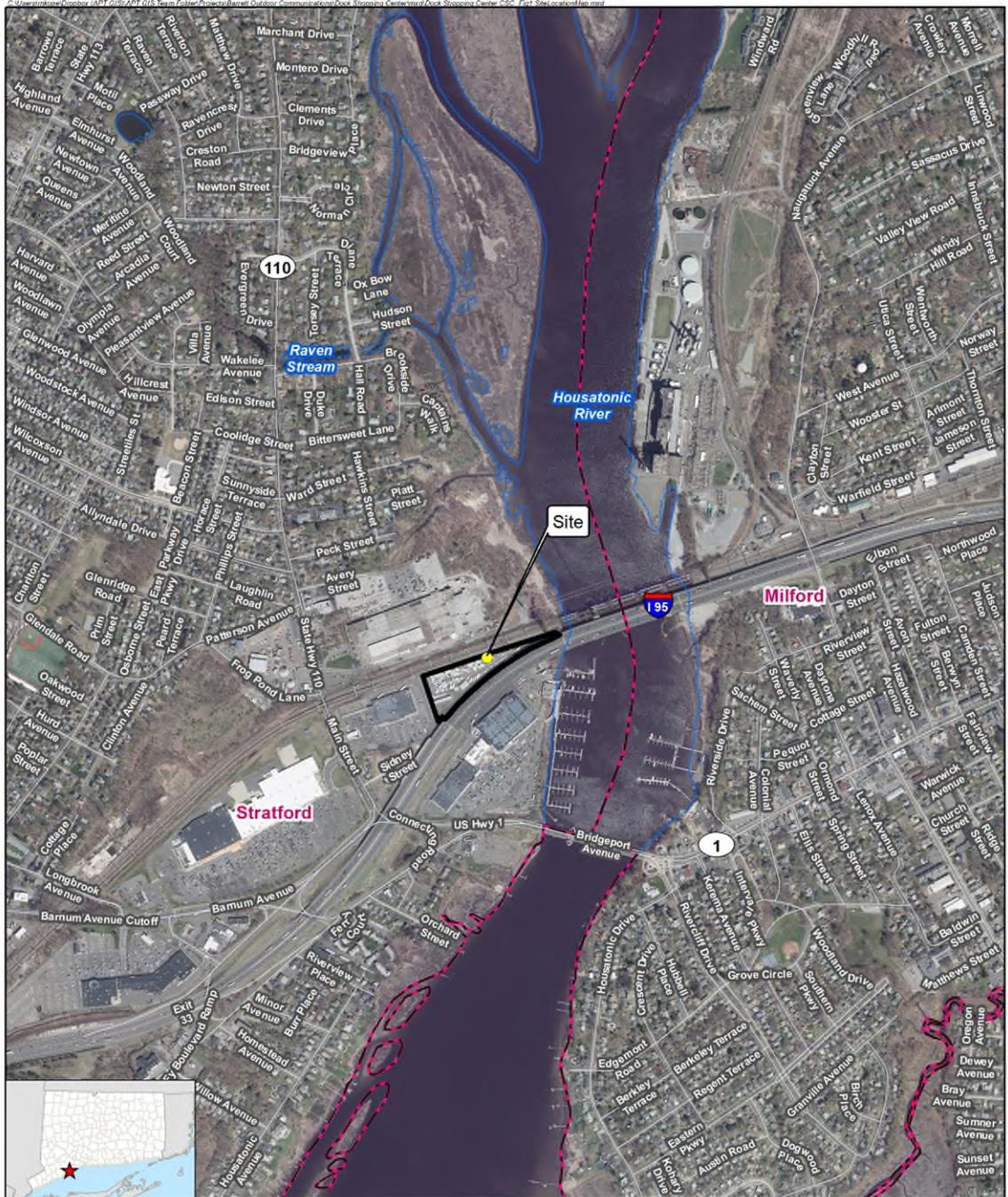
The Relocated Facility is proposed in the northern portion of the Property. The Relocated Facility would consist of a 4,210 square foot compound and telecommunications easement area. The compound would include an elevated equipment platform consisting of approximately 1,489 square feet, which can be expanded another 236 feet to accommodate an additional equipment bay. A 125 foot monopole above grade level (“AGL”), with a lightning rod on top, would be designed to accommodate a twenty foot extension.<sup>2</sup> The monopole would host the Verizon’s antenna array at a centerline of 121 feet AGL. Barrett would install an omnidirectional whip antenna off the top of the monopole, which would be base mounted at 130 feet AGL.

