

**STATE OF CONNECTICUT
SITING COUNCIL**

DOCKET NO. 502 - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 118 Newton Road, Woodbridge, Connecticut

: JULY 06, 2021

**WNNET RESPONSES TO
COUNCIL INTERROGATORIES SET ONE**

The following are responses to Interrogatories directed to the Intervenor, Woodbridge Newton Neighborhood Environmental Trust by the Council.

1. Referring to Page 2 of the Woodbridge Newton Neighborhood Environmental Trust (WNNET) Application to Intervene dated June 8, 2021, provide the following:

a) Provide the names of the members of WNNET.

RESPONSE:

Name	Home Address	Position
Chanmany Daley	14 Soundview Dr, Woodbridge, CT 06525	President
Marie Gratton	15 Forest Glen Dr, Woodbridge, CT 06525	Secretary
Erin Hoftstatter	1 Forest Glen Dr, Woodbridge, CT 06525	Treasurer
Richard Feldman	79 Forest Glen Dr, Woodbridge, CT 06525	Assistant Treasurer
Timothy Mulherin	110 Newton, Woodbridge, CT 06525	Member
Lilian Topf	24 Forest Glen Dr, Woodbridge, CT 06525	Member

Name	Home Address	Position
Vincent Calarco	27 Forest Glen Dr, Woodbridge, CT 06525	Member

b) What “scenic vistas” would be negatively impacted by the proposed facility? What resource was used to determine scenic vistas would be impacted? What entity determined such vistas are scenic?

RESPONSE:

See attached narrative response with photographs and maps. The short answer to this Interrogatory is that the Woodbridge Newton Neighborhood which includes the streets adjacent to Forest Glen Drive, Newton Road and Soundview Roads is a mature neighborhood purely residential in character. The residents take pride in their neighborhood and find the area scenic. The determination that an area is scenic is not solely within the purview of governmental agencies or non-profit organizations. Regardless, the Town of Woodbridge has prioritized the scenic character of Woodbridge expressly in its Plan of Conservation and Development. The attached narrative response shows some of the resources available which depict the area as scenic. A 100ft wireless telecommunications tower set in the middle of a residential setting is in jarring contrast to the existing residences and should not be approved as the casual installation of minor infrastructure like a telephone pole or a streetlamp.

c) What alternative locations are available to the Applicant that will provide comparable wireless telecommunication services in this area and lessens the visual impact of the proposed facility? What coverage analysis/visual impact studies were performed to support this statement?

RESPONSE:

Please see the attached narrative and pictographic response to Interrogatory 1(b) for information relative to expected visual impact. Further, WNNET retained the services of

Isotrope, LLC of Medfield, Massachusetts to create alternative coverage concepts from existing infrastructure and/or a hypothetical small cell (DAS or CRAN) solution to the primary coverage target of Route 63 and 67 and environs which would reduce the visual impact to the residential neighborhood surrounding the proposed tower.

However, a more appropriate solution in keeping with the oft-cited anti-proliferation of towers and tower sharing policies, would be to optimize the existing tower at 1990 Litchfield Turnpike which has flush mounts per the decision and order in Docket #388. AT&T was approved to utilize 2 slots on that tower. If the open slot at 135 feet is too low for Verizon's purposes, AT&T could be ordered to install a platform and consolidate with 2 rows on antennas at the top. The slot at 155 feet would become available for Verizon with a full platform mount. In this way the proposed tower would not be necessary. In addition, an existing police radio tower at Meetinghouse Lane could be modified to accommodate Verizon equipment to meet the coverage objective without the installation of a new tower on a new site.

There are other generic ways of reducing visual impact including (1) strategically located short towers just above the treetops and placed outside of view of residents and visitors, supplemented when necessary with small cells in congested areas (2) Avoidance of oversizing towers at the expense of community impacts just to accommodate multiple carriers. (3) Willingness to accept smaller footprints, which will improve the capacity of the system; all of which would help to reduce the industrialization of Connecticut's towns with massive towers, as towers are placed closer to residential and scenic assets.

d) What natural resources would be negatively impacted by the proposed facility? What studies were performed to support this statement?

