

CONNECTICUT SITING COUNCIL
DOCKET NO. 507

IN THE MATTER OF:

APPLICATION OF HOMELAND TOWERS, LLC AND CELLCO
PARTNERSHIP D/B/A VERIZON WIRELESS FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR THE
CONSTRUCTION, MAINTENANCE AND OPERATION OF A WIRELESS
TELECOMMUNICATIONS FACILITY IN NORTH BRANFORD,
CONNECTICUT

APPLICANT'S POST-HEARING BRIEF

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EXECUTIVE SUMMARY

On January 27, 2022, Homeland Towers, LLC (“Homeland”) and Cellco Partnership d/b/a Verizon Wireless (“Cellco”) (collectively the “Applicant”) filed an application (“Application”) with the Connecticut Siting Council (“Council”) for a Certificate of Environmental Capability and Public Need (“Certificate”) to construct a wireless telecommunications facility on a 7.86-acre parcel at 222 Clintonville Road in North Branford, Connecticut (the “Property”). The Property is owned by Gail and Michael Monaco (the “Owner”) and is used for residential purposes.

Proposed Site

Homeland proposes to construct a 110-foot tall “monopole” telecommunications tower within a 4,061 square foot fenced facility compound (4,631 square foot leased area) in the eastern portion of the Property (the “Facility”). Cellco would install its antennas and remote radio heads on the tower at the 96-foot level on the tower. The Town of North Branford (“Town”) would install two (2) emergency service whip antennas at the top of the tower. Equipment associated with Cellco’s and the Town’s antennas, a shared propane-fueled backup generator and 500-gallon propane fuel tank, would be installed within the Facility compound. Access to the Facility would extend from Clintonville Road over a portion of the Owner’s existing driveway, then along a new gravel access driveway to the Facility compound.

Public Need

The record contains ample evidence to support a finding by the Council that there is a “need” for the Facility to provide significant improvements to both Cellco’s wireless service and the Town’s emergency service communications network in the Northford area. For Cellco, the

Facility is needed to fill significant gaps in reliable wireless service, improve network capacity and improve overall network performance along portions of Routes 17, 22 and 150, as well as local roads and to residential and commercial uses in the Northford area.

The proposed Northford tower will also allow the Town to make critical upgrades to its aging emergency service communications system and fill significant “dead spots” in the Northford area, especially inside schools, industrial buildings and residential structures. The need for the upgrades to the Town’s emergency service communications systems was discussed and supported by the Town’s communications consultant, the Town Manager, and the Town’s Public Safety Communications Committee, Fire Department, Police Department and Board of Fire Commissioners.

Parties and Intervenors

The only party in this proceeding is the Applicant.

Site Search

Together, Homeland and Cellco investigated the potential use of thirty-one (31) separate parcels as a part of its site search process. Several of these alternative locations are Town-owned properties. With the exception of the Property, the alternative sites were rejected because, the property owners (including the Town) were unwilling to lease land to Homeland for a tower site, the location of the alternative parcel did not provide Cellco or the Town with adequate coverage in Northford, or because the development of a tower at the alternate parcel would have resulted in a significant adverse environmental effect. While no particular sites were identified, Cellco did also consider an alternative tower location in the area to the north of the Property, in an effort to serve coverage gaps in Northford and along portions of Route 150 in the adjoining Town of

Wallingford with one tower site. Due to the challenging terrain in the area and the overall distance between the Northford coverage gaps and the Route 150 service gap, Cellco determined that it was not feasible to serve both of these areas with single tower site.

Nature of Probable Impacts

The record contains ample evidence to support a finding by the Council that the Facility would not have a significant adverse impact on the environment of the Property or the surrounding area. Homeland has presented evidence that the location and development of the Facility will have no effect on historic resources or the Northford Historic District; will not adversely impact federal or State listed, threatened or endangered species or State species of special concern; will not impact Prime agricultural land; will not have any direct or indirect impact on wetlands, watercourses and/or vernal pools that may exist in the area; will not be considered to be an obstruction or hazard to air navigation and, therefore, will not require any FAA marking or lighting; and will operate well within safety limits established by the FCC for radio frequency emissions.

