



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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VIA ELECTRONIC MAIL & CERTIFIED MAIL

May 27, 2022

Kenneth C. Baldwin, Esq.
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103-3597
kbaldwin@rc.com

RE: **DOCKET NO. 507** – Homeland Towers, LLC and 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 wireless telecommunications
facility located at 222 Clintonville Road, North Branford, Connecticut.

Dear Attorney Baldwin:

By its Decision and Order dated May 26, 2022, the Connecticut Siting Council (Council) granted a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 222 Clintonville Road, North Branford, Connecticut.

Enclosed are the Council's Findings of Fact, Opinion, and Decision and Order.

Sincerely,

A handwritten signature in cursive script, appearing to read "Melanie A. Bachman".

Melanie A. Bachman
Executive Director

MAB/RM/lf

Enclosures (3)

c: Service List dated January 31, 2022
State Documents Librarian (via email)



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**CERTIFICATE
OF
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED
DOCKET NO. 507**

Pursuant to General Statutes § 16-50k, as amended, the Connecticut Siting Council hereby issues a Certificate of Environmental Compatibility and Public Need to Homeland Towers, LLC for the construction, maintenance, and operation of a telecommunications facility located at 222 Clintonville Road, North Branford, Connecticut. This Certificate is issued in accordance with and subject to the terms and conditions set forth in the Decision and Order of the Council on May 26, 2022.

By order of the Council,

A handwritten signature in dark ink, appearing to read "Melanie A. Bachman".

Melanie A. Bachman, Executive Director

May 26, 2022



STATE OF CONNECTICUT)

: ss. Southington, Connecticut May 27, 2022

COUNTY OF HARTFORD)

I hereby certify that the foregoing is a true and correct copy of the Findings of Fact, Opinion, and Decision and Order issued by the Connecticut Siting Council, State of Connecticut.

ATTEST:



Melanie A. Bachman
Executive Director
Connecticut Siting Council

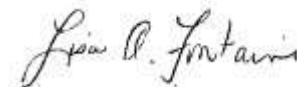
STATE OF CONNECTICUT)

: ss. New Britain, Connecticut May 27, 2022

COUNTY OF HARTFORD)

I certify that a copy of the Findings of Fact, Opinion, and Decision and Order in Docket No. 507 has been forwarded by Certified First Class Return Receipt Requested mail, on May 27, 2022, to all parties and intervenors of record as listed on the attached service list, dated January 31, 2022.

ATTEST:



Lisa A. Fontaine
Fiscal Administrative Officer
Connecticut Siting Council

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	<input checked="" type="checkbox"/> E-mail	Homeland Towers, LLC and Cellco Partnership d/b/a Verizon Wireless	<p>Kenneth C. Baldwin, Esq. Robinson & Cole LLP 280 Trumbull Street Hartford, CT 06103-3597 Phone (860) 275-8200 kbaldwin@rc.com</p> <p>Raymond Vergati Homeland Towers, LLC 9 Harmony Street, 2nd Floor Danbury, CT 06810 rv@homelandtowers.us</p> <p>Timothy Parks Cellco Partnership d/b/a Verizon Wireless 99 East River Drive East Hartford, CT 06108 timothy.parks@verizonwireless.com</p>

<p>DOCKET NO. 507 – Homeland Towers, LLC and 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 wireless telecommunications facility located at 222 Clintonville Road, North Branford, Connecticut.</p>	<p>} Connecticut } Siting } Council } May 26, 2022</p>
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Findings of Fact

Introduction

1. Homeland Towers, LLC and Cellco Partnership d/b/a Verizon Wireless (Applicants), in accordance with provisions of Connecticut General Statutes (C.G.S.) §16-50g, et seq, applied to the Connecticut Siting Council (Council) on January 27, 2022 for a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, maintenance, and operation of either a 110-foot monopole or 110-foot monopine wireless telecommunications facility at 222 Clintonville Road in North Branford, Connecticut (refer to Figure 1). (Applicants 1, p. 1, Attachment 1)
2. Homeland Towers, LLC (HT) is a New York limited liability company with offices at 9 Harmony Street, Danbury, Connecticut. HT currently owns and/or operates numerous tower facilities in Connecticut. HT would construct, maintain and own the proposed facility and would be the Certificate Holder. (Applicants 1, pp. 2-3)
3. Cellco Partnership d/b/a Verizon Wireless (Cellco) is a Delaware Partnership with an office at 20 Alexander Drive, Wallingford, Connecticut. Cellco is licensed by the Federal Communications Commission (FCC) to provide personal wireless communication service to Connecticut. (Applicants 1, p. 3)
4. The party in this proceeding is the Applicants. (Record; Transcript 1, March 15, 2022, 2 p.m. [Tr. 1], p. 4)
5. The purpose of the proposed facility is to provide reliable wireless communications services for Cellco’s customers in the Northford section of North Branford. (Applicants 1, p. 7, Attachment 6)
6. Pursuant to C.G.S. § 16-50l (b), the Applicants provided public notice of the filing of the application that was published in the New Haven Register on January 24 and January 25, 2022. (Applicants 2)
7. Pursuant to C.G.S. § 16-50l (b), notice of the application was provided to all abutting property owners by certified mail on January 24, 2022. Of the 15 abutting property owners, the Applicants received receipt confirmation from 12 abutters. Supplemental notice letters were sent to the remaining 3 abutters that did not claim return receipts by first class mail on February 24, 2022. (Applicants 1, Attachment 4; Applicants 5, Response 1)
8. On January 27, 2022, the Applicants provided notice to all federal, state and local officials and agencies listed in C.G.S. § 16-50l (b). (Applicants 1; Attachment 2)

Procedural Matters

9. On March 10, 2020, Governor Lamont issued a Declaration of Public Health and Civil Preparedness Emergencies, proclaiming a state of emergency throughout the state as a result of the COVID-19 pandemic. (Council Administrative Notice Items No. 54 and 55)

10. On March 12, 2020, Governor Lamont issued Executive Order No. (EO) 7 ordering a prohibition of large gatherings, among other orders and directives. (Council Administrative Notice Item No. 54).
11. On March 14, 2020, and as subsequently extended, Governor Lamont issued EO 7B ordering suspension of in-person open meeting requirements of all public agencies under CGS §1-225. The Freedom of Information Act (FOIA) defines “meeting” in relevant part as “any hearing or other proceeding of a public agency.” (Council Administrative Notice Items No. 54 and 55; CGS §1-200, *et seq.* [2021]).
12. EO 7B expired on June 30, 2021. Special Act (SA) 21-2 took effect on July 1, 2021. SA 21-2 Section 149 permits public agencies to hold remote meetings under FOIA and the Uniform Administrative Procedure Act until April 30, 2022. (Council Administrative Notice Items No. 54 and 55).
13. SA 21-2 allows public agencies to hold remote meetings provided that:
 - a) The public has the ability to view or listen to each meeting or proceeding in real-time, by telephone, video, or other technology;
 - b) Any such meeting or proceeding is recorded or transcribed and such recording or transcript shall be posted on the agency’s website within seven (7) days of the meeting or proceeding;
 - c) The required notice and agenda for each meeting or proceeding is posted on the agency’s website and shall include information on how the meeting will be conducted and how the public can access it any materials relevant to matters on the agenda shall be submitted to the agency and posted on the agency’s website for public inspection prior to, during and after the meeting; and
 - d) All speakers taking part in any such meeting shall clearly state their name and title before speaking on each occasion they speak.(Council Administrative Notice Items No. 54 and 55)
14. Upon receipt of the application, the Council sent a letter to the Town of North Branford (Town) on February 1, 2022, as notification that the application was received and is being processed, in accordance with C.G.S. § 16-50gg. (Record)
15. Local zoning regulations do not apply to facilities under the exclusive jurisdiction of the Council. Pursuant to CGS §16-50x, the Council has exclusive jurisdiction over telecommunications facilities throughout the state. It shall consider any location preferences provided by the host municipality under CGS §16-50g as the Council shall deem appropriate. (CGS §16-50x (2021))
16. On February 10, 2022, the Council issued a Protective Order related to the disclosure of the monthly rent and financial terms contained within the lease agreement for the proposed site, pursuant to CGS §1-210(b) and consistent with the Conclusions of Law adopted in Docket 366. (Record)
17. During a regular Council meeting on February 10, 2022, the application was deemed complete pursuant to Regulations of Connecticut State Agencies (R.C.S.A.) § 16-50/-1a and the public hearing schedule was approved by the Council. (Record)
18. Pursuant to SA 21-2 and C.G.S. § 16-50m, on February 10, 2022, the Council sent a letter to the Town to provide notification of the scheduled public hearing via Zoom conferencing and to invite the municipality to participate. (Record)