RESPONSE:

See previous responses to 1(b) and (c). Scenic views are recognized as natural resources of the State under both the Connecticut Environmental Protection Act and PUESA as noted in the sections below:

§16-50j-1 of The Public Utility Environmental Standards Act (PUESA), Title 16, Chapter 277a, mandates the Council to “balance the need for adequate and reliable public utility services at the lowest reasonable cost to consumers with the need to protect the environment and ecology of the state and to **minimize damage to scenic**, historic, and recreational values” and

§16-50p(3)(g)(b)(1):

Prior to granting an applicant's certificate for a facility ..., the council shall examine... (C) whether the proposed facility would be located in an area of the state which the council, in consultation with the Department of Energy and Environmental Protection and any affected municipalities, finds to be a relatively undisturbed area that possesses scenic quality of local, regional or state-wide significance, and (D) the latest facility design options intended to minimize aesthetic and environmental impacts. The council may deny an application for a certificate if it determines that ...(iii) ***the proposed facility would substantially affect the scenic quality of its location or surrounding neighborhood*** and no public safety concerns require that the proposed facility be constructed in such a location. (emphasis added)

e) Describe the best available technology that can be used to reduce the visual impact of the proposed facility.

RESPONSE:

See previous response to 1(d), the optimization of the existing tower at 1990 Litchfield Turnpike, modifications to an existing radio tower at Meetinghouse Lane and/or the deployment of small cells to provide in-fill capacity along Route 63 and 69 and

in the areas of north-central Woodbridge requiring additional coverage and capacity.
These would be the best technology or use of technology currently used in Connecticut
to avoid the 100ft structure proposed.

Respectfully Submitted,

Woodbridge Newton Neighborhood Environmental Trust,

By *Keith R. Ainsworth*

Keith R. Ainsworth
Law Offices of Keith R. Ainsworth, Esq. LLC
51 Elm Street, Suite 201
New Haven, CT 06510-2049
(203)435-2014
keithainsworth@live.com

RESPONSE TO COUNCIL INT #1(b)
Proposed 118 Newton Road Cell Tower Visual Impact

Officially incorporated in 1784, the town of Woodbridge remains known for its quaint charm. It was an agricultural community until the early 20th century when automobiles became more mainstream. To this day, the town has very limited economic/commercial activity in a limited area. It prides itself at being a very family focused town with a strong education system, rustic charm and thoughtful use of its open land. It is rural in nature, with the overwhelming majority of homes supported by well and septic systems. The town draws its identity and property value from this combination of factors.

Our town is home to several organizations that protect our undeveloped land and historic sites, including the Woodbridge Land Trust and the Woodbridge Park Association. We have a number of preserved hiking trails open to the public, notably the Alice Newton Street Memorial Park and the Wepawaug Falls area.

Residents choose to move to this town for the balance of peaceful family life, access to excellent education, beautiful land and wildlife. Our neighborhood, and all of the residentially zoned areas of Woodbridge, enjoy the views of rural land or the landscaped property of neighbors. Deer and wild turkeys consistently cross our roads, and a variety of birds, bobcats and other wildlife visit our yards.

Residents of our neighborhood have felt safe in their investment in Woodbridge, until now. They rightfully assumed this location insured that they would not have industrial structures towering over their houses, destroying the view and vista, and affecting the quality of life. This structure belongs in an appropriately zoned area which can provide equal coverage. This option does exist, has been offered, and needs review. The following section demonstrates the macro and micro scenic impacts of the proposed tower. We want to highlight that the proposed structure in this section of our town, will most definitely make this residential neighborhood and surrounding ones considerably less attractive to potential buyers.

Macro Level Impact

The Newton/Forest Glen neighborhood is located approximately 1.5 miles from the historic Town Center, which includes town hall, the First Congregational Church (established in 1832)

emergency services and the library. It is officially called the Woodbridge Green Historic District, which was added to the National Register of Historic Places in 2003.