Municipal Consultation and Public Input

Homeland's initial consultation with the Town occurred in August of 2020 and focused on the potential use of municipal property in the Northford area. These discussions continued through the end of 2020 and concluded in February of 2021 when the Town confirmed, "officially" in a letter dated February 25, 2021, that it had no interest in siting a tower on any municipal property in the area.

On September 1, 2021, Homeland representatives commenced the ninety (90) day municipal consultation process for the proposed Facility. Town Manager Michael Paulus received a copy of Homeland's Technical Report summarizing its plans to establish a telecommunications

facility at the Property. At the Town's request, Homeland hosted an in-person public information meeting on October 28, 2021, to discuss the tower proposal and the need for the Facility.

Homeland published notice of the public information meeting in the *Totoket Times* and sent notice of the meeting to abutting landowners.

Conclusion

The evidence in the Docket No. 507 record demonstrates that there is a long-standing and significant need for improved municipal emergency service communications, as well as, improved Cellco wireless service in Northford and that the Facility at the Property will satisfy this need. The evidence in the record would also support a finding that the environmental impacts associated with the Facility would be minimal.

I. INTRODUCTION

On January 27, 2022, Homeland Towers, LLC (“Homeland”) and Cellco Partnership d/b/a Verizon Wireless (“Cellco”) (collectively the “Applicant”) filed with the Connecticut Siting Council (“Council”) an application (the “Application”) for a certificate of environmental compatibility and public need (“Certificate”), pursuant to Sections 16-50g *et seq.* of the Connecticut General Statutes (“Conn. Gen. Stat.”), for the construction, maintenance and operation of a wireless telecommunications facility (the “Facility”) in the easterly portion of an approximately 7.86-acre parcel at 222 Clintonville Road in North Branford, Connecticut (the “Property”). The Property is owned by Gail and Michael Monaco and is used for residential purposes. (Homeland Exhibit 1 (“Homeland 1”), p. 2. The Facility is needed in order for Cellco to fill significant existing gaps in reliable wireless service and provide network capacity relief in Northford. The Facility would also allow the Town of North Branford (“Town”) to improve its emergency service communications network in the Northford area. (Homeland 1, pp. 6-7, Tab 1, Tab 6; March 15, 2022 Transcript (“Tr.”), pp. 52-53, 81).

II. PROCEDURAL BACKGROUND

On March 15, 2022, the Council conducted an evidentiary hearing and an evening public hearing on the Application. This Post-Hearing Brief is filed on behalf of the Applicant pursuant to Section 16-50j-31 of the Regulations of Connecticut State Agencies (“R.C.S.A.”). The brief evaluates the Application in light of the Council’s review criteria, as set forth in Conn. Gen. Stat. Section 16-50p and addresses other issues raised throughout the course of this proceeding.

III. FACTUAL BACKGROUND

A. Pre-Application History

Homeland is well known to the Council and has developed numerous telecommunications

facilities throughout Connecticut. Cellco is licensed by the Federal Communications Commission (“FCC”) to provide wireless services throughout Connecticut. Cellco currently provides wireless service in North Branford from eight (8) existing macro-cell sites identified as the Wallingford East CT, North Branford CT, Northford CT, North Haven CT, Durham South CT, Guilford North 2 CT North Haven 2 CT and Guilford 4 CT cell sites. (Homeland 1, p. 7, Tab 6). Existing coverage plots submitted into the Docket No. 507 record reveal the presence of significant gaps in reliable wireless service (signal level \geq Neg 105 RSRP) in the area around the Property particularly along State Routes 17, 22 and 150 in Northford. (Homeland 1, p. 7, Tab 6).