19. Pursuant to SA 21-2 and C.G.S. § 16-50m, the Council published legal notice of the date and time of the remote public hearing via Zoom conferencing in The New Haven Register on February 16, 2022. (Record)
20. The Council's Hearing Notice did not refer to a public field review of the proposed site. Field reviews are not an integral part of the public hearing process. The purpose of a site visit is an investigative tool to acquaint members of a reviewing commission with the subject property. (Council Administrative Notice Items No. 56 - *Manor Development Corp. v. Conservation Comm. of Simsbury*, 180 Conn. 692, 701 (1980) and No. 57 - *Grimes v. Conservation Comm. of Litchfield*, 243 Conn. 266, 278 (1997))
21. On February 18, 2022, in lieu of an in-person field review of the proposed site, the Council requested that the Applicants submit photographic documentation of site-specific features into the record intended to serve as a "virtual" field review of the site. On March 4, 2022, the Applicants submitted such information in response to the Council's interrogatories. (Record; Applicants 5, Response 30)
22. On February 23, 2022, the Council held a remote pre-hearing conference on procedural matters for parties and intervenors to discuss the requirements for pre-filed testimony, exhibit lists, administrative notice lists, expected witness lists and filing of pre-hearing interrogatories. Procedures for the remote public hearing via Zoom conferencing were also discussed. (Council Pre-Hearing Conference and remote hearing procedure Memoranda, dated February 16, 2022)
23. In compliance with R.C.S.A. § 16-50j-21, HT installed a four-foot by six-foot sign at the entrance to the subject property on February 24, 2022. The sign presented information regarding the project and the Council's public hearing. (Applicants 4 - Sign Posting Affidavit)
24. Pursuant to C.G.S. § 16-50m, after giving due notice thereof, the Council held a remote public hearing on March 15, 2022, beginning with the evidentiary session at 2:00 p.m. and continuing with the public comment session at 6:30 p.m. via Zoom conferencing. The Council provided information for video/computer access or audio only telephone access. (Council's Hearing Notice dated February 10, 2022; Tr. 1, p. 3; Transcript 2, March 15, 2022, 6:30 p.m. [Tr. 2], p. 111)
25. In compliance with SA 21-2:
 - a) The public had the ability to view and listen to the remote public hearing in real-time, by computer, smartphone, tablet or telephone;
 - b) The remote public hearing was recorded and transcribed, and such recording and transcript were posted on the Council's website on March 15 and March 25, 2022, respectively;
 - c) The Hearing Notice, Hearing Program, Citizens Guide for Siting Council Procedures and Instructions for Public Access to the Remote Hearing were posted on the agency's website;
 - d) The record of the proceeding is available on the Council's website for public inspection prior to, during and after the remote public hearing; and
 - e) The Council, parties and intervenors provided their information for identification purposes during the remote public hearing.(Hearing Notice dated February 10, 2022; Tr. 1; Record)
26. Pursuant to CGS §16-50n(f) and RCSA §16-50j-26, at the conclusion of the evidentiary hearing session held on March 15, 2022, the Council closed the evidentiary record and established April 14, 2022 as the deadline for the submission of briefs and proposed findings of fact. (Record)
27. On March 25, 2022, the Applicants requested to submit supplemental information into the evidentiary record related to 1900 MHz frequency coverage plots, tower wind speed design

standards, repair duration for fiber backhaul and storage capacity of backup batteries for the facility. (Record)

28. During a regular meeting held on April 7, 2022, the Council voted to grant the Applicants' request to submit supplemental information into the evidentiary record and admitted the supplemental information into the evidentiary record without an additional hearing. (Record)
29. The evidentiary record closed on April 7, 2022. (Record)

State Agency Comment

30. Pursuant to C.G.S. § 16-50j (g), on February 10, 2022, the following state agencies were solicited by the Council to submit written comments regarding the proposed facility: Department of Energy and Environmental Protection (DEEP); Department of Public Health (DPH); Council on Environmental Quality (CEQ); Public Utilities Regulatory Authority (PURA); Office of Policy and Management (OPM); Department of Economic and Community Development (DECD); Department of Agriculture (DOAg); Department of Transportation (DOT); Connecticut Airport Authority (CAA); Department of Emergency Services and Public Protection (DESPP); and State Historic Preservation Office (SHPO). (Record)
31. The Council received comments from CEQ¹ on February 23, 2022. The CEQ comments are addressed in the following section of this document: Environmental Considerations. (Record)
32. The DOT submitted correspondence on March 16, 2022 stating it had no comments regarding the proposed project. (Record)
33. No other state agencies responded with comment on the application. (Record)
34. While the Council is obligated to consult with and solicit comments from state agencies by statute, the Council is not required to abide by the comments from state agencies. (*Corcoran v. Connecticut Siting Council*, 284 Conn. 455 (2007)).

Municipal Consultation

35. HT began consultations with the Town in August 2020. At that time, discussions mainly focused on leasing Town-owned property in the Northford area for a tower site. The discussions concluded in early 2021 when the Town decided not to lease any of its property for telecommunications use. (Applicants 1, p. 17; Tr. 1 pp. 68-70)
36. On August 9, 2021, HT discussed the proposed site with the Town. (Applicants 1, p. 18)
37. Pursuant to CGS § 16-50l(f), HT commenced the 90-day pre-application municipal consultation process by submitting a technical report for the proposed site to the Town on September 1, 2021. (Applicants 1, p. 18)
38. A Public Information Meeting (PIM) was held at Town Hall on October 28, 2021, during which HT presented information about the proposed facility and comments were received from residents.

¹[CEQ comments 02 23 2022](#)

Notice of the PIM was published in a local paper and was provided to property abutters. (Applicants 1, p. 18, Attachment 14)

39. Approximately 25 residents and two Town Council members attended the PIM. Concerns that were raised include, but were not limited to, were health and safety issues, property values and visual impacts. (Applicants 5, response 3)
40. After the PIM and prior to the filing of the application to the Council, the Applicants shifted the tower/compound area approximately 45 feet to the south at the request of the property owner to increase the buffer to the abutting properties to the north. (Applicants 1, p. 8; Tr. 1, pp. 31-32)
41. The Town Manager made a limited appearance statement into the record at the March 15, 2022 Public Comment Session in support of the proposed facility. (Tr. 2, pp. 122-123)
42. The chairman of the North Branford Public Communications Committee made a limited appearance statement into the record at the March 15, 2022 Public Comment Session and submitted limited appearance correspondence in support of the proposed facility, stating that the Town is upgrading its communication system to digital technology and the proposed site would provide the best radio coverage for first responders in the Northford section of Town. (Record; Tr. 2, pp. 119-122)
43. State Representative Vincent Candelora, 86th District, submitted a limited appearance statement into the record opposing the proposed site location. (Record)

Public Need for Service

44. In 1996, the United States Congress recognized a nationwide need for high quality wireless telecommunications services, including cellular telephone service. Through the Federal Telecommunications Act of 1996, Congress seeks to promote competition, encourage technical innovations, and foster lower prices for telecommunications services. (Council Administrative Notice Item No. 4 – Telecommunications Act of 1996)
45. In issuing cellular licenses, the Federal government has preempted the determination of public need for cellular service by the states and has established design standards to ensure technical integrity and nationwide compatibility among all systems. Cellco is licensed by the FCC to provide personal wireless communication service to Hartford County, Connecticut. (Council Administrative Notice Item No. 4 – Telecommunications Act of 1996; Applicants 1, p. 16; Applicants 1, p. 3)
46. Section 253 of the Telecommunications Act of 1996 prohibits any state or local statute or regulation, or other state or local legal requirement from prohibiting or having the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service. (Council Administrative Notice Item No. 4 – Telecommunications Act of 1996)
47. Section 704 of the Telecommunications Act of 1996 prohibits local and state entities from discriminating among providers of functionally equivalent services and from prohibiting or having the effect of prohibiting the provision of personal wireless services. This section also requires state or local governments to act on applications within a reasonable period of time and to make any denial of an application in writing supported by substantial evidence in a written record. (Council Administrative Notice Item No. 4 – Telecommunications Act of 1996)
48. Section 704 of the Telecommunications Act of 1996 also prohibits any state or local entity from regulating telecommunications towers on the basis of the environmental effects of radio frequency

- emissions, which include effects on human health and wildlife, to the extent that such towers and equipment comply with FCC's regulations concerning such emissions. (Council Administrative Notice Item No. 4 – Telecommunications Act of 1996)
49. Section 706 of the Telecommunications Act of 1996 requires each state commission with regulatory jurisdiction over telecommunications services to encourage the deployment on a reasonable and timely basis of advanced telecommunications capability to all Americans, including elementary and secondary schools, by utilizing regulating methods that promote competition in the local telecommunications market and remove barriers to infrastructure investment. (Council Administrative Notice Item No. 4 – Telecommunications Act of 1996)
 50. In December 2009, President Barack Obama recognized cell phone towers as critical infrastructure vital to the United States. The Department of Homeland Security, in collaboration with other federal stakeholders, state, local, and tribal governments, and private sector partners, has developed the National Infrastructure Protection Plan (NIPP) to establish a framework for securing resources and maintaining resilience from all hazards during an event or emergency. (Council Administrative Notice Item No. 11 –Presidential Proclamation 8460, Critical Infrastructure Protection)
 51. In February 2012, Congress adopted the Middle Class Tax Relief and Job Creation Act (also referred to as the Spectrum Act) to advance wireless broadband service for both public safety and commercial users. The Act established the First Responder Network Authority to oversee the construction and operation of a nationwide public safety wireless broadband network. Section 6409 of the Act contributes to the twin goals of commercial and public safety wireless broadband deployment through several measures that promote rapid deployment of the network facilities needed for the provision of broadband wireless services. (Council Administrative Notice Item No. 8 – Middle Class Tax Relief and Job Creation Act of 2012)
 52. In June 2012, President Barack Obama issued an Executive Order to accelerate broadband infrastructure deployment declaring that broadband access is a crucial resource essential to the nation's global competitiveness, driving job creation, promoting innovation, expanding markets for American businesses and affording public safety agencies the opportunity for greater levels of effectiveness and interoperability. (Council Administrative Notice Item No. 23 – FCC Wireless Infrastructure Report and Order; Council Administrative Notice Item No. 12 – Presidential Executive Order 13616, Accelerating Broadband Infrastructure Development)
 53. Pursuant to Section 6409(a) of the Spectrum Act, a state or local government may not deny and shall approve any request for collocation, removal or replacement of equipment on an existing wireless tower provided that this does not constitute a substantial change in the physical dimensions of the tower. (Council Administrative Notice Item No. 8 – Middle Class Tax Relief and Job Creation Act of 2012; Council Administrative Notice Item No. 23 – FCC Wireless Infrastructure Report and Order; Council Administrative Notice Item No. 27 - Implementation of State and Local Governments' Obligation to Approve Certain Wireless Facility Modification Requests Under Section 6409(a) of the Spectrum Act of 2012, *Declaratory Ruling and Notice of Proposed Rulemaking*)
 54. In June 2020, the FCC issued a declaratory ruling that heights of existing towers located outside of the public right-of-way could increase by up to 20 feet plus the height of a new antenna without constituting a substantial change in the physical dimensions of a tower. (Council Administrative Notice Item No. 27- Implementation of State and Local Governments' Obligation to Approve Certain Wireless Facility Modification Requests Under Section 6409(a) of the Spectrum Act of 2012- *Declaratory Ruling and Notice of Proposed Rulemaking*)