Due to its proximity to the Woodbridge Green Historic District and Amity Regional High School, peaceful character as well as its beautiful fauna and flora, it is an extremely desirable area of Woodbridge in which to live. The area has known a renaissance in recent years with a number of young families moving there. It definitely has a neighborhood feeling with many of the properties consisting of 1.5 acres, with neighbors knowing each other, meeting as they walk their dogs or jog down the street.

Many of the homes around 118 Newton, particularly in the Soundview/Forest Glen area, were established in the early to mid 1970s. The area is known for its lustrous trees but many of these trees have fallen, have been removed, or will be taken down due to their age, weakening from recent storms and diseases that have been plaguing trees in the area. Therefore, the visual impact may be underestimated at the moment as many of the trees will no longer be present if and when the tower is erected or in the following years.

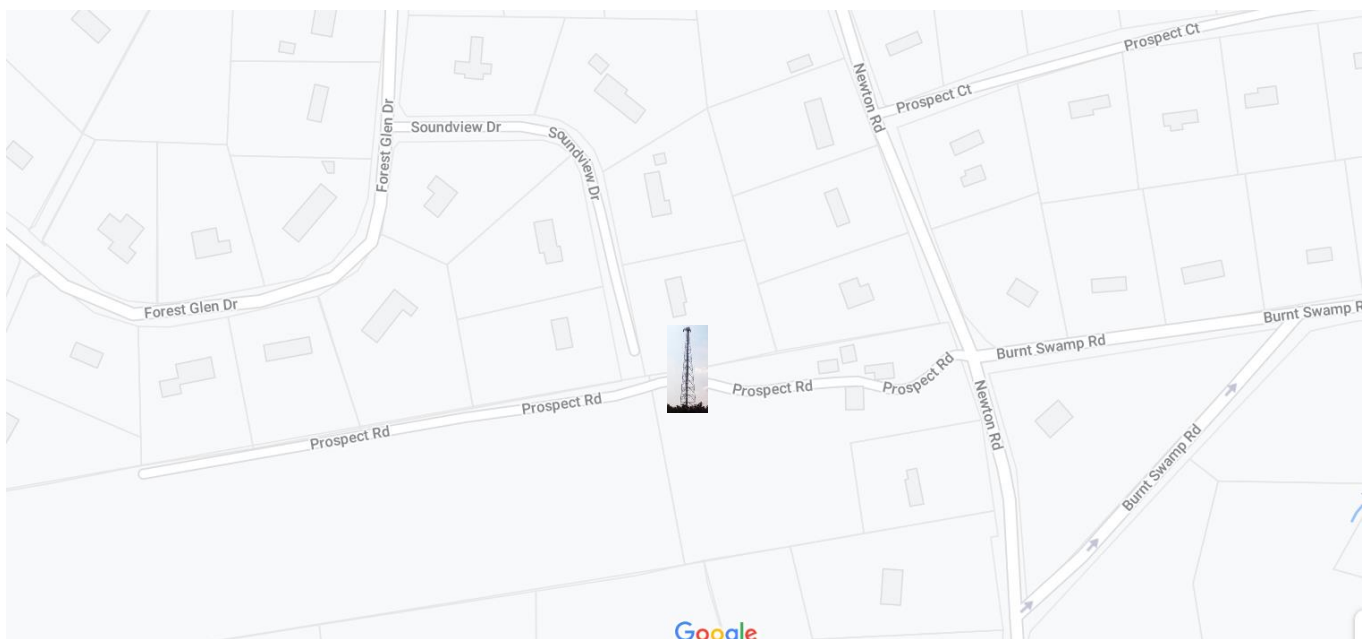
The 118 Newton Road location is located 0.25 miles from the Newton Road Park Hampton Drive trailhead (7 Hampton drive). Verizon in its visibility analysis mentions a seasonal visual impact from certain properties on Hampton drive (picture 19 visibility analysis), but we were unable to determine where the picture was taken from in their submission due to insufficient information being provided. Additionally, the Woodbridge Park Association was also unable to assess the visual impact from the Hampton Trail Head after the fact without more information. What we do know is that there is a very wooded, older area across from the entrance to the park that has become more sparse. We also know a number of trees are falling and being purposely removed by property owners due to age and weather incidents these last few years that have impacted the area.