B. Local Contacts

Homeland commenced its local input process nearly a year and a half before filing the Application. In August of 2020, Homeland’s Raymond Vergati, a Northford resident for 26 years, reached out to municipal officials about the potential use of Town-owned property for the construction of a tower. These conversations continued through the winter of 2020 and concluded in February of 2021 when the Town Council confirmed, “officially” in a letter dated February 25, 2021, that it had no interest in siting a tower on any municipal property in the Northford area.¹ (Homeland 1, p. 17, Tab 14; Tr., pp. 69-70). On September 1, 2021, Homeland commenced the ninety (90) day municipal consultation process and provided the Town with copies of technical information summarizing the Applicant’s plans to establish the Facility. At the Town’s request, Homeland hosted a Public Information Meeting (“PIM”) on October 28, 2021 and presented information on the Facility. Notice of the PIM was published in the *Totoket Times* and was sent to abutting landowners of the Property. (Homeland 1, pp. 17-18, Tab 3, Tab 4, Tab 14).

¹ A total of six (6) Town-owned parcels were investigated by Homeland and ultimately rejected by the Town. (Homeland 1, Tab 8).

C. Tower Sharing

Homeland will design the Facility and compound area to be shared by Cellco and three (3) additional wireless carriers. Homeland will also provide space at the top of the tower for the Town's emergency service and municipal communications systems. The Town will install two (2) whip antennas that will extend above the top of the proposed tower. This type of tower sharing arrangement would reduce, if not eliminate, the need for a new tower in the area in the future. (Homeland 1, p. 11; Tr., pp. 52-53, 92).

D. The Facility Proposal

The Facility would consist of the installation of a 110-foot self-supporting monopole tower.² Vehicular access to the site would extend from Clintonville Road over a short portion of the Owner's paved driveway then over a new gravel access driveway extending to the Facility compound. Utilities would extend from existing service along Clintonville Road underground to the Facility compound. The Town will install two whip antennas at the top of the tower to improve its emergency and municipal service communications network. Cellco would install antennas at the 96-foot level on the tower. Equipment cabinets associated with both Cellco's and the Town's antennas, a propane-fueled back-up generator and a 500-gallon propane fuel tank will be located within the secure facility compound near the base of the tower. Cellco intends to share its back-up generator with the Town. (Homeland 1, pp. 2, Tab 1; Homeland 5, Q30; Tr., pp. 23-24, 33-34).

² To reduce the overall visual effects of the tower, and the potential effects the tower might have on the historic resources and the Northford Historic District, Homeland considered the installation of a monopine "tree" tower at the Property. In its October 8, 2021 determination letter, the State Historic Preservation Officer determined that the proposed Facility would not adversely affect historic resources in the area and "recommended the installation of a monopole, rather than [a] monopine" tower. (Homeland 1, Tab 12).

IV. THE APPLICATION SATISFIES THE CRITERIA OF CONN. GEN. STAT. § 16-50p FOR ISSUANCE OF A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED

Section 16-50p of the Public Utility Environmental Standards Act (“PUESA”), Conn. Gen. Stat. § 16-50g *et seq.*, sets forth the criteria for Council decisions in Certificate proceedings and states, in pertinent part:

In a certification proceeding, the council shall render a decision upon the record either granting or denying the application as filed, or granting it upon such terms, conditions, limitations or modifications of the construction or operation of the facility as the council may deem appropriate The council shall file, with its order, an opinion stating in full its reasons for the decision. The council shall not grant a certificate, either as proposed or as modified by the council, unless it shall find and determine: (A) . . . a public need for the facility and the basis of the need; (B) The nature of the probable environmental impact . . . including a specification of every significant adverse effect . . . whether alone or cumulatively with other effects, impact on, and conflict with the policies of the state concerning the natural environment, ecological balance, public health and safety, scenic, historic and recreational values, forests and parks, air and water purity and fish . . . and wildlife; (C) Why the adverse effects or conflicts referred to in subparagraph (B) of this subdivision are not sufficient reason to deny the application

Conn. Gen. Stat. § 16-50p(a).