55. In November 2020, the FCC issued an order that ground excavation or deployment up to 30 feet in any direction beyond the site boundary of existing towers located outside of the public right-of-way does not constitute a substantial change in the physical dimensions of a tower (Council Administrative Notice Item No. 28 - Implementation of State and Local Governments' Obligation to Approve Certain Wireless Facility Modification Requests Under Section 6409(a) of the Spectrum Act of 2012, *Report and Order*)
56. According to state policy, if the Council finds that a request for shared use of a facility by a municipality or other person, firm, corporation or public agency is technically, legally, environmentally and economically feasible, and the Council finds that the request for shared use of a facility meets public safety concerns, the Council shall issue an order approving such shared use to avoid the unnecessary proliferation of towers in the state. (Conn. Gen. Stat. §16-50aa)
57. On February 10, 2022, the Council sent correspondence to other telecommunications carriers requesting that carriers interested in locating on the proposed facility in the foreseeable future to notify the Council by March 8, 2022. No carriers responded to the Council's solicitation. (Record)
58. In addition to Cellco's equipment, the facility is designed to accommodate three other wireless carriers and the Town/local emergency service providers. (Applicants 1, Attachment 1)
59. The Town proposes to install two whip antennas mounted at the 110-foot level of the tower to provide emergency service and public works communications. (Applicants 1, Attachment 1; Tr. 1, p. 53)
60. The Town currently operates four communication sites to provide coverage for Town services; however, existing emergency communication service in the Northford area is poor. The Town intends to upgrade its existing Town-wide communications system by installing new digital communications facilities at two locations in Town and abandoning the existing four locations. Town communication studies indicate the minimum installation height of the whip antennas to provide emergency communications is 110 feet above ground level (agl). (Applicants 5, response 1; Tr. 1, pp. 52-53)

Cellco's Existing and Proposed Wireless Services

61. Cellco currently operates 7 macro-sites within four miles of the proposed site. None of these facilities are able to provide adequate coverage to the proposed service area. (Applicants 1, p. 10, Attachment 6)
62. Cellco operates 700 MHz, 850 MHz, 1900 MHz, 2100 MHz frequencies in the surrounding areas. Cellco designs its network using a -95 dB Reference Signal Received Power (RSRP) standard for reliable in-vehicle service and -85 dB RSRP standard for reliable in-building service. (Applicants 1, p. 7, Attachment 6)
63. The proposed site would offer 5G services in the 850 MHz frequency. Cellco also intends to deploy 5G services in the 3550 MHz frequency. (Applicants 1, p. 8; Applicants 5, response 14; Tr. 1, pp. 70-71)
64. Cellco currently has non-reliable coverage in the Northford area, including but not limited to, the Northford center area and along State Routes 17, 22 and 150 (refer to Figures 2 & 4). Existing 700 MHz frequency in the area is a mix of in-vehicle coverage and outdoor coverage. (Applicants 1, Attachment 6)

65. The table below indicates the approximate coverage gaps in existing service on portions of State Routes 17, 22 and 150 at 700 MHz and 2100 MHz frequencies:

Road	700 MHz Coverage Gap	2100 MHz Coverage Gap
State Route 17	0.9 miles	2.1 miles
State Route 22	1.5 miles	2.7 miles
State Route 150	1.6 miles	2.3 miles

(Applicants 1, p. 7)

66. Coverage provided by the proposed site (designated by Cellco as the Northford 2 facility) would provide reliable coverage to the proposed service area (refer to Figures 3 & 5). Specific coverage for the proposed site is presented in the table below:

Frequency	Service footprint	State Route 17	State Route 22	State Route 150
700 MHz	7.2 sq. mi.	1.6 mi	3.2 mi	0.8 mi
850 MHz	4.7 sq. mi	1.5 mi	3.2 mi	0.6 mi
1900 MHz	3.6 sq. mi	1.6 mi	3.0 mi	0.4 mi
2100 MHz	3.9 sq. mi	1.3 mi	3.2 mi	0.4 mi
3550 MHz	0.1 mi	0.8 mi	0.2 mi	0

(Applicants 1, p. 8, Attachment 6)

67. The site would provide a minimum of in-vehicle service (700 MHz) to Route 17 northeast of the site and Route 22 west of the site, handing off to existing Cellco facilities without reliable service interruption. The site would also provide a minimum of in-vehicle service to Route 150 north of the site, extending to the North Branford town line. Approximately one mile of deficient coverage would remain on Route 150 in Wallingford. This area is outside of Cellco's coverage objective for the proposed site and would require another Cellco facility. (Applicants 1, Attachment 6; Tr. 1, pp. 99-100)
68. In addition to providing reliable service to the Northford area, the site would also provide capacity relief to Cellco's existing Northford facility (Alpha sector) which is at or near exhaustion. Cellco's existing Northford facility is approximately 2 miles southwest of the proposed facility at 88 Parsonage Hill Road in North Branford. (Applicants 1, p. 7, Attachment 6)
69. Cellco could locate at the 85-foot level of the tower to meet minimum coverage objectives to the area, but the overall coverage footprint would be reduced. (Applicants 6, response 15)

Site Selection

70. Cellco initially identified a need for a new facility in the Northford area in 2014. Cellco investigated the steeple at St. Andrews church in Northford center as a potential location for a facility with antennas at a height of 45 feet agl. Given the short height of the steeple, Cellco identified the steeple as a short-term solution to serve immediate network needs. At that time, the church was not interested in leasing space for a telecommunications facility. (Applicants 6, response 5, response 6; Tr. 1, pp. 67-68)
71. Cellco subsequently put the search ring in the Northford area on hold for several years. During this time Cellco's network needs evolved as customer data usage increased and Cellco obtained additional spectrum to operate its network, and as a result, a facility in the church steeple would not meet current network needs. (Tr. 1, pp. 49-51, 67)

72. HT began searching for a suitable tower site in the Northford area in 2018. The Applicants resumed the search in April 2020. (Applicants 1, p. 10, Attachment 8)
73. Two existing tower structures are located in the Northford area. One of the towers is a 195-foot lattice tower at 88 Parsonage Hill Road in Northford that hosts Cellco at the 165-foot level. Cellco examined higher locations at the facility but determined the site would not meet coverage objectives. The second tower, a 125-foot lattice tower at 62 Youngs Apple Orchard Road in Wallingford, would not meet Cellco's coverage objectives. (Applicants 1, Attachment 8; Applicants 6, response 6)
74. After determining there were no suitable existing structures within the search area that could support Cellco's telecommunication needs, the Applicants searched for properties suitable for tower development. Besides the proposed site, the Applicants investigated 28 raw land sites in Northford, as follows:
 - a) **5 Ardsley Avenue:** 1.5-acre parcel rejected due to on-site wetlands and direct impact to the historic district;
 - b) **855 Forest Road:** 2.0-acre parcel rejected due to on-site wetlands and direct impact to the historic district;
 - c) **847 Forest Road:** 2.2-acre parcel. Property owner did not respond to inquiry from HT;
 - d) **841 Forest Road:** 26-acre parcel. Property owner did not respond to inquiry from HT;
 - e) **Mansfield Drive:** 4.3-acre town-owned parcel. Town not interested in leasing property to HT;
 - f) **26 Mansfield Drive:** 3.2-acre parcel. Property owner did not respond to inquiry from HT;
 - g) **30 Mansfield Drive:** 19.1-acre parcel. Property owner did not respond to inquiry from HT;
 - h) **259 Clintonville Road:** 3.4-acre town-owned parcel. Town not interested in leasing property to HT;
 - i) **1332 Middletown Ave:** 21.8-acre town-owned parcel. Town not interested in leasing property to HT;
 - j) **1388 Middletown Ave:** 25.1-acre town-owned parcel. Town not interested in leasing property to HT;
 - k) **1351 Middletown Ave:** 1.0-acre town-owned parcel. Town not interested in leasing property to HT;
 - l) **1452 Middletown Ave:** 1.9 acre parcel. Site rejected by Cellco's radio frequency engineers;
 - m) **1447 Middletown Ave:** 2.4 acre parcel. Property owner did not respond to inquiry from HT;
 - n) **Middletown Ave Rear:** 3.4 acre parcel. Property owner did not respond to inquiry from HT;
 - o) **261 Clintonville Road:** 5.9-acre parcel. Property owner did not respond to inquiry from HT;
 - p) **140 Old Post Road:** 16.9-acre parcel. Property is outside of Cellco's search area.
 - q) **105 North Street:** 4,628 acres owned by the South Central Connecticut Regional Water Authority. Land is comprised on Class I and II watershed land. Property owner did not respond to inquiry from HT;
 - r) **90 Foot Hill Road:** 4-acre parcel. Property owner did not respond to inquiry from HT;
 - s) **246 Clintonville Road:** 1.6-acre parcel. Property owner not interested in tower lease;
 - t) **250 Clintonville Road:** 4.5-acre parcel. Property owner not interested in tower lease;
 - u) **26 Old Post Road:** 5.1-acre parcel. Property owner did not respond to inquiry from HT;
 - v) **153 Old Post Road:** 24.3-acre parcel. Property is outside Cellco's search area and contains deed restrictions precluding development;