Related equipment cabinets would be placed on the elevated equipment platform nearby within the leased area. The compound would be surrounded by an eight foot chain link fence with anti-climb mesh. Access to the proposed tower would be across an existing bituminous drive. A

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<sup>2</sup> New Cingular Wireless PCS, LLC’s (AT&T) has expressed an interest in locating its antennas on the Relocated Facility with a centerline of 131 feet AGL.

Figure 1 – Site Location



- Legend**
- Site
  - Municipal Boundary
  - Monopole
  - Open Water (CTDEEP)

Figure 1 - Site Location Map

Proposed Wireless  
Telecommunications Facility  
Dock Shopping Center  
200 East Main Street, Rear  
Stratford, Connecticut

Map Notes:  
Base Map Source: CT ECO 2019 Aerial Imagery  
Map Scale: 1 inch = 1,000 feet  
Map Date: June 2021



fiber optic cable run would extend from East Main Street, with a proposed electric line extending to an existing United Illuminating transformer. The site plan, topographic site map and aerial of the proposed Relocated Facility are appended hereto as Attachment 1.

#### **IV. SITE SELECTION AND TOWER SHARING**

As referenced in Part III, *supra*, a redevelopment of the immediate area precipitated the need to relocate the existing facility elsewhere in the vicinity of the Existing Location. Because the situs of the Relocated Facility is a short distance (approximately 0.25 miles) from the Existing Location, the Property meets the site selection process typically undertaken by carriers licensed by the Federal Communications Commission (“FCC”).

Generally, wireless carriers licensed by the FCC investigate prospective sites in an area based upon the needs of their wireless network and infrastructure. A wireless carrier chooses a target area central to the area in which it has identified coverage and/or capacity needs after extensive research of that particular area. The area targeted is the geographical location where the installation of a site would likely address the identified coverage or capacity need based on general radio frequency engineering and system design standards. The goal is to locate sites that will remedy coverage or capacity issues, cause the least environmental impact and avoid the unnecessary proliferation of towers.

There are no existing suitable structures in the area of Stratford or in the City of Milford (“Milford”) that was the subject of this site search. The nearest towers and suitable structures are already in use by Verizon. Moreover, any other existing towers are too far from the target area to provide sufficient coverage specifically to the target area. A Map and List of Facilities within a Four Mile Radius are appended hereto as Attachment 2.

In addition to the fact that the Existing Location, a short distance away, has hosted a wireless telecommunications facility for more than twenty years, the Property meets the above-mentioned site selection criteria for several reasons. First, the Property is located in a retail commercial district designated as “CA” and adjacent to a retail shopping center. Second, the Property is located adjacent to Interstate I-95 and the associated bridge apparatus over the Housatonic River. The Metro North rail corridor, and the associated bridge catenary structure, is immediately to the north, passing east to west. Third, there are no wetlands, coastal resources, or other environmental concerns. The Property is also more than 1000 feet from any single-family residence, including the residential areas to the north and west.

The Property is ideally situated to achieve the existing coverage and capacity objectives of Verizon. Importantly, the Relocated Facility would also provide suitable space for additional wireless carriers at 111, 101 and 91 feet AGL, including a future extension which would host a carrier located at approximately 131 feet AGL, and municipal emergency services equipment, as necessary, which would promote Connecticut’s policy of collocation to “avoid the unnecessary proliferation of towers” pursuant to General Statutes § 16-50aa.

## **V. STATEMENT OF NEED AND BENEFITS**

### **A. Overview**

In amending the Communications Act of 1934 with the Telecommunications Act of 1996, the United States Congress recognized the important public need for high quality telecommunications services throughout the United States. The purpose of the Telecommunications Act of 1996 (“Act”) was to “provide for a competitive, deregulatory national policy framework designed to accelerate rapidly private sector deployment of advanced

telecommunications and information technologies to all Americans.” H.R. Conf. Rep. No. 104-458, 206, 104<sup>th</sup> Cong., Sess. 1 (1996).