Under Section 16-50p, the Applicant must satisfy two key criteria in order for the Application to be granted and for a Certificate to issue. First, the Applicant must demonstrate that there is a “public need for the facility.” Conn. Gen. Stat. § 16-50p(a)(3)(A). Second, the Applicant must identify “the nature of the probable environmental impact” of the Facility³ through review of the numerous elements specified in Conn. Gen. Stat. § 16-50p(a)(3)(B), and then demonstrate that these impacts “are not sufficient reason to deny the application.” Conn. Gen. Stat. § 16-50p(a)(3)(C). The evidence in the record for this docket establishes that the above criteria have been satisfied and that the Applicant is entitled to a Certificate.

³ The Council’s project evaluation criteria do not include the consideration of property values. (Tr., p. 6).

A. A Public Need Exists for the Facility

1. Need for Improved Cellco Service

As noted in the Application, the FCC in its Report and Order released on May 4, 1981 (FCC Docket No. 79-318) recognized a public need on a national basis for technical improvement, wide area coverage, high quality and a degree of competition in mobile telephone service. The Federal Telecommunications Act of 1996 (the “Telecommunications Act”) emphasized and expanded on these aspects of the FCC’s 1981 decision. (Pub. L. No. 104-104, 140 Stat. 56). Among other things, the Telecommunications Act recognized an important nationwide public need for high quality personal wireless telecommunications services of all varieties. The Telecommunications Act also expressly promotes competition and seeks to reduce regulation in all aspects of the telecommunications industry to foster lower prices for consumers and to encourage the rapid deployment of new telecommunications technologies. (Council Adm. Notice 4).

In 2009, President Obama issued Presidential Proclamation 8460, in which “cellular phone towers” were identified as critical infrastructure vital to national security. (Council Adm. Notice 11). The same year, the United States Congress directed the FCC to develop a national broadband plan to ensure that every American has access to (wireless) broadband capability. The FCC released Connecting America: The National Broadband Plan (the “Broadband Plan”) a year later, which recognized broadband as a “foundation for economic growth, job creation, global competitiveness and a better way of life.” One of the Plan’s goals for 2020 is for the United States to “lead the world in mobile innovation, with the fastest and most extensive wireless networks of any nation.” (Council Adm. Notice 18).

The Facility would be part of Cellco’s expanding wireless telecommunications network envisioned by the Telecommunications Act and the Broadband Plan and has been developed to help

meet these nationwide goals. In particular, Cellco's system has been designed, and the proposed Facility has been selected, to maximize the geographical coverage, improve network capacity and improve the overall quality of wireless service to allow for the efficient and reliable use of Cellco's network. (Homeland 1, pp. 7, 10, Tab 8; Tr., pp. 99). Cellco holds licenses to provide wireless services in New Haven County, and throughout the State of Connecticut. (Homeland 1, Tab 5).

The record contains ample, written evidence and extensive testimony from Cellco's Network Design Engineer that placing antennas at a height of 96 feet AGL at the Facility would allow Cellco to satisfy a majority of its wireless service objectives in the Northford area and provide high-quality reliable wireless service in northerly portions of the Town where it does not exist today. (Homeland 1, p. 2, Tab 6; Tr., pp. 51-52, 99-102). These objectives are two-fold. First, the Facility will fill existing significant gaps in reliable wireless "coverage" in the Northford area. As a secondary benefit, the Facility will provide capacity relief to those antenna sectors of Cellco's adjacent cell sites that are directed toward the Facility. Coverage plots included in the Application illustrate clearly the Cellco customers living, working and traveling through northerly portions of North Branford are underserved in all of Cellco's operating frequencies. Even in its 700 MHz frequency range, Cellco's most robust operating frequency, significant areas around the Property experience signal levels \geq Neg 105 RSRP, a signal strength characterized as unreliable for customers inside a vehicle or inside a building. (Homeland 1, p. 7, 10, Tab 6; Homeland 6, Q6; Tr., pp. 51-52, 99-100, 103).