- w) **Woodhouse Ave:** 9.5-acre town-owned parcel. Town not interested in leasing property to HT;
- x) **1370 Middletown Ave:** 1.8 acre parcel. Site rejected by Cellco's radio frequency engineers;
- y) **1453 Middletown Ave:** 34.1-acre property owned by the South Central Connecticut Regional Water Authority. Land is comprised on Class I and II watershed land. Property owner did not respond to inquiry from HT;
- z) **1409 Middletown Ave:** 1.1-acre parcel in the center of the historic district. A site by another tower developer was rejected by the State Historic Preservation Office;
- aa) **1382 Middletown Ave.** 1.6-acre parcel. Site rejected by Cellco's radio frequency engineers; and
- bb) **60 Foot Hill Road:** 4-acre parcel. Property owner not interested in tower lease.
(Applicants 1, Attachment 8)

75. The Council has no authority to compel a parcel owner to sell or lease property, or portions thereof, for the purpose of siting a facility nor shall the Council be limited in any way by the applicant having already acquired land or an interest therein for the purpose of constructing a facility. (Corcoran v. Connecticut Siting Council, 284 Conn. 455 (2007); CGS §16-50p(g)(2019))
76. Small cells, distributed antenna systems and other similar technologies are not feasible to provide coverage to the coverage area as their service footprint is limited. The proposed tower facility would provide wireless service over several square miles that include main and secondary roads as well as surrounding commercial and residential areas. (Applicants 1, p. 9, Attachment 6; Applicants 5, response 7)
77. To provide wireless service to the proposed service area would require a significant number of small cell deployments either on existing utility poles or on new utility poles along roadways throughout the area. Small cell equipment at each pole would include antennas, radio and electrical equipment, a meter box, and cabling. The estimated cost of each small cell deployment is between \$70,000 to \$75,000. Use of existing utility poles would need to be approved by the host utility company and PURA. (Applicants 5, response 7; Tr. 1, pp. 90-91)

Facility Description

78. Pursuant to RCSA §16-50j-2a(29), "Site" means a contiguous parcel of property with specified boundaries, including, but not limited to, the leased area, right-of-way, access and easements on which a facility and associated equipment is located, shall be located or is proposed to be located. (RCSA §16-50j-2a (29))
79. The subject property is a 7.8-acre residentially-zoned parcel at 222 Clintonville Road in North Branford. The parcel has frontage on Clintonville Road (Route 22) to the west and Pistapaug Road to the north. The property is developed with a residence that is accessed from a driveway extending east from Clintonville Road. (Applicants 1, p. 2, Attachment 1)
80. Land use immediately surrounding the subject parcel is predominantly residential. An educational building abuts the host parcel to the east. A commercial property partially abuts the host parcel to the south. (Applicants 1, Attachment 1; Applicants 5, response 12)
81. The proposed tower site is located in a forested area in the eastern portion of the host parcel (refer to Figures 6 and 7). (Applicants 1, Attachment 1)

82. The proposed tower is located at an approximate elevation of 277 feet agl. (Applicants 1 Attachment 1)
83. The Applicants are proposing to construct a 110-foot monopole, with the tower and antennas/mounting equipment painted brown, or a 110-foot monopine at the site (refer to Figure 8). (Applicants Attachment 1; Attachment 9; Tr. 1, pp. 40-41, 60)
84. A monopine design would feature faux branches extending out from the pole to a distance of 9 to 15 feet. Antennas would be concealed within the faux branch pattern and would be covered with camouflaged sleeves. A tapered faux branch cone is not proposed above the tower. (Applicants 1, Attachment 1, Attachment 9; Tr. 1 pp. 41-43, 61-62)
85. The tower would be located within an irregularly shaped, 4,061 square-foot compound and a 4,631 square foot lease area. (Applicants 1, Attachment 1)
86. The tower and foundation would be designed to accommodate a 10 to 20-foot extension to accommodate future tower sharing. (Tr.1, pp. 43-45)
87. Cellco would install 12 panel antennas and 6 remote radio heads on double t-arm mounts at a centerline height of 96 feet agl. (Applicants 1, Attachment 1)
88. Cellco would install equipment cabinets on a 10-foot by 10-foot concrete pad covered by a canopy. A backup power generator would be installed adjacent to the cabinets/concrete pad. (Applicants 1, Attachment 1)
89. The Town's ground equipment would be installed on a 10-foot by 10-foot lease area within the compound. (Applicants 1, Attachment 1)
90. The proposed equipment compound would be enclosed by an eight-foot high chain link fence with anti-climb mesh. (Applicants 1, Attachment 1)
91. Access to the tower site would use a portion of existing paved driveway (40 feet) that extends from Clintonville Road. HT would construct a new 12-foot wide, 795-foot long gravel drive off of the existing driveway through a lawn area, then uphill into a forested area to the compound site. (Applicants 1, p. 2, Attachment 1)
92. Underground utilities would extend along the access road from the compound to existing service on Clintonville Road. (Applicants 1, Attachment 1)
93. Development of the site would disturb a 0.96-acre area and require 2,450 cubic yards of cut and 400 cubic yards of fill. The proposed access drive would require approximately 380 cubic yards of gravel. (Applicants 1, Attachment 1)
94. The nearest property boundary from the proposed compound and tower is approximately 51 feet and 96 feet, respectively, to the south at 250 Clintonville Road. (Applicants 1, Attachment 1)
95. The access road route requires excavation of a small hill from an existing grade of approximately 25 percent to a finish grade of approximately 10 percent. Excavation of the hill would require the stabilized side slopes that extend to the property boundary to the north at 61 Pistapaug Road. Relocation of the access road to the south away from the abutting property line is not possible due to the presence of a wetland area. HT may be able to reduce some of the required excavation by

slightly increasing the finish grade of the driveway to 12 percent. (Applicants 1, Attachment 1; Tr. 1, pp. 23-25, 29)

96. There are approximately 36 residential structures within 1,000 feet of the proposed tower site. The nearest residence is located approximately 253 feet to the north at 61 Pistapaug Road. (Applicants 1, p. 13)
97. Site preparation and engineering would commence following Council approval of a Development and Management Plan (D&M Plan) and are expected to be completed within two to four weeks. The installation of the tower, compound and associated equipment is expected to take four to six weeks. After equipment installation, cell site integration and system testing would require two additional weeks. (Applicants 1, p. 20)
98. The estimated cost of the proposed facility is:

<u>HT</u>	
Monopole and Foundation	\$160,000
Site Development	\$120,000
Utility Installation	\$70,000
<u>Cellco</u>	
Radio equipment/antennas	\$395,000
Power System	\$40,000
Equipment	\$45,000
<u>Total Estimated Costs</u>	<u>\$830,000</u>

A monopine design would add \$55,000 to the tower cost. (Applicants 1, p. 20; Applicants 5, response 11)

99. HT would recover construction costs associated with the facility by the revenue generated from leasing space on the facility to other wireless providers. (Applicants 5, response 2)
100. Cellco would recover the costs of its equipment through customer subscriptions. (Applicants 5, response 2)

Public Safety

101. The Wireless Communications and Public Safety Act of 1999 (911 Act) was enacted by Congress to promote and enhance public safety by making 9-1-1 the universal emergency assistance number, by furthering deployment of wireless 9-1-1 capabilities, and by encouraging construction and operation of seamless ubiquitous and reliable networks for wireless services. (Council Administrative Notice Item No. 6 - Wireless Communications and Public Safety Act of 1999)
102. The proposed facility would be in compliance with the requirements of the 911 Act and would provide Enhanced 911 services. (Applicants 1, p. 5)
103. Wireless carriers have voluntarily begun supporting text-to-911 services nationwide in areas where municipal Public Safety Answering Points (PSAP) support text-to-911 technology. Text-to-911 will extend emergency services to those who are deaf, hard of hearing, have a speech disability, or are in situations where a voice call to 911 may be dangerous or impossible. However, even after a carrier upgrades its network, a user's ability to text to 911 is limited by the ability of the local 911