Congress preserved state and local authority over the siting of telecommunications facilities. 47 U.S.C. § 332(c)(7)(A). That authority, however, is limited in that state and local agencies cannot unreasonably discriminate among providers of functionally equivalent services or prohibit or have the effect of prohibiting the provision of wireless services. 47 U.S.C. § 332(c)(7)(B)(I) and (II). State and local authorities also cannot promulgate legal requirements that prohibit or have the effect of prohibiting the provision of wireless services. Additionally, state and local authorities cannot regulate or deny an application for the “placement, construction, and modification of [telecommunications facilities] on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the [Federal Communications Commission’s] regulations governing such emissions.” 47 U.S.C. § 332(c)(7)(B)(iv).

Recent rulings by the Federal Communications Commission (“FCC”) underscore the need to accelerate rapid deployment of wireless services. The FCC has recognized that the “[d]emand for wireless capacity is booming: more consumers are accessing mobile broadband every year . . . [b]ut our ability to meet this demand depends on the infrastructure that supports the services.” FCC Order 14-153, p. 2, ¶ 2. The FCC has taken steps to facilitate the need for additional wireless sites to address capacity issues. *Id.* The FCC’s rulings reflect its “ongoing commitment to promote wireless infrastructure deployment, with the goal of facilitating robust wireless coverage for consumers everywhere.” *Id.*, p. 3, ¶ 4.

Consumers are increasing their reliance on and use of mobile broadband services and the volume of data has increased multifold. *Id.*, p. 4, ¶ 7. “As the demand for wireless capacity surges, [the FCC] must take steps to ensure that the networks underlying wireless services can bear the

load. . . . America’s growing demand for wireless broadband will require the deployment of large numbers of new or improved wireless facilities.” (Emphasis added.) *Id.*, p. 5, ¶ 8.

The FCC recently issued a declaratory ruling to assist in the deployment of wireless facilities. FCC Order 18-133, which took effect on January 14, 2019, implemented several changes, including additional streamlined timeframes in which municipalities must rule on requests for wireless facilities. The FCC recognized, as it did in FCC Order 14-153, the import and reach of the Act to secure equal access to telecommunication technologies at lower prices, but with higher quality services. FCC Order, p. 2, ¶ 14.

**B. Statement of Need**

The proposed Relocated Facility is necessary to maintain the existing coverage, including Emergency 911 service, associated with Verizon’s wireless networks in the areas proximate to the site. Additionally, the Relocated Facility would also accommodate three additional wireless carriers, Barrett’s communications system, and municipal emergency communications equipment as necessary. Propagation plots, appended hereto as Attachment 3, depict Verizon’s continued need for the Relocated Facility.

**C. Statement of Benefits**

As highlighted in Part V.A, *supra*, the usage of wireless services is ubiquitous. The public’s demand for traditional cellular telephone services has evolved to include expectations of seamless service, wherever the public is, stationary or not, and readily available access to the internet as well as the ability to send and receive voice, text, image and video through their wireless devices continuously. The ever increasing availability and enhanced sophistication of wireless services has led the public to use their wireless devices as their primary form of communication for both

personal and business needs. The proposed Relocated Facility would allow Verizon, as well as other future carriers, to provide these benefits to the public.

Additionally, to help provide the benefits of wireless technologies to all Americans, Congress enacted the Wireless Communications and Public Safety Act of 1999 (“911 Act”). The purpose of the legislation was to promote public safety through the deployment of a seamless, nationwide emergency communications infrastructure that includes wireless communications services. In enacting the 911 Act, Congress recognized that networks capable of rapid, efficient deployment of emergency services would enable faster delivery of emergency care, resulting in reduced fatalities and severity of injuries. With each year since the passage of the 911 Act, additional anecdotal evidence supports the public safety value of improved wireless communications in aiding lost, ill or injured individuals such as motorists, hikers and boaters.

As an outgrowth of the 911 Act, the FCC mandated that wireless carriers provide enhanced 911 services (“E911”) as part of their communications networks. These services ultimately allow 911 public safety dispatchers to identify a wireless caller’s location within several hundred feet. The Facility would maintain Verizon’s E911 network in this area of the State. As other wireless carriers expand their service in Stratford and Milford through the Facility, E911 services would experience additional improvement.

## **VI. COMMUNITY OUTREACH**

### **A. Collaboration with State and Local Officials**

Although the Relocated Facility does not trigger the municipal consultation required under General Statutes § 16-50l(b), on March 29, 2021, Barrett submitted a technical report to Stratford and Milford, as Milford’s legal boundary is within 2,500 feet of the Relocated Facility.