The original home at 118 Newton was built in the 1910s, and was designated as a prime farm land, as were all the properties in the Newton Road/ Soundview/ Forest Glen area. The land is no longer used for farming but it does have that prime farmland designation, as Verizon noted in its submission. As specified in the 2015 Plan of Conservation and Development, the town indicates a desire to preserve farmland and develop policies and incentives to encourage preservation and avoid further development on prime farmland soil (pages 77 and 87). The tower at this location would contradict and be in opposition to the town conservation and development plan.

The latest Woodbridge Plan of Conservation and Development (2015-2025) highlights "preserving local scenic character" as a key goal. The town mentioned putting in place regulatory protections for natural resources that contribute to the Town's scenic character such as stone walls, trees of large caliber, etc. (p. 145). The Newton/Soundview/Forest Glen area with its winding, hilly roads, large trees, close proximity to trails (0.25 miles from Newton Road Park and 0.4 miles from the Alice Newton Street Memorial Park) and the Woodbridge Green Historic District needs to remain, as is, in order to be in compliance with the mission of the Conservation and Development Plan. As further stated in the Plan, "The character, sustainability, health and quality of life of the Town will all be enhanced by the continued protection and conservation of these resources". The Town also references its commitment to "avoiding patterns of

development that harm scenic and environmental values” (p.146), which would clearly result from a cell phone tower in this area. Simply stated, there is the need to “...maintain [the] rural character” (p.150) of our quiet, residential town. We are striving to uphold the idyllic integrity of Woodbridge and in that vein, we want to abide by the stated mission of the Woodbridge Conservation Commission, as stated, “to preserve the character of our town...the small town atmosphere, to plan for its physical landscape, to protect the ...wildlife, vegetation, environment and quality of life for our citizens...”.

Environmental impacts will be discussed in greater detail at the July 13 Siting Council Hearing, but below are some pictures of wildlife seen at 118 Newton and Soundview homes taken by neighbors. The map below illustrates where the area in which the pictures were taken.





06/25/2021 Mark Greengarden, iPhone 8 plus Pro Max, 12 megapixel camera, no zoom, taken at the end of Soundview cul-de-sac, on proposed tower site of property.



11/9/2020 15 Soundview Drive, Ring Security Camera, facing south and facing abutting property where cell tower is proposed.