2. Need for Improved Town Emergency Service Communications

The record also contains ample evidence, testimony and comments from municipal emergency service officials describing the Town's need for improved emergency service communications in the Northford area. The Town's Emergency Service Radio Communications consultant Paul Zito testified that the Northford area "has always been a poor coverage area for public safety communications". Municipal antennas on the Homeland tower will fill "dead spots" in the area and improve emergency service communications in schools, residential areas and inside industrial buildings where it is lacking today.⁴ (Tr., pp. 52-53).

B. Nature of Probable Impacts

The second step in the statutory review procedure addresses the probable environmental impacts of the Facility. The Applicant submits that, based on the statutory factors listed below, the Facility will not have a significant adverse effect on the environment.

1. Natural Environment and Ecological Balance

The proposed development of the Facility by the Applicant has eliminated, to the extent possible, impacts on the natural environment. The Facility improvements would be located within a 4,061 square foot fenced compound and 4,631 square foot leased area. Access to the Facility would extend from Clintonville Road over a portion of the Owner's driveway, then over a new gravel driveway to the Facility. Topography in this area slopes up from a ground elevation ("G.E.") of approximately 225' AMSL at Clintonville Road up to a G.E. approximately 277'

⁴ In addition to Mr. Zito's comments, the Council also heard from the Town Manager Michael Paulhus and David Palumbo, Chair of the Town's Public Communications Committee, speaking with a "unified voice" for all of North Branford's Public Safety Services, during the public hearing session on March 15, 2022. Mr. Palumbo spoke passionately about the Town's struggles, for years, to provide reliable and uninterruptable emergency service communications in the Northford area and how the Homeland tower site will help resolve these problems. (Tr., pp. 119-123).

AMSL at the Facility. While 93 trees will need to be removed to construct the access driveway and Facility compound all of the existing mature vegetation around the proposed Facility improvements will remain intact and provide neighboring parcels with a substantial natural buffer. (Homeland 1, pp. 2, Tab 1; Tr., pp. 21, 29).

2. Public Health and Safety

The Applicant has considered several factors in determining that the nature and extent of potential public health and safety impacts resulting from installation of the Facility would be minimal or nonexistent.

First, the potential for the Facility tower to fall does not pose an unreasonable risk to health and safety. The approved tower would be designed and built to meet the appropriate standards for structures and development of this kind, including all appropriate wind speeds as designated by the Connecticut State Building Code. (Homeland 5, Q10; Tr., pp. 83-84; Late File Exhibit (“LFE”) No. 2). The closest off-site residence is located 253 feet to the north of the Facility and the closest property line is 96 feet to the south. (Homeland 1, Tab 1). Homeland has also committed to design a yield point, into the tower, at the 80-foot level, thereby eliminating any chance that that the tower would fail and impact adjacent parcels. (Tr., 71-72).

Second, worst-case potential public exposure to Radio Frequency (“RF”) emissions from the Facility for both Cellco’s and the Town’s antennas would be well below the FCC Safety Standards. (Homeland 1, pp. 15, Tab 13; Homeland 5, Q30).

Overall, the nature and extent of potential, adverse public health and safety impacts resulting from construction and installation of the Facility would be minimal or nonexistent. The public safety benefits, however, would be substantial. No evidence to refute these conclusions

was presented to the Council.