Representatives of Barrett consulted with Stratford and Milford thereafter and the municipalities provided letters of support, which are appended hereto as Attachment 4.

**B. Notice to Abutters, Agencies and Officials**

In accordance with §§ 16-50j-40 of the Regulations of Connecticut State Agencies, on or about October 15, 2021, Barrett sent a notice of its intent to file this Petition, via certified mail, return receipt requested, to each person appearing as a record owner of the host property, those appearing as a record owner of properties which abut the Property and the appropriate municipal officials and government agencies. The service list of abutters and a sample letter to the abutters are appended hereto as Attachment 5; the service list of agencies and officials, as well as one of the letters sent to Stratford and Milford, are appended hereto as Attachment 6.

**C. Congruence with Local Land Use**

This section addresses Stratford’s Plan of Conservation and Development (“Plan”), Stratford’s zoning regulations (“Zoning Regulations”), Stratford’s inland wetlands and watercourses regulations (“Inland Wetlands Regulations”), as well as Stratford’s zoning classification of the site and surrounding areas.

**1. Planned and Existing Land Uses**

The Property is located in a “Retail Commercial District “CA,” which allows for commercial and multifamily residential uses. Stratford Zoning Regs., § 7.1. The Property is developed and used as a storage area for boats. The immediate area is subject to a redevelopment precipitating the relocation. Aside from the redevelopment, Barrett is not aware of any plans by Stratford or others to change or amend the existing or surrounding land uses.

## **2. The Plan**

Stratford's Plan acknowledges the importance of wireless service. Plan, ch. 12.2.4, p. 109. The Plan also acknowledges that wireless providers do not have "complete coverage over the Town." *Id.*

## **3. The Zoning Regulations**

Section 3.28 of the Zoning Regulations addresses wireless telecommunications facilities. *See* Bulk Filing, Stratford Zoning Regs., § 3.28. Section 3.28 seeks to "accommodate the communication needs of residents and business while protecting the public health, safety and general welfare of the community . . . ." *Id.*, § 3.28.1. As set forth herein, the Relocated Facility preserves the character and appearance of Stratford and lessens the potential adverse effects of telecommunications facility through collocation of providers and locating the facility itself within a commercial district. *Id.* Wireless facilities are also permitted in CA Districts. *Id.*

## **4. The Inland Wetlands Regulations**

The Property is located within the coastal boundary as defined by General Statutes § 22a-94(b). Accordingly, Barrett retained All-Points Technology Corporation, P.C. ("APT") to field verify the locations of coastal resources on or adjacent to the Property. The nearest wetland area or watercourse is a wetland area approximately 316 feet to the east of proposed compound and approximately forty feet from the nearest point of the proposed underground utility route. That wetland resource is identified as a stormwater outfall and riprap armored channel, tidal wetland and intertidal mud flat that borders on the tidally influenced Housatonic River.

APT performed an evaluation of whether the proposed Relocated Facility is consistent with the Connecticut Coastal Management Act, codified at General Statutes § 22a-90 *et seq.* The relocation, operation and maintenance of the Relocated Facility would not affect water quality or

result in a disturbance of or any impact to any wetlands and watercourses, including coastal resources. The proposed Relocated Facility would likely not result in an adverse impact to nearby tidal wetlands or other coastal resources associated with the Housatonic River because of the distance from the Relocated Facility to the nearest resource area and because of the existing developed and disturbed nature of the Property and surrounding area. Additionally, the project area is not located within a 100 year flood zone. *See Attachment 13*. A copy of the Coastal Consistency Review is appended hereto as *Attachment 7*. Barrett would implement Best Management Practices during construction to control storm water and erosion. *See Attachment 1*.

Additionally, there are no Aquifer Protection Areas in the Town.<sup>3</sup> The proposed Relocated Facility would be located outside of the 100 year floodplain associated with the Housatonic River and would not impact that river's flood storage capacity. *See Attachment 7*.

## **VII. NO SUBSTANTIAL ADVERSE ENVIRONMENTAL EFFECT**

As discussed in Part I, *supra*, a Certificate is mandated for certain telecommunications facilities that the Council determines have a “substantial adverse environmental effect in the state . . . .” General Statutes § 16-50k(a). Barrett commissioned a thorough environmental assessment of the Relocated Facility, performed by APT, which established that the proposal “would not have a substantial adverse environmental effect in the state.” Each material aspect of this thorough environmental assessment is discussed below.