04/15/2021 Judy Letis, backyard of 7 Soundview Drive



03/20/2021 Michele
Greengarden,
iPhone 7 Plus, 12
megapixel camera,
taken from

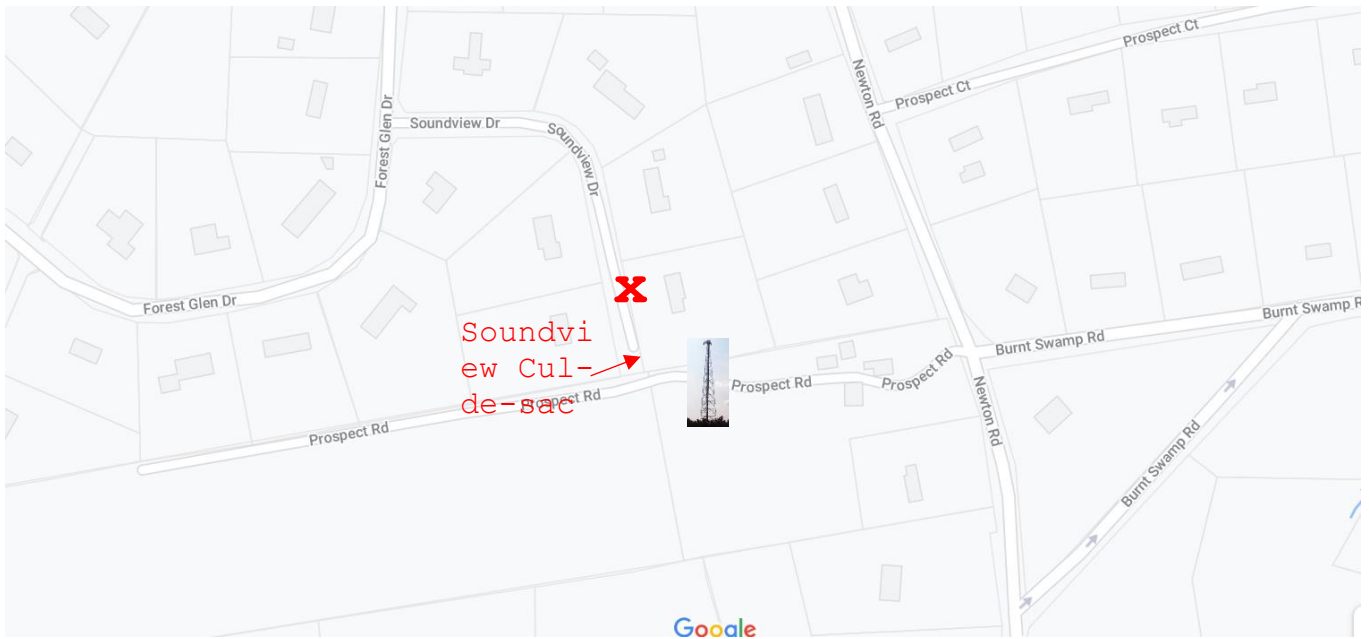
driveway of 15 Soundview Drive, facing south and abutting property of proposed tower site.

Micro Level Impact

The immediate impact will be experienced most directly by the adjacent property owners, as well as property owners within a 0.25 mile radius. There are several alternative sites that provide equal cell phone coverage without impacting the views and quality of life of this neighborhood. The pictures below were taken by local residents when Verizon was conducting its height and visibility tests. Although most pictures were taken with iPhones and the image resolution may not be 100%, the visual impacts can clearly be seen. Additionally, many were unaware or at work when the height/visibility tests were done and we do not have pictures of all impacted views. The examples below are therefore merely a sample of the total scenic impact this will have on the neighborhood. The location from where the picture was taken for each property is indicated with a red x on the corresponding google map.

Soundview Cul-De-Sac View

The pictures below show visual impact at the end of the Soundview cul-de-sac. The owners of 14 Soundview have a straight line view of the tower from their living room since it is a very open space.





03/10/2021 Kristy Laydon, iPhone 11 Pro Max, 12 megapixel camera, no zoom, taken straight on soundview facing cul-de-sac.



03/10/2021 Mark Greengarden, Nikon D60, 35mm, facing south, taken from cul-de-sac of Soundview Drive.



03/10/2021 Mark Greengarden, Nikon D60, 44mm, facing south, taken from cul-de-sac of Soundview Drive.

15 Soundview Drive



The proposed tower is approximately 200 feet of the 15 Soundview Drive property line. The



pictures below show the view from the adjacent property line/driveway as well as master bedroom window

03/10/2021 Mark Greengarden, Nikon D60, 26mm, facing south, taken from driveway in front of house at 15 Soundview Drive .



03/10/2021 Mark Greengarden, Nikon D60, 46mm, facing south, taken in front of garage of 15 Soundview Drive.



03/10/2021 Mark Greengarden, Nikon D60, 44mm, facing south, taken from finished room over garage of 15 Soundview Drive.



03/10/2021 Mark Greengarden, Nikon D60, 55mm, facing south, taken from master bedroom of 15 Soundview Drive.