- call center to accept a text message. The FCC does not have the authority to regulate 911 call centers; therefore, it cannot require them to accept text messages. (Council Administrative Notice Item No. 22 – FCC Text-to-911: Quick Facts & FAQs)
104. Cellco’s proposed equipment installation would be capable of supporting text-to-911 service. (Applicants 1, p. 23)
 105. Pursuant to the Warning, Alert and Response Network Act of 2006, “Wireless Emergency Alerts” (WEA) is a public safety system that allows customers who own enabled mobile devices to receive geographically-targeted, text messages alerting them of imminent threats to safety in their area. WEA complements the existing Emergency Alert System that is implemented by the FCC and FEMA at the federal level through broadcasters and other media service providers, including wireless carriers. (Council Administrative Notice No. 5 – FCC WARN Act)
 106. Pursuant to C.G.S. §16-50p(a)(3)(G), the tower would be constructed in accordance with the current governing standard in the State of Connecticut for tower design in accordance with the currently adopted International Building Code. (Applicants 5, response 10; Tr. 1, p. 84)
 107. The tower would be designed to the Telecommunications Industry Association 222-H Structural Standards for Steel Antenna Towers and Antenna Supporting Structures. These standards require that the tower, the antennas and the antenna-mounts be designed to withstand a wind speed of 120 mph. (Applicants Late File Response 2)
 108. The tower would not require notice to the Federal Aviation Administration or constitute an obstruction or hazard to air navigation and therefore would not require any obstruction marking or lighting. (Applicants 1, Attachment 16)
 109. Cellco’s equipment cabinets would be equipped with silent intrusion and system alarms. The facility would be visited monthly for maintenance activities. The equipment compound would be enclosed by an eight-foot fence with locked, gated access. (Applicants 1, response 9)
 110. The tower would be designed with a yield point at a height of 80 feet agl to ensure the tower setback radius* remains within the boundaries of the host property.
*The horizontal distance equal to the tower height that extends radially from the center of the tower. (Applicants 1, Attachment 1; Tr 1, pp. 71-72)
 111. The proposed facility would comply with the DEEP noise control standards at the property boundaries. (R.C.S.A. §22a-69-1.8; Applicants 5, response 26)
 112. According to R.C.S.A. §22a-69-1.8, noise created as a result of, or relating to, an emergency, such as an emergency backup generator, is exempt from the DEEP Noise Control Regulations. (R.C.S.A. §22a-69-1.8)
 113. Construction related noise is exempt from the DEEP Noise Control Regulations §22a-69-1.8(g), which includes, but is not limited to, “physical activity at a site necessary or incidental to the erection, placement, demolition, assembling, altering, blasting, cleaning, repairing, installing, or equipping of buildings or other structures, public or private highways, roads, premises, parks, utility lines, or other property.” (R.C.S.A. §22a-69-1.8(g))
 114. The cumulative worst-case maximum power density from the radio frequency emissions from the operation of Cellco’s and the Town’s antennas is 13.7% of the standard* for the General Public/Uncontrolled Maximum Permissible Exposure, as adopted by the FCC, at a distance of 460

feet from the tower using the proposed antenna arrangement. This calculation was based on methodology prescribed by the FCC Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997) using far field methodology that assumes all channels would be operating simultaneously, which creates the highest possible power density levels.

*This includes a 10 dB off-beam pattern loss to account for the lower relative gain below the antennas.

(Applicants 5, response 24)

Emergency Backup Power

115. In response to two significant storm events in 2011, Governor Malloy formed a Two Storm Panel (Panel) that was charged with an objective review and evaluation of Connecticut's approach to the prevention, planning and mitigation of impacts associated with emergencies and natural disasters that can reasonably be anticipated to impact the state. (Final Report of the Two Storm Panel, (Council Administrative Notice Item No. 50)
116. Consistent with the findings and recommendations of the Panel, and in accordance with C.G.S. §16-50*ll*, the Council, in consultation and coordination with DEEP, DESPP and PURA, studied the feasibility of requiring backup power for telecommunications towers and antennas as the reliability of such telecommunications service is considered to be in the public interest and necessary for the public health and safety. (Council Administrative Notice Item No. 33 – Council Docket No. 432)
117. Commercial Mobile Radio Service (CMRS) providers are licensed by and are under the jurisdiction and authority of the FCC. At present, no standards for backup power for CMRS providers have been promulgated by the FCC. Every year since 2006, AT&T, Sprint, T-Mobile, and Verizon have certified their compliance with the CTIA Business Continuity/Disaster Recovery Program and the Communications Security, Reliability and Interoperability Council standards and best practices to ensure network reliability during power outages. (Council Administrative Notice Item No. 33 – Council Docket No. 432)
118. For backup power, Cellco proposes a 50-kilowatt propane fueled emergency backup generator. A 500-gallon propane tank would be installed within the compound that would be able to supply backup power for two days before refueling is required. The compound would have sufficient space for a 1,000 gallon storage tank. The storage tank would be installed to include a 10-foot radius for a “no spark” safety zone. (Applicants 5, response 19, response 21; Tr. 1, pp. 76-78, 88-89)
119. Cellco would also install a one-hour capacity battery as a backup power source. (Applicants Late File Response 2)
120. The backup generator would be remotely tested and monitored periodically to ensure proper operation. (Applicants 1, p. 19)
121. Pursuant to R.C.S.A. §22a-174-3b, the generator would be managed to comply with DEEP's “permit by rule” criteria. Therefore, the generator would be exempt from general air permit requirements. (Applicants 1, p. 19)

Environmental Considerations

122. The Inland Wetlands and Watercourses Act (IWWA), CGS §22a-36, et seq., contains a specific legislative finding that the inland wetlands and watercourses of the state are an indispensable and irreplaceable but fragile natural resource with which the citizens of the state have been endowed, and the preservation and protection of the wetlands and watercourses from random, unnecessary, undesirable and unregulated uses, disturbance or destruction is in the public interest and is essential to the health, welfare and safety of the citizens of the state. (CGS §22a-36, et seq.)
123. The IWWA grants regulatory agencies with the authority to regulate upland review areas in its discretion if it finds such regulations necessary to protect wetlands or watercourses from activity that will likely affect those areas. (CGS §22a-42a)
124. The IWWA forbids regulatory agencies from issuing a permit for a regulated activity unless it finds on the basis of the record that a feasible and prudent alternative does not exist. (CGS §22a-41)
125. The host property contains a spring fed, manmade pond located in the south-central portion of the parcel. The spring is located on the hillside south of the proposed access drive. The spring flows out of a shallow stone well structure at the north end of the pond. (Applicants 1, Attachment 11; Tr. 1 pp. 56-57)
126. The outlet of the pond drains into a forested wetland/watercourse area that extends along the southwest property line. (Applicants 1, Attachment 11)
127. The Applicants investigated the on-site pond to determine if it could function as a vernal pool. The investigations indicated that although the pond supports wood frog, a common vernal pool obligate species, the pond is a year-round body of water that contains other species that prey upon wood frog larvae and the habitat around the pond has been fragmented by residential development and roads, thus, the pond is not considered a high functioning vernal pool. Development of the site would not significantly affect the pond's current limited ability to support vernal pool species. (Tr. 1, pp. 46-49)
128. The compound would be located 165 feet from the pond. (Applicants 1 Attachment 1)
129. The proposed access drive would extend along the north side of the pond and would be 17 feet at its closest point. A 35-foot long by 24-inch diameter pipe would be installed in this location to convey any seasonal water under the road and towards the pond rather than being impounded on the north side of the road. (Applicants 1 Attachment 1, Attachment 11; Tr. 1, p. 27)
130. The Applicants would re-examine the pipe crossing area to potentially reduce the amount of disturbance near the wetland and abutting property line. (Tr. 1 p. 30)
131. An optional 650-foot long access drive to the tower site was initially considered that extended south from Pistapaug Road along a narrow wooded strip of land owned by the lessor. This route extended between two abutting properties into the main portion of the host parcel and the landlord ultimately elected not to use this potential route since it would require the clearing of approximately 250 trees along 280 feet of the route and would affect the two abutters. (Applicants 1, Attachment 17; Tr. 1, pp. 57-60)
132. The proposed project would be constructed consistent with the *2002 Connecticut Guidelines for Soil Erosion and Sedimentation Control*. (Applicants 1, p. 14)