### **A. Visibility**

The visual impact of the Relocated Facility would vary from different locations around the Relocated Facility depending on factors such as topography, vegetation and distance from the Relocated Facility, as well as the location of structures around the Facility. A Visibility

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<sup>3</sup> The DEEP does not include any mapping of municipalities without an Aquifer Protection Area. Please see [https://www.ct.gov/deep///cwp/view.asp?q=322248&deepNav\\_GID=1654](https://www.ct.gov/deep///cwp/view.asp?q=322248&deepNav_GID=1654).

Assessment prepared by APT, including viewshed maps and photo-simulations of the potential views of the Relocated Facility is appended hereto as Attachment 8.

As part of its visibility assessment, APT conducted field reconnaissance on March 23, 2021, during leaf-off conditions. APT utilized a crane at the proposed situs of the monopole, with a bright red flag attached to the top of the boom at a height of approximately 135 feet AGL (original height since reduced by ten feet), during favorable weather conditions (sunny skies and calm winds). During its field reconnaissance, APT took photographs from a variety of publicly accessible locations to depict representative images of potential views of the Relocated Facility.

The topography and vegetation within a two mile radius of the proposed Relocated Facility (“Study Area”) serve to minimize the potential visual impact of the Relocated Facility. Only 15.5 percent (1,244 acres) of the Study Area would potentially have year-round views of portions of the Relocated Facility. Approximately 94 percent of those views (1,168 acres) would occur over open water and the tidal wetlands associated with the mouth of the Housatonic River. The potential seasonal views of the Relocated Facility would include approximately 197 acres. The total potential year-round and seasonal views of the Relocated Facility, including those from the water, represent approximately 17.9 percent of the Study Area.

The potential landward year-round views of the Relocated Facility would be limited primarily to the commercial areas immediately surrounding the situs of the Relocated Facility and along Interstate 95, within 0.5 to 0.75 miles of the facility. The nearest potential residential year-round views of the Relocated Facility are from over 0.25 miles away.

The character of those limited potential views demonstrate that the proposed Relocated Facility would not have a substantial adverse environmental effect in the state. The existing

conditions include infrastructure associated with the nearby rail line, raised sections of I-95, electrical transmission structures and large swaths of retail and commercial development.

General Statutes § 16-50I(g)(1) requires an applicant to include in its Technical Report to the host municipality “the location of all schools near the proposed facility, an analysis of the potential aesthetic impacts of the facility on said schools, as well as a discussion of efforts or measures to be taken to mitigate such aesthetic impacts . . . .” APT determined that there are no schools or commercial day care centers within 250 feet of the proposed Relocated Facility. The nearest school, Wilcoxson Elementary School, is located approximately 0.52 miles to the northwest of the proposed Relocated Facility. The nearest commercial day care center, Mama N’ Cubs Playschool, LLC, is located approximately 0.54 miles to the southeast of the site. Based on APT’s thorough assessment, including a field reconnaissance, APT does not predict that either would have views of the Relocated Facility. See Attachment 8.

#### **B. State and Federal Agency Comments**

APT consulted with several State and Federal agencies whose jurisdiction encompasses the proposed Relocated Facility. APT submitted a request for review of, and comment on, the proposed Relocated Facility to the following State agencies: the Connecticut Department of Energy and Environmental Protection (“DEEP”) and the State Historic Preservation Office within the Department of Economic & Community Development (“SHPO”). APT also consulted with the following federal agencies: United States Fish and Wildlife Service (“USFW”), the Federal Aviation Administration (“FAA”) and the FCC.

### **1. DEEP Natural Diversity Database Review**

APT consulted with the DEEP for a review of the proposed Facility under the DEEP Natural Diversity Database (“NDDB”). On September 23, 2020, the DEEP issued a determination letter indicating that it does not anticipate negative impacts to State-listed species . . . resulting from your proposed activity at the site . . . .” A Copy of the NDDB determination letter is appended hereto as Attachment 9.

### **2. USFWS Consultation**

The USFWS consultation revealed that the northern long-eared bat (“NLEB”) is known to occur in the vicinity of the proposed Relocated Facility. As a result of this preliminary finding, APT consulted with the DEEP, which confirmed that there are no known occupied maternity roost trees within 150 feet of the proposed Relocated Facility or known NLEB hibernaculum within one-quarter mile of the proposed Relocated Facility. The nearest NLEB habitat resource is located approximately twenty miles to the northeast in North Branford. As required by federal law, APT submitted this information to the USFWS and did not receive a response. This lack of response constitutes a determination from the USFW that the proposed Relocated Facility would have no effect on NLEB. See Attachment 9, which includes the USFWS Compliance Determination.