114 Newton Road

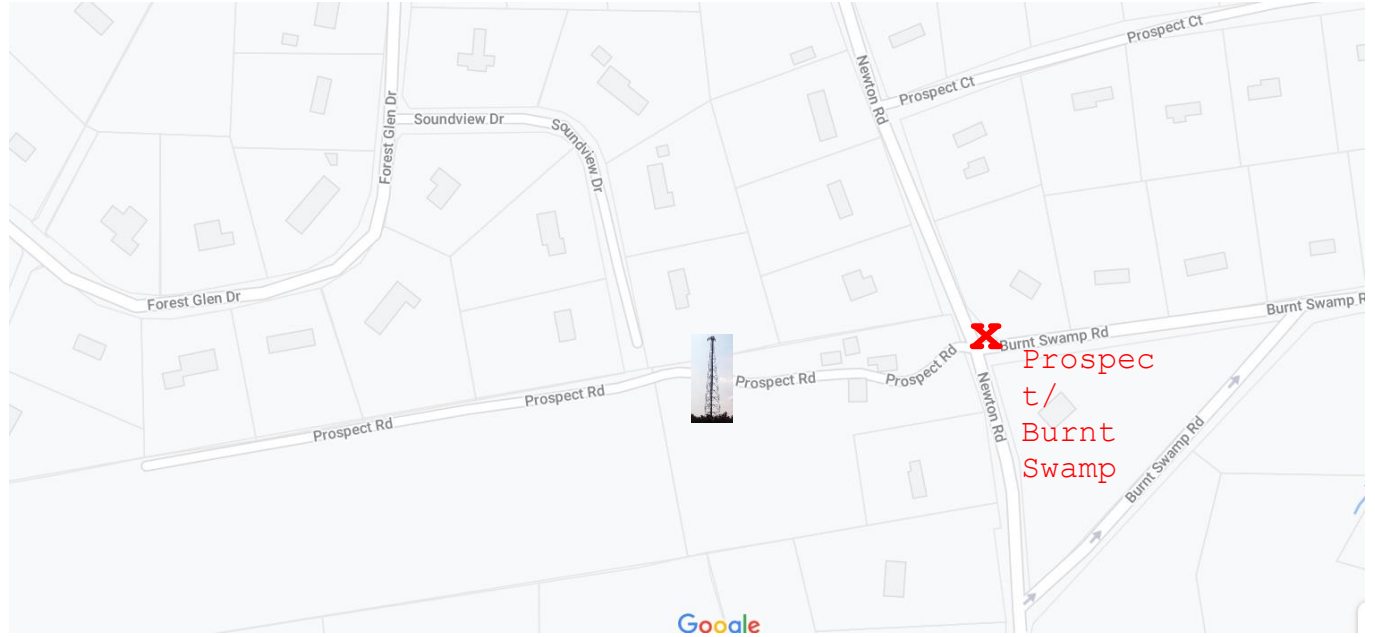


As can be seen from the picture on the following page, the tower will be visible from the main road, particularly as many trees in the area fall with storms and/or continue to be removed in a preventative manner.



03/10/2021 Kristy Laydon, iPhone 11 Pro Max, 12 megapixel camera, no zoom, facing north, taken straight on Newton Road in front of 114 Newton.

Prospect/Burnt Swamp Intersection



Burnt Swamp Road/Prospect Road is used as a main thoroughfare for the Newton Road/Forest Glen neighborhoods to reach Route 67. Nearby residents travel this road very often, sometimes multiple times per day, to access services such as schools and the commercial area of town. The view of the cell phone tower from this road is shown below, which will be in direct view for neighborhood residents who travel this road on a daily basis.