3. Scenic Values

The Applicant submitted a Visual Resource Assessment (“VRA”) prepared by Saratoga Associates (“Saratoga”), as a part of the Application for the tower at the Facility location. Prior to preparing its report, Saratoga conducted a balloon float and field reconnaissance to obtain photographs for use in the VRA. (Homeland 1, Tab 9; Tr., pp. 64-66). Saratoga determined that views of the monopole tower at the Property are theoretically possible from approximately 39 acres or 0.5 percent of the two-mile radius (8,040 acre) study area. Of the 502 acres within ½ mile of the Facility, views of the monopole tower are possible from approximately 10 acres (2%), comprised of mostly open fields and agricultural land to the northeast of the Property. Views of the tower from nearby residential parcels are substantially or fully screened by existing dense vegetation, even during the winter time when leaves are off the trees. (Homeland 1, pp. 12-13, Tab 9; Homeland 5, Q29; Tr., pp. 34-39).⁵

4. Historical Values

To be clear, the proposed Facility is not located in the Northford Historic District (“NHD”). Due to its proximity to the NHD, however, Homeland’s consultant team evaluated the potential impact the tower may have on both historic and archeological resources in the area and submitted the results of that evaluation to the Connecticut State Historic Preservation Officer (“SHPO”). On October 8, 2021, after evaluating Homeland’s submission, the SHPO determined that the proposed Facility would not have an adverse effect on archeological resources or on sites

⁵ To further address concerns for visual effects associated with the Facility, Homeland also considered the installation of a tower disguised as a pine tree, as discussed during the Council’s evidentiary hearing. This approach however, would be inconsistent with the recommendation of the SHPO. (Homeland 5, Q11; Tr., pp. 40-43).

listed on or eligible for listing on the National Register of Historic Places. The SHPO's determination was confirmed again on February 25, 2022 following its review of a slightly modified tower location. Consistent with its original determination, the supplemental determination letter confirmed again that the SHPO would prefer the installation of a monopole tower rather than a monopine tower. (Homeland 1, Tab 12; Homeland 7; Tr., pp. 93-94).

In addition to the evaluation of potential impacts on historic resources in the area, the record is also replete with evidence that the proposed tower will not be visible from the Northford Historic District. (Homeland 1, Tab 9). As discussed at length in the VRA, Saratoga Associates took fifty (50) photographs during its balloon float within and adjacent to the Northford Historic District. This evidence confirms that the proposed tower would not be visible above the tree line from any locations within the Northford Historic District. (Homeland 1, Tab 9, p. 6 and Appendix B - Photos 1-50.)

5. Recreational Values

There are no recreational activities or facilities on or near the Property that would be adversely impacted by development of the Facility. (Homeland 1, p. 15; Homeland 5, Q29e). No evidence to the contrary was presented to the Council.

6. Forests and Parks

There is no State or local forests or parks that will be adversely impacted by the development of the Facility. (Homeland 1, p. 15). No evidence to the contrary was presented to the Council.

7. Air and Water Quality

a. Air Quality.

Under normal operating conditions, Cellco's equipment at the Facility would generate no

air emissions. During power outage events and periodically for maintenance purposes, Cellco would utilize a propane-fueled generator to provide emergency back-up power to its equipment. Cellco has also agreed to share its generator with the Town to maintain the emergency service equipment on the tower. The shared back-up generator will be managed and maintained by Cellco to comply with the “permit by rule” criteria established by the Connecticut Department of Energy and Environmental Protection (“DEEP”) Bureau of Air Management pursuant to R.C.S.A. § 22a-174-3b. (Homeland 1, pp. 15, 19).

b. Water Quality.

The Facility would not utilize water, nor would it discharge substances into any surface water, groundwater, or public or private waste water disposal system. Martin Brogie, a professional Soil Scientist, conducted a field investigation and completed a Wetlands Delineation Report (“Wetlands Report”) for the Facility. According to Wetlands Report, and further evaluation of the wetland resources by Robert Russo, a Certified Soil Scientist, Environmental Scientist and Biologist with CLA Engineers, Inc., there is an approximately ¼-acre man-made pond located on the Property to the east of the proposed access driveway and west of the Facility compound. The pond is spring-fed (hillside seep) and drains to the south, along the southeastern boundary of the Property. This wetland resource is located approximately 168 feet to the west of the Facility compound. The proposed access driveway extends within approximately 17 feet of the wetland boundary. It is the opinion of the Applicant’s experts that, with the installation of proper and appropriate soil erosion and sedimentation control measures, construction activity associated with the Facility will not adversely impact this existing wetland resource. (Homeland 1, p. 14, Tab 1, Tab 11; Tr., pp. 46-49, 54-56). The evidence in the record is unrefuted.