133. Stormwater control during construction would be controlled using erosion control blankets to stabilize steep slopes, swales/check dams and erosion and sedimentation barriers such as silt sox. The Applicants would consider using two rows of erosion control barrier adjacent to the pond/wetland. (Applicants 1, Attachment 1; Tr. 1, pp. 25-26)
134. Post-construction drainage along the access drive would be controlled by a grass-lined swale. The access drive would be pitched so that stormwater would flow into the swale. The swale would feature check dams every 100 feet to control velocity and would discharge on a splash pad before flowing into the downgradient pond/wetland. (Applicants 1, Attachment 1; Tr. 1, pp. 26-27)
135. Approximately 60 percent of the site development area, comprised of lawn and forest, is mapped as prime farmland soil. The landowner does not use the property for agriculture. (Applicants 6, response 28)
136. The site is not within the Federal Emergency Management Agency designated 100-year or 500-year flood zones. (Applicants 1, p. 17)
137. The site is not within a state-designated aquifer protection area. (Council Administrative Notice No. 75)
138. HT does not anticipate the need for blasting to construct the site. (Applicants 5, response 8)
139. The site is not within a DEEP Natural Diversity Database buffer area. (Applicants 1, Attachment 11)
140. Development of the site would require the removal of approximately 0.5 acres of forest, including 93 trees with a diameter of six inches or greater at breast height. (Applicants 1, Attachment 10; Tr. 1, pp. 11-12)
141. Connecticut is within the range of the northern long-eared bat (NLEB), a federally-listed threatened species and state-listed endangered species. There are no known NLEB hibernacula or known maternity roost trees within 0.25 miles and 150-feet, respectively, of the proposed tower location. The U.S. Fish and Wildlife Service (USFWS) determined that “any resulting incidental take of the Northern long-eared bat as a result of the project is not prohibited by the final 4(d) Rule”. (Applicants 1, Attachment 10)
142. The site is within the range of the Indiana bat, a federally-listed threatened species and state-listed endangered species. To reduce potential impact to the bat, the Applicant’s consultant and the CEQ both recommended that tree clearing be avoided between April 1 and October 1. HT would comply with this recommendation. (Applicants 1, Attachment 10; Tr. 1, p. 76)
143. The proposed facility is not located in proximity to a National Audubon Society designated Important Bird Area (IBA). The nearest IBA is the Quinnipiac River Tidal Marsh approximately 4.5 miles to the southwest. (Council Administrative Notice Item No. 79)
144. The proposed facility would comply with the USFWS guidelines for minimizing the potential for telecommunications towers to impact bird species. (Applicants 1, Attachment 10)
145. The host parcel abuts the Northford Historic District to the east. The district is listed on the National Register of Historic Places and generally extends along State Route 17 (Middletown Ave.) and portions of Old Post Road. The district contains 106 historic resources, most of which are houses

and associated outbuildings, as well as two churches, a schoolhouse, a library, and a small triangular green. (Applicants 1, Attachment 9)

146. By letters dated October 8, 2021 and February 25, 2022, SHPO determined that the proposed project would not have an adverse effect on sites listed on or eligible for listing on the National Register of Historic Places, including, but not limited to the adjacent Northford Historic District, and other historic and archeological sites within a mile of the site, as long as the facility is constructed as non-visible as possible. Furthermore, the February 25, 2022 letter recommended a monopole, rather than a monopine, be constructed at the site. (Applicants 1, Attachment 12)

Visibility

147. The Applicants used a combination of predictive computer models, in-field analysis, and a review of various data sources to evaluate the visibility of the proposed facility. (Applicants 1, Attachment 9; Applicants 5, response 29a)
148. On February 24, 2021, the Applicants conducted a balloon test and field reconnaissance at the proposed tower site. The balloon test consisted of flying a four-foot diameter helium filled balloon to a height of approximately 100-feet agl at the proposed site. After the balloon fly, a tower height of 110 feet was then proposed. On January 19, 2022, the visibility data was subsequently modified to account for the 110-foot tower height and the relocation of the proposed tower approximately 45 feet southeast from the originally proposed tower location. (Applicants 1, Attachment 9)
149. Information obtained during the field reconnaissance was incorporated into a viewshed map that depicts area with year-round visibility for areas within a two-mile radius (8,042 acres) of the site (Study Area) based on computer modeling and in-field observations from publicly-accessible locations. (Applicants 1, Attachment 9; Tr. 1, pp. 34-35)
150. Based on the final viewshed analysis (refer to Figure 9), the proposed tower would be visible year-round from approximately 43 acres (0.5% of the Study Area), of which 13 acres occur from areas within a half-mile of the site. Open agricultural lands to the northeast and commercial properties to the south comprise most of the areas with visibility. (Applicants 1, Attachment 9; Applicants 5, response 29; Tr. 1, pp. 34-35)
151. For areas immediate to the tower site, the upper portions of the tower would be visible from the four residences on Clintonville Road, and two residences on Pistapaug Road, including but not limited to the abutters at 246 and 250 Clintonville Road, 4 Old Post Road, and 75 Pistapaug Road. (Applicants 1, Attachment 9; Applicants 5, response 29; Tr. 1, pp. 39-40)
152. Approximately 25-30 residences within 0.5 mile of the site may be able to view a portion of the tower through deciduous vegetation during winter leaf-off season. Due to the clearing of forest to develop the tower site, vegetative screening would be reduced to some of the residences to the north of the site along Pistapaug Road. (Applicants 5, response 29; Tr. 1, p. 39)
153. The proposed tower would not be visible above intervening vegetation within the Northford Center Historic District except from the abutting property to the southeast at 4 Old Post Road, small segments of Old Post Road approximately 600 feet east of the site and from an agricultural field approximately 0.4 miles northeast of the site. Other areas and roadways within the district would have seasonal views of the tower. (Applicants 1, Attachment 9; Applicants 5, response 29)
154. The tower would be visible above the tree line from approximately 0.22 miles of roadways within a half-mile of the site (out of a total of 5 miles). (Applicants 1, Attachment 9)

155. The upper 15-20 feet of the tower may be visible above the tree line from recreational areas at the Stanley T. Williams Community Center at 1388 Middletown Road, approximately 2,100 feet south of the site. (Applicants 5, response 29)
156. A monopine or brown-painted monopole is proposed to blend in with the surrounding forested area. (Applicants 1, Attachment 9)
157. The visibility analysis contained several photo-simulations of each design from various vantage points, including but not limited to, the following:
 - a) in front of the residence at 67 Pistapaug Road (640 feet north) that shows the tower among evergreen trees;
 - b) in front of the commercial property a 250 Clintonville Road (630 feet southwest) that shows the tower among evergreen trees;
 - c) near 809 Forest Road (2,480 feet south) that shows the upper 10-15 feet above the tree line and in an area with evergreen trees;
 - d) from Clintonville Road near the intersection with Pistapaug Road (1,580 feet east) that shows the upper 10 feet of the tower extending above tree line among deciduous trees;
 - e) adjacent to a residence at the Glen Meadow Road and Woodhouse Avenue intersection (1,340 feet northeast) that shows the tower through deciduous trees with evergreens in the foreground; and
 - f) from the Northford Historic District at 26 Old Post Road (680 feet east), Middletown Road at Northford Square (990 feet southeast) and at 1446 Middletown Ave. (1,270 feet east). All three photo-simulations show the tower through deciduous trees. (Applicants 1, Attachment 1, Attachment 9; Tr. 1 pp. 40-41, 75-76)
158. Pursuant to CGS §16-50p(a)(3)(F), no public schools or commercial child day care facilities are located within 250 feet of the site. The proposed facility is approximately 270 feet west of the Center for Autism Spectrum & Development Disorders at 26 Old Post Road. The tower would be seasonally visible from the school. (Applicants 1, Attachment 9)
159. There are no state or locally-designated scenic roads located within the two-mile Study Area. (Applicants 1, Bulk File – Town Plan for Conservation and Development)
160. Evergreen trees would be planted along the access road where it extends through a lawn area and around the perimeter of the compound. Landscape trees could be installed along the property line adjacent to the access road if space permits. (Applicants 1, Attachment 1; Tr. 1, pp. 39-40)
161. There are no “blue-blazed” hiking trails maintained by the Connecticut Forest and Park Association within one-mile of the site. (Council Administrative Notice Item No. 78)