12
zoom,
the
Burnt

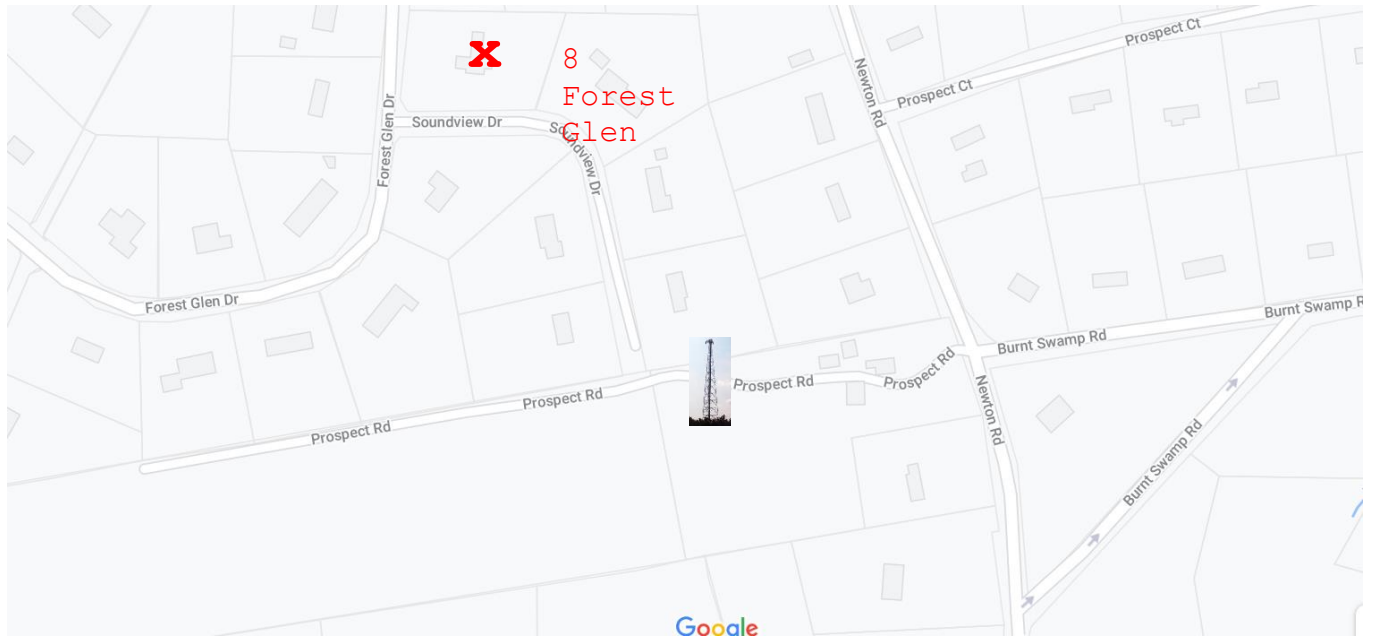


03/10/2021 Steven
Kleinstein, iPhone 12,
megapixel camera, no
taken facing north at
corner of Newton and
Swamp.



03/10/2021 Steven Kleinstein, iPhone 12, 12 megapixel camera, no zoom, facing north, taken straight on Newton road on opposite side of Burnt swamp intersection.

8 Forest Glen Dr

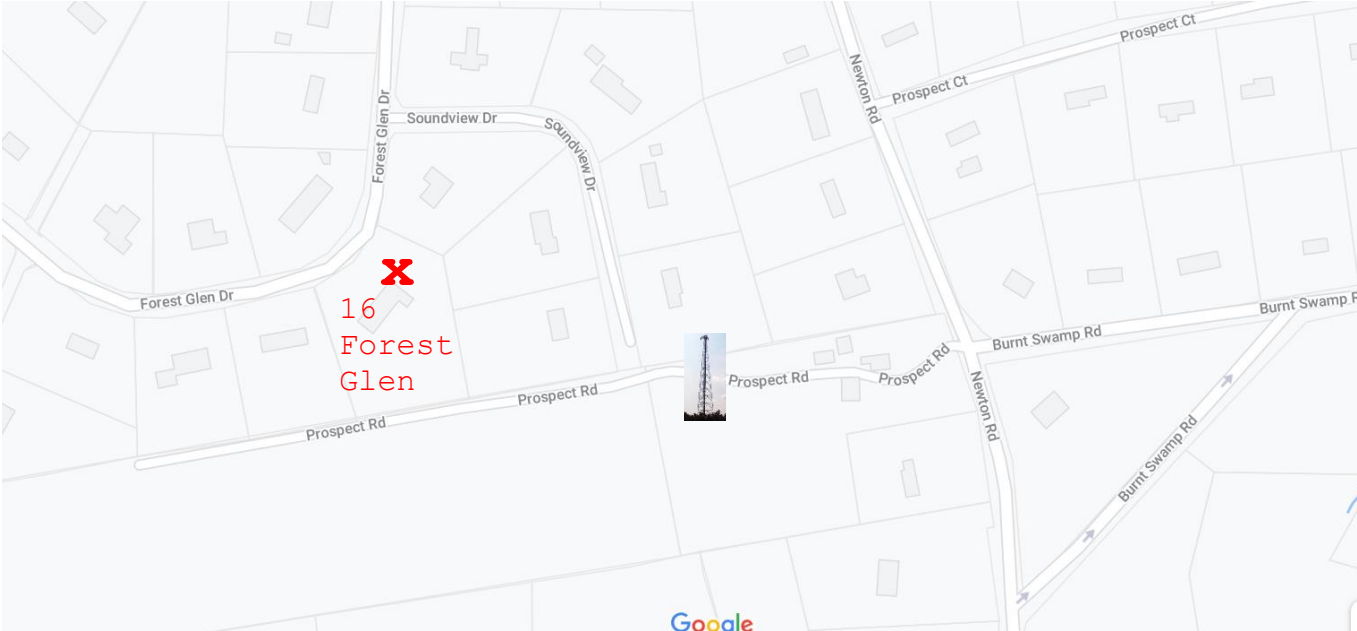


Verizon did not go into property owners' yards to assess the impact. The tower will be visible from the property owner's back yard. As well, the impact will increase as the tower structure will be larger than the tip of the crane and trees are removed due to their weakened condition.



03/10/2021 Kristy Laydon, iPhone 11 Pro Max, 12 megapixel camera, zoom, facing south and taken from backyard of 8 Forest Glen Dr.

16 Forest Glen Dr



Below is a picture of the view from the property owner's backyard at 16 Forest Glen Dr, and the visibility impact will be increased once the trees in the property owner's yard are removed. The trees are 40 years old and have been severely weakened by storms, as you can see from the number of limbs missing at the top of the tree. Per the property owner's landscaper, the trees will need to be removed soon.



03/10/2021 Kristy Laydon, iPhone 11 Pro Max, 12 megapixel camera, zoom, facing south west from 16 Forest Glen Dr backyard.

CERTIFICATE OF SERVICE

This is to certify that a true copy of the foregoing was deposited in the United States mail, first-class, postage pre-paid this 6th day of July 2020 and addressed to:

Ms. Melanie Bachman, Esq., Executive Director, Connecticut Siting Council, 10 Franklin Square, New Britain, CT 06051 (1 orig, 15 copies, plus 1 electronic) (US Mail/electronic). Siting.Council@ct.gov

And electronic copies to:

Cellco Partnership d/b/a Verizon Wireless
Kenneth C. Baldwin, Esq.
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103-3597 kbaldwin@rc.com

Timothy Parks
Real Estate Regulatory Specialist
Cellco Partnership d/b/a Verizon Wireless
20 Alexander Drive
Wallingford, CT 06492 timothy.parks@verizonwireless.com

Town of Woodbridge
Ira W. Bloom, Esq.
Berchem Moses PC
1221 Post Road East
Westport, CT 06880 ibloom@berchemmoses.com
nbamonte@berchemmoses.com

Gerald Weiner, Esq.
Town Attorney
Woodbridge Town Hall
11 Meetinghouse Lane
Woodbridge, CT 06525 gweiner@aol.com

The Honorable Beth Heller
First Selectman
Woodbridge Town Hall
11 Meetinghouse Lane
Woodbridge, CT 06525 bheller@woodbridgect.org

Keith R. Ainsworth

Keith R. Ainsworth, Esq.