



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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January 28, 2022

David A. Ball, Esq.
Cohen & Wolf, P.C.
1115 Broad Street
Bridgeport, CT 06604
dball@cohenandwolf.com

RE: **DOCKET NO. 500** - Arx Wireless Infrastructure, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 1061-1063 Boston Post Road, Milford, Connecticut.

Dear Attorney Ball:

At a public meeting of the Connecticut Siting Council (Council) held on January 27, 2022, the Council considered and approved the Development and Management (D&M) Plan submitted for this facility on November 8, 2021, with the condition that prior to the commencement of construction, Arx shall provide contact information for the spill response contractor and complete information/procedures to notify state and local agencies within the fuel spill prevention plan.

This approval applies only to the D&M Plan submitted on November 8, 2021, and additional information received on November 18, 2021. Requests for any changes to the D&M Plan shall be approved by Council staff in accordance with Regulations of Connecticut State Agencies Section (RCSA) §16-50j-77(b).

The Certificate Holder is responsible for compliance with the reporting requirements under RCSA 16-50j-77, including:

1. Notification of commencement of construction;
2. Quarterly construction progress reports;
3. Notification of completion of construction and commencement of operation; and
4. Final report.

Please be advised that deviations from the approved D&M Plan and non-compliance with the D&M Plan reporting requirements are enforceable under Connecticut General Statutes § 16-50u.

Enclosed is a copy of the staff report for this D&M Plan, dated January 27, 2022.

Thank you for your attention and cooperation.

Sincerely,

Melanie A. Bachman
Executive Director

MAB/IN/lm

Enclosure: Staff Report, dated January 27, 2022



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Docket No. 500

**ARX Wireless Infrastructure, LLC
1061-1063 Boston Post Road, Milford
Development and Management Plan
Staff Report
January 27, 2022**

On September 24, 2021, the Connecticut Siting Council (Council) issued a Certificate of Environmental Compatibility and Public Need to Arx Wireless Infrastructure, LLC (Arx) for the construction, maintenance, and operation of a 115-foot wireless telecommunications facility at 1061-1063 Boston Post Road in Milford, Connecticut. As required in the Council's Decision and Order (D&O), Arx submitted a Development and Management (D&M) Plan to the Council on November 8, 2021. In accordance with Regulations of Connecticut State Agencies (RCSA) §16-50j-75(e), copies of the D&M Plan were also submitted to the service list for comment. The Council has not received any comments regarding the D&M Plan to date.

On November 18, 2021, pursuant to RCSA §16-50j-75(d), Arx consented to the Council's request for an extension of the deadline for a decision on the D&M Plan to January 31, 2022.

The site is located in the southern portion of a 2.5-acre dual zoned property (commercial and residential) developed with two existing commercial buildings and a parking area. The approved site location is in the residentially zoned portion of the parcel in a landscaped area adjacent to the existing parking lot. During the proceeding, the Council considered an alternate site location in the commercially zoned portion of the parcel.

Consistent with the Council's D&O, Arx will construct a 115-foot monopole at the approved site location, designed in accordance with the EIA/TIA Structural Standards for Steel Antenna Towers and Antenna Supporting Structures- Revision H. The monopole would be designed to support four levels of platform-mounted antennas, as well as municipal/emergency communication whip antennas. The tower has the potential for a 30-foot extension to accommodate future tower sharing.

The nearest property boundary is approximately 80 feet to the south. In accordance with D&O Condition 2(c), the tower is designed with a yield point at 54 feet above ground level (agl) to ensure that the tower setback radius remains within the boundaries of the subject property.

In accordance with D&O Condition No. 2(a), the D&M Plan contains letters from Cellco Partnership d/b/a Verizon Wireless (Verizon) and New Cingular Wireless PCS, LLC (AT&T) both dated October 31, 2021, certifying that Verizon and AT&T are committed to co-locating on the facility once Arx completes construction. Specifically, Verizon will install 12 panel antennas and 9 remote radio heads on a platform antenna mount at a centerline height of 112 feet agl and AT&T would install 9 panel antennas and 12 remote radio heads on a platform antenna mount at a centerline height of 100-feet agl. The top of Verizon's antennas will extend to 116 feet agl.

Arx will construct an approximately 60-foot by 60-foot equipment compound at the site within a 75-foot by 75-foot lease area. The compound will be enclosed by an eight-foot high chain link fence with a 12-foot wide gate.

In accordance with D&O Condition No. 2(f), Arx provided a cost comparison between natural gas fueled and diesel fueled emergency backup power generation for the facility. The cost for Arx to bring natural gas

service from the street would be \$12,000. The total cost for Verizon and AT&T to bring natural gas service from the meter would be \$2,400. The total natural-gas fueled generator costs for Verizon and AT&T would be \$20,750. The total diesel-fueled generator costs for Verizon and AT&T would be \$22,000. Natural gas would be supplied via underground conduit from Home Acres Avenue to the compound.

Verizon will install one equipment cabinet and a 35-kilowatt natural gas fueled emergency backup generator on a concrete pad in the northeastern portion of the compound. AT&T will install one equipment walk-in cabinet and a 15-kilowatt natural gas fueled emergency backup generator on a concrete pad in the southeastern portion of the compound. Electrical meter equipment and a transformer will be installed outside of the perimeter fence, protected by bollards.

Access to the compound will utilize the existing 25-foot wide paved driveway on the property extending southeast from Boston Post Road to the compound. Utilities would extend underground from the northwestern corner of the compound to an existing utility pole located along Home Acres Avenue.

No trees will be removed to develop the site. The nearest wetland is located about 1320 feet south of the facility.

The site is located on mostly level ground. Erosion and sedimentation controls will comply with the *2002 Connecticut Guidelines for Soil Erosion and Sedimentation Control*.

In accordance with D&O Condition No. 2(e) Arx provided Rare Species Protection Measures for the Eastern Box Turtle (*Terrapene c. Carolina*) during construction. The protection measures assume that work activities are limited to occur only during the turtle's active period from April 1 to October 30. Arx will also implement a Spill Prevention Control and Countermeasure (SPCC) plan for the duration of the project.

Construction hours will be from 7:30 a.m. to 6:00 p.m., Monday through Friday.

The cumulative worst-case radio frequency power density level for Verizon's and AT&T's antennas at the base of the tower will be 22.0 percent of the FCC's General Public/Uncontrolled Maximum Permissible Exposure limit taking into account a 10 dB off-beam pattern loss to account for the relative gain below the antennas.

The D&M Plan is consistent with the Council's D&O for Docket No. 500.

Recommendations

If approved, staff recommends the following condition:

1. Prior to the commencement of construction, Arx shall provide contact information for the spill response contractor.