Mr. Russo and Mr. Brogie also completed field investigations of the wetland resource and determined that the location and hydrology of the man-made pond would prevent it from being defined as a vernal pool. The installation of the access road and the tower compound nearby would therefore, not impinge upon the functions and values of this wetland resource. (Tr., pp. 46-49, 54-56). No evidence to refute these conclusions was presented to the Council.

8. Fish and Wildlife

According to the U.S. Department of Interior, Fish and Wildlife Service (“USFWS”) Compliance Determination, the Northern Long-Eared Bat, a federally-listed species and the Indiana Bat, a federally-endangered species may occur in the area around the Property. With appropriate seasonal tree clearing restrictions⁶, the evidence in the record demonstrates that neither the Northern Long-Eared Bat nor the Indiana Bat would not be impacted by the construction and use of the Facility. (Homeland 1, p. 14, Tab 10; Tr., pp. 45-46 and 73-77).

9. Prime Farmland

As discussed in the Application, the Property and all of the surrounding parcels are developed and used for residential or commercial purposes. Approximately 60% of the area within the limits of disturbance needed to develop the Facility are designated Prime Farmland soils. That said, none of these areas are currently used for agricultural purposes. The Facility will not, therefore, have a substantial impact on farmland soils. (Homeland 6, Q28).

C. The Application Should Be Approved Because The Benefits Of The Facility Outweigh Any Potential Impacts

Following a determination of the probable environmental impacts of the Facility site, Conn.

⁶ Homeland has committed to accept, as a condition of approval, seasonal restrictions on tree clearing between April 1 and October 1 to avoid any potential impacts on these identified bat species. (Tr. pp.76-77).

Gen. Stat. § 16-50p requires that the Applicant demonstrate why these impacts “are not sufficient reason to deny the Application.” Conn. Gen. Stat. § 16-50p(a)(3). The record establishes that the impacts associated with the proposal would be limited and outweighed by the benefits to the public from the Facility and, therefore, requires that the Council approve the Application.

As discussed above, the only potential adverse impact from the proposed tower involves “scenic values.” As the record overwhelmingly demonstrates, the Facility would have minimal impacts on scenic values in the area, particularly those areas within the Northford Historic District. (Homeland 1, pp. 15, Tab 9). These limited aesthetic impacts are outweighed by the public benefit derived from the establishment of the Facility. Unlike many other types of development, telecommunications facilities do not cause indirect environmental impacts, such as increased traffic and related pollution. The limited aesthetic and environmental impacts of the Facility can be further mitigated by the sharing of the proposed tower. Homeland intends to design the tower so that it could be shared by other wireless carriers, and, as mentioned extensively above, the Town for emergency service providers. (Homeland 1, p. 11, Tab 9; Tr., pp. 119-122).

In sum, the potential environmental impacts from the Facility would be minimal when considered against the benefits to the public. These impacts are insufficient to deny the Application. The site, therefore, satisfies the criteria for a Certificate pursuant to Conn. Gen. Stat. § 16-50p, and the Applicant’s request for a Certificate should be granted.

V. CONCLUSION

Based on the overwhelming evidence in the record, the Applicant has established that there is a need for the Facility and that the environmental impacts associated with the Application would be limited and outweighed by the benefits to the public from the Facility and, therefore, requires that the Council approve the Application. Therefore, the Council should approve the Application as submitted.

Respectfully submitted,
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