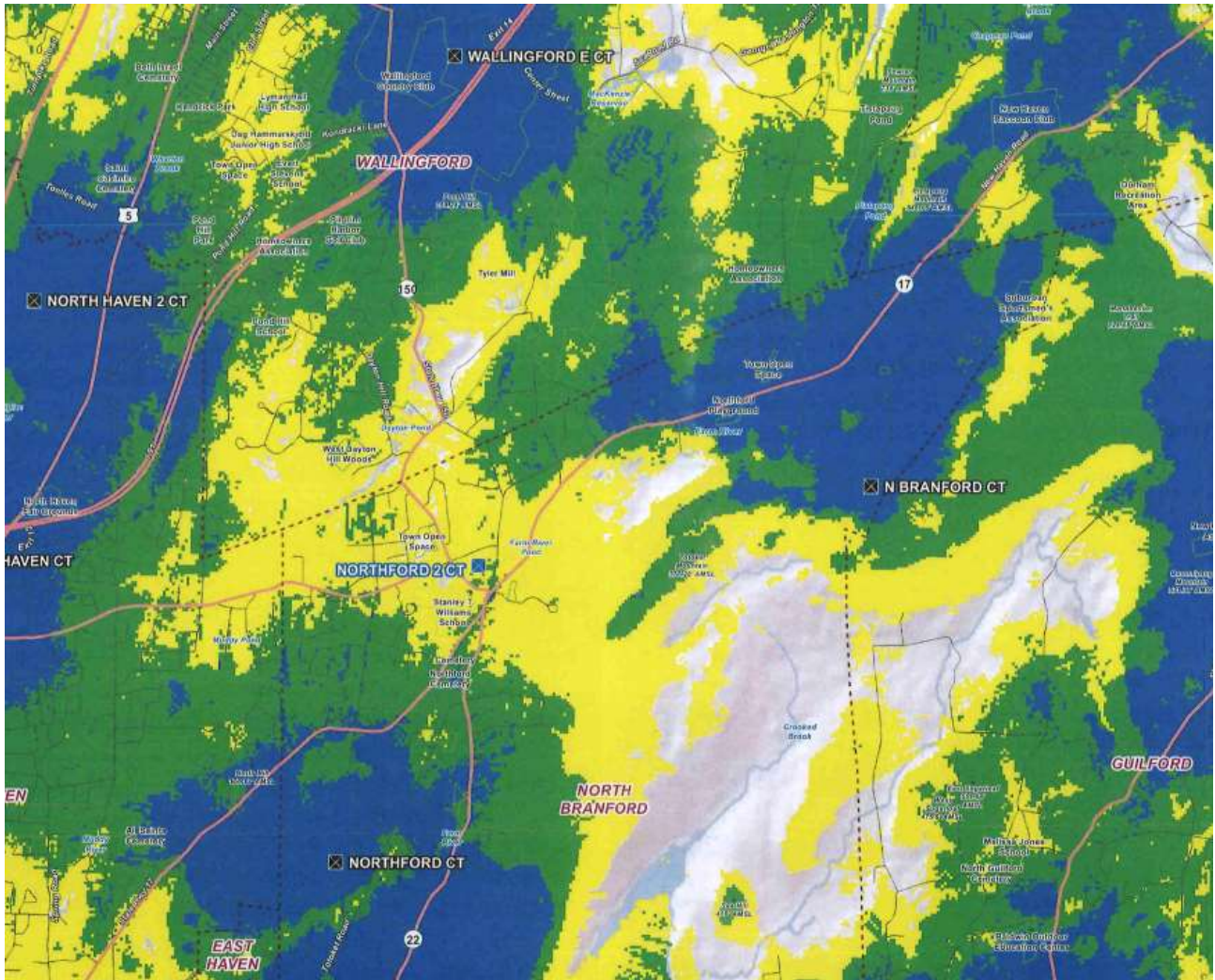
Figure 1 – Site Location



Legend

- ★ Project Site
- Site Radius at 250', 500', 1000', 1/2, 3/4 & 1 mile

Figure 2 – Cellco Existing 700 MHz Coverage

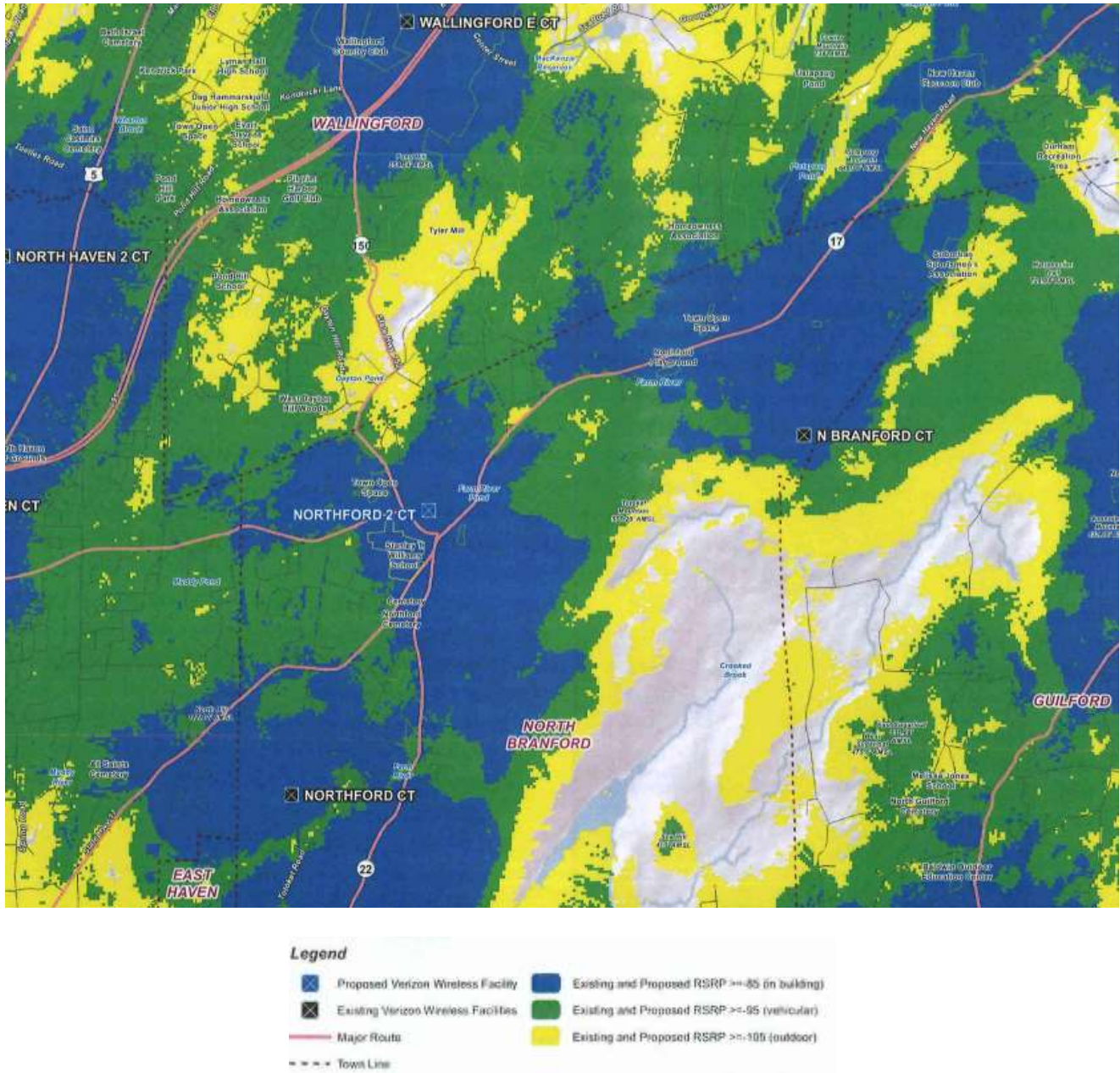


Legend

- Proposed Verizon Wireless Facility
- Existing and Proposed RSRP >= -85 (in building)
- Existing and Proposed RSRP >= -95 (vehicular)
- Existing and Proposed RSRP >= -105 (outdoor)
- Major Routes
- Town Line

(Applicants 1, Attachment 6)

Figure 3 – Cellco Existing and Proposed 700 MHz Coverage



(Applicants 1, Attachment 6)

Figure 4 – Cellco Existing 2100 MHz coverage



Figure 5 – Cellco Existing and Proposed 2100 MHz coverage

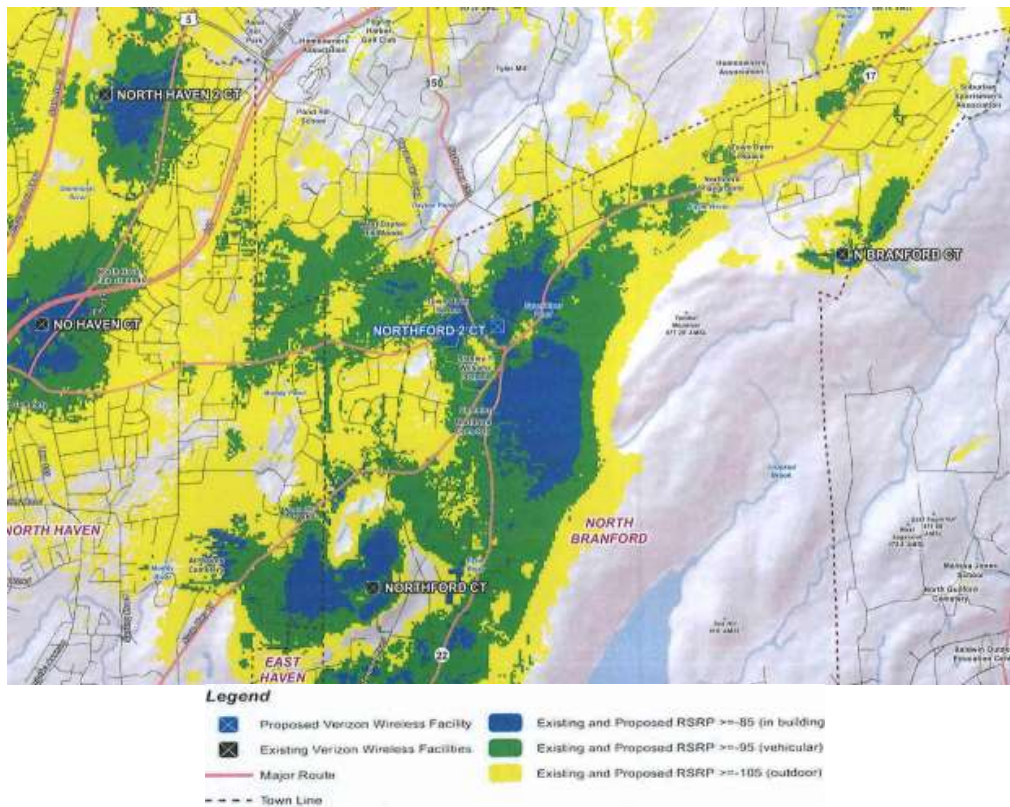
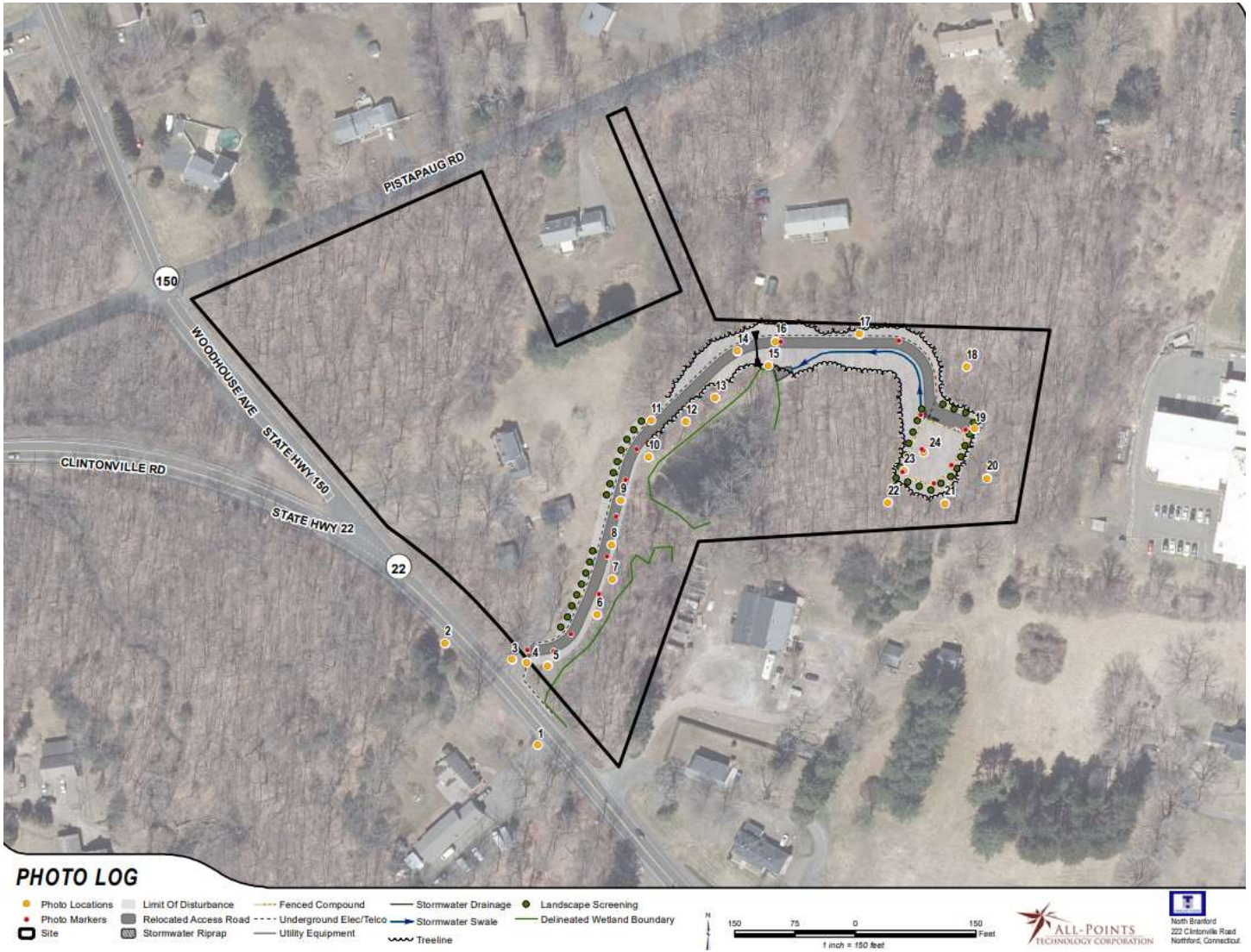
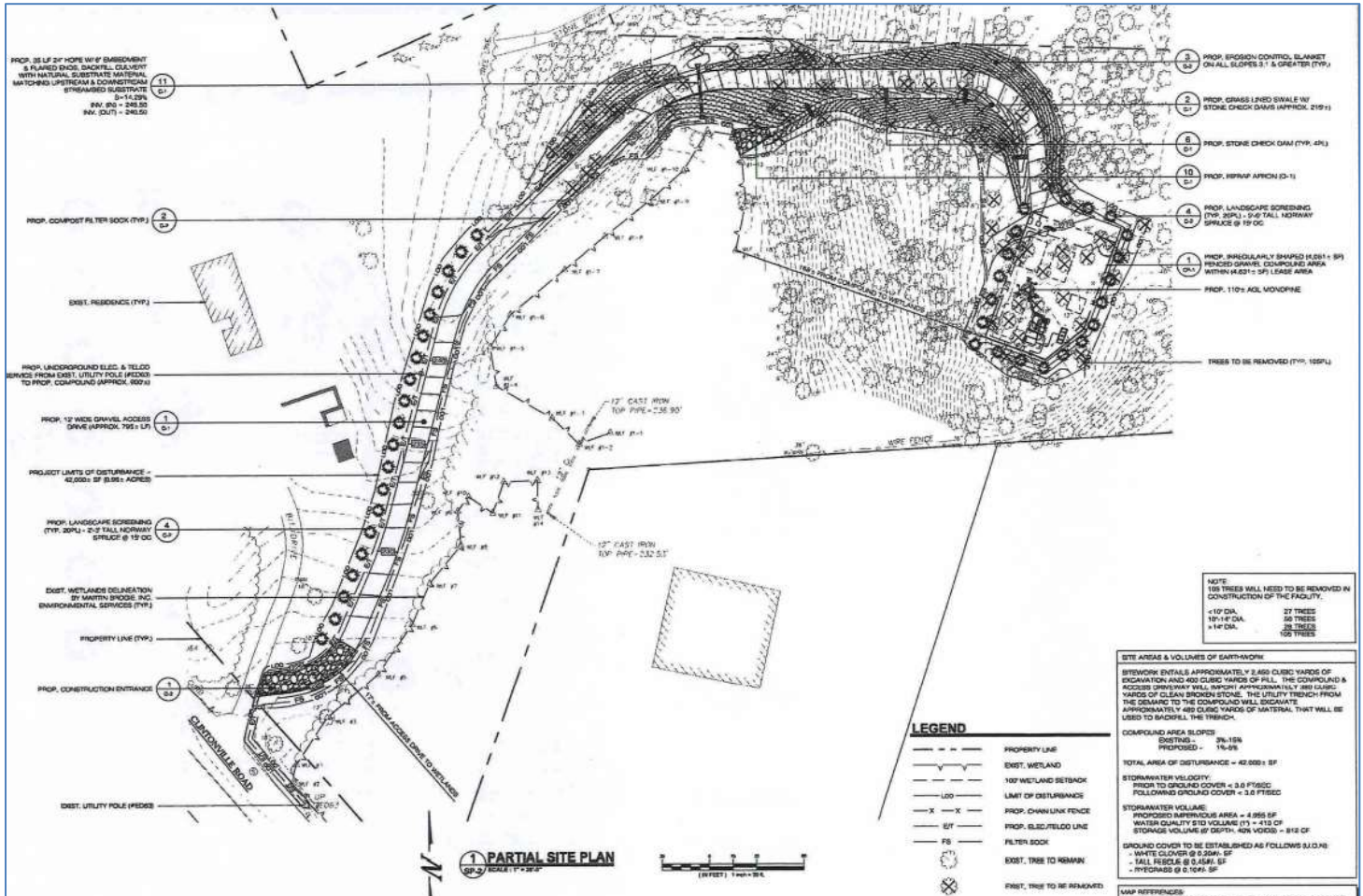


Figure 6 – Aerial Photograph of Site Layout



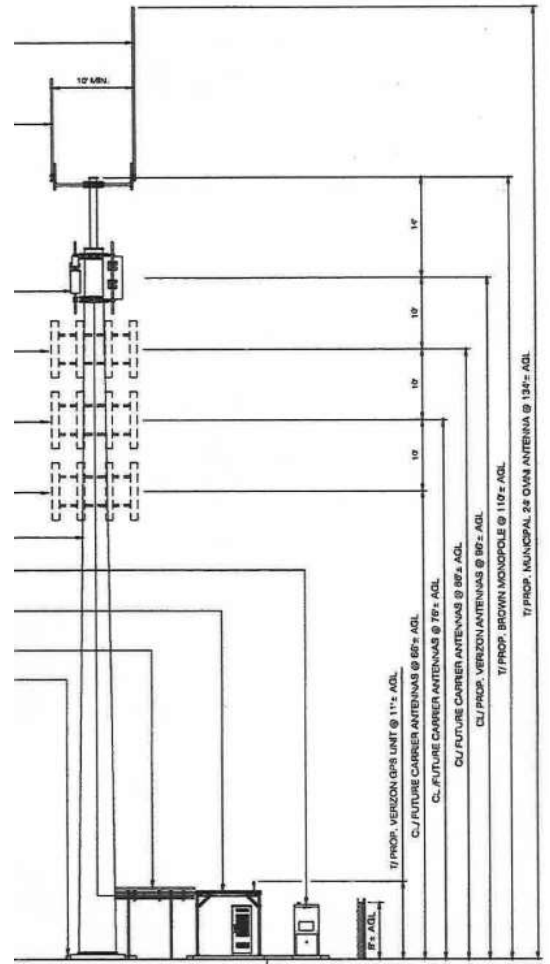