### **3. SHPO Consultation**

On November 19, 2020, the SHPO determined that the proposed Relocated Facility “will have no adverse effect to sites listed on or eligible for listing on the National Register of Historic Places” under the following conditions: (1) the antennas, wires, mounts, and associated equipment will be designed and installed to be as non-visible as possible and (2) if not in use for six consecutive months, the equipment shall be removed within ninety days of such consecutive six month period. Barrett is amenable to the Council incorporating these conditions into a final

decision in the event the Council approves the Relocated Facility. A copy of the SHPO determination is appended hereto as Attachment 10.

#### **4. FAA Consultation**

The proposed Facility would not constitute a hazard to air navigation and otherwise require any additional measures or authorizations from the FAA. A Copy of the FAA Determination is appended hereto as Attachment 11.

#### **5. Other Environmental Factors**

The Relocated Facility would be unmanned, requiring infrequent monthly maintenance visits by each carrier that typically last approximately one hour in duration. Verizon would monitor its respective equipment at the Relocated Facility, which would be remotely monitored twenty-four hours a day, seven days a week. The Relocated Facility would not require a water supply or wastewater utilities. The Relocated Facility also would not require outdoor storage or solid waste receptacles and the Facility would not create or emit any smoke, gas, dust or other air contaminants, noise, odors or vibrations.

APT evaluated the Relocated Facility pursuant to the FCC's regulations implementing the National Environmental Policy Act of 1969 ("NEPA"). The Property is not designated as a wilderness area and is not located in any areas identified as a wildlife preserve or in a USFW National Wildlife Refuge. There are no National Parks, National Forests, National Parkways or Scenic Rivers, State Forest, State Designated Scenic Rivers or State Gamelands located in the vicinity of the proposed Facility. Furthermore, according to the site survey and field investigations by APT, the Relocated Facility would not impact any federal or state regulated wetlands or watercourses. A copy of APT's NEPA Review Summary is appended hereto as Attachment 12.

Additionally, the situs of the Facility is not located within a floodplain. A copy of the Flood Insurance Rate Map is appended hereto as Attachment 13.

APT also performed a desktop avian assessment, which confirmed that the Relocated Facility would not impact any migratory bird species. Most notably, the Relocated Facility would comply with the USFW guidelines because the height would be below 199 feet, would not include guy wires and would not require lighting. A copy of the Avian Assessment Report is appended hereto as Attachment 14.

Based upon Barrett's thorough review of the proposed Relocated Facility and its potential impact on the environment in accordance with the dictates and spirit of the NEPA, the Relocated Facility is categorically excluded from any requirement for further environmental review by the FCC and no permit is required by the FCC prior to construction of the proposed Facility. Ultimately, the relocation, maintenance and operation of the proposed Facility would have no significant adverse effect on the State's natural environment, ecological balance, scenic, historic and recreational values, forests and parks, air and water purity and fish, aquaculture and wildlife.

### **C. Radio Frequency/Power Density**

The FCC has adopted a standard for exposure to RF emissions from telecommunications facilities similar to the proposed Relocated Facility. These standards are set forth in a bulletin published by the FCC, specifically the FCC's Office of Engineering and Technology Bulletin No. 65, Edition 97-01 (August 1997) ("OET Bulletin 65"). Verizon performed a maximum density calculation with the assumption that all of Verizon's antennas are operating simultaneously at full power. Under this worst case assumption, the RF power density of Verizon's antennas would not exceed 14.16 percent of the FCC's standard as set forth in the OET Bulletin 65. A copy of the RF power density calculations is appended hereto as Attachment 15.

**IX. CONCLUSION**

This Petition and the appended attachments demonstrate that the Relocated Facility would not have any substantial adverse environmental effects and, accordingly, a Certificate is not Required. Although not a requirement under General Statutes § 16-50k(a), the Petition establishes that there is a continued public need for the Relocated Facility. Barrett, therefore, respectfully requests that the Council grant this Petition that a Certificate is not required for the relocation, operation and maintenance of the Relocated Facility.

Respectfully submitted by,

BARRETT OUTDOOR COMMUNICATIONS, INC.



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