



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

April 8, 2022

David A. Ball, Esq.
Philip C. Pires, Esq.
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RE: **DOCKET NO. 503** - Arx Wireless Infrastructure, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 43 Osgood Avenue, New Britain, Connecticut.

Dear Attorney Ball and Attorney Pires:

At a public meeting of the Connecticut Siting Council (Council) held on April 7, 2022, the Council considered and approved the Development and Management (D&M) Plan submitted for this facility on February 18, 2022.

This approval applies only to the D&M Plan submitted on February 18, 2022, and other supplemental information received on March 16, 2022, and March 24, 2022. 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).

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

1. Contact information for the personnel of the contractor assigned to the project;
2. Notification of commencement of construction;
3. Quarterly construction progress reports;
4. Notification of completion of construction and commencement of operation; and
5. 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 April 7, 2022.

Thank you for your attention and cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Melanie A. Bachman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Melanie A. Bachman
Executive Director

MAB/MP/lm

Enclosure: Staff Report, dated April 7, 2022



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Docket No. 503
ARX Wireless Infrastructure, LLC
43 Osgood Avenue, New Britain
Development and Management Plan
Staff Report
April 7, 2022

On December 20, 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 104-foot wireless telecommunications facility at 43 Osgood Avenue in New Britain, 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 February 18, 2022. Pursuant to Regulations of Connecticut State Agencies (RCSA) §16-50j-75(e), copies of the D&M Plan were also submitted to the service list for comment¹. The Council has not received any comments regarding the D&M Plan to date.

On March 14, 2022, the Council issued interrogatories to Arx. On March 16, 2022, Arx submitted responses to the Council's interrogatories. On March 22, 2022, the Council issued an additional interrogatory to Arx. On March 24, 2022, Arx submitted its response to the Council's additional interrogatory.

The tower site is located within a courtyard area north of the existing building on 2.62-acre parcel zoned S-3 District and located northeast of the intersection of Osgood Avenue and Beach Street. The building is currently vacant and has a designated land use of commercial warehouse.

Condition No. 1 of the D&O requires the following:

"The tower shall be constructed as a monopole at a height of 104 feet above ground level (agl) to provide the proposed wireless services, sufficient to accommodate the antennas of New Cingular Wireless PCS, LLC d/b/a AT&T, and other entities, both public and private..."

In compliance with Condition 1 of the D&O, Arx's D&M Plan includes plans for a 104-foot monopole sufficient to accommodate the antennas of AT&T and other entities, public and private.

Condition No. 2 of the D&O requires the following information to be included in the D&M Plan:

- a) A certified letter from a wireless telecommunications carrier with a firm commitment to install associated wireless equipment at the facility upon completion of construction;**

The D&M Plan contains a letter from New Cingular Wireless PCS, LLC (AT&T) dated January 31, 2022, certifying that AT&T is committed to co-locating on the facility once Arx completes construction.

- b) final site plan(s) for development of the facility that employ the governing standard in the State of Connecticut for tower design in accordance with the currently adopted International Building Code and include specifications for the tower, tower foundation, antennas and**

¹ Arx agreed to purchase the host property subject to approval of the facility by the Council.

equipment compound including, but not limited to, fence design, ground equipment, access road, utility installation and emergency backup power;

Arx will construct a 104-foot monopole designed in accordance with the EIA/TIA Structural Standards for Steel Antenna Towers and Antenna Supporting Structures - Revision G. The monopole will be designed to support four levels of platform-mounted antennas. The tower has the potential for a 30-foot extension to accommodate future tower sharing. The tower will have a galvanized gray finish.

AT&T will install 6 panel antennas and 15 remote radio heads on sector frame mounts at a centerline height of 100 feet agl. The top of AT&T's antennas will extend to 104 feet agl.

Arx will construct an approximately 50-foot by 50-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 14-foot wide gate.

AT&T will install one approximately 6-foot 8-inch long by 6-foot 8-inch wide by 9-foot 6-inch tall walk-in equipment cabinet on a concrete pad in the southwestern portion of the compound. AT&T will also install a 15-kilowatt natural gas fueled emergency backup generator on a concrete pad in the southwestern portion of the compound. Electrical meter equipment and a transformer will be installed outside of the northwestern portion of perimeter fence and will be protected by bollards. The natural gas meter will be located outside of the northeastern portion of the fence and will also be protected by bollards.

Access to the compound will be via a new 12-foot wide gravel access drive extending from Beach Street to the compound. Electrical and telecom utilities will extend underground from an existing utility pole located along Beach Street to the proposed H-frame/utility board. Natural gas service will extend underground from an existing gas line within Beach Street to a natural gas meter adjacent to the compound.

c) the tower shall be designed with a yield point to ensure that the tower setback radius remains within the boundaries of the subject property;

The nearest property boundary is approximately 89 feet to the north. The tower is designed with a yield point to ensure that the tower setback radius is a maximum of 70 feet. Thus, the tower setback radius remains within the boundaries of the subject property.

d) landscaping plan for the tower compound and for further visual screening from abutting residences;

Arx provided a landscaping plan for the tower compound for further visual screening from abutting residences. Specifically, a row of eight white pines approximately six feet tall will be planted northwest of the tower roughly parallel to the access drive. This row of trees will fill a "gap" between existing on-site trees to the east and existing off-site trees farther to the west.

e) construction plans for site clearing, grading, water drainage and stormwater control, wetland/watercourse crossings, and erosion and sedimentation controls consistent with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended; and

No trees will be removed to develop the site. The nearest wetland is located off-site approximately 0.6-mile to the east.

The site is located on mostly level ground. The total area of disturbance required to develop the site is approximately 0.3-acre. Erosion and sedimentation controls will comply with the *2002 Connecticut Guidelines for Soil Erosion and Sedimentation Control*. Erosion and sedimentation control barriers will be installed around the compound area per Sheet C-103 of the D&M Plan.

f) construction schedule including hours and days of the week for construction activities.

Construction hours will be from 7:30 a.m. to 6:30 p.m., Monday through Friday. Construction of the facility will take approximately 13 weeks.

Condition No. 3 of the D&O requires the following:

“Prior to the commencement of operation, the Certificate Holder shall provide the Council worst-case modeling of the electromagnetic radio frequency power density of all proposed entities’ antennas at the closest point of uncontrolled access to the tower base, consistent with Federal Communications Commission, Office of Engineering and Technology, Bulletin No. 65, August 1997...”

In accordance with Condition 3, Arx shall provide its final worst-case modeling of radio frequency power density prior to commencement of operation.

Conclusion

The D&M Plan is consistent with the Council’s D&O for Docket No. 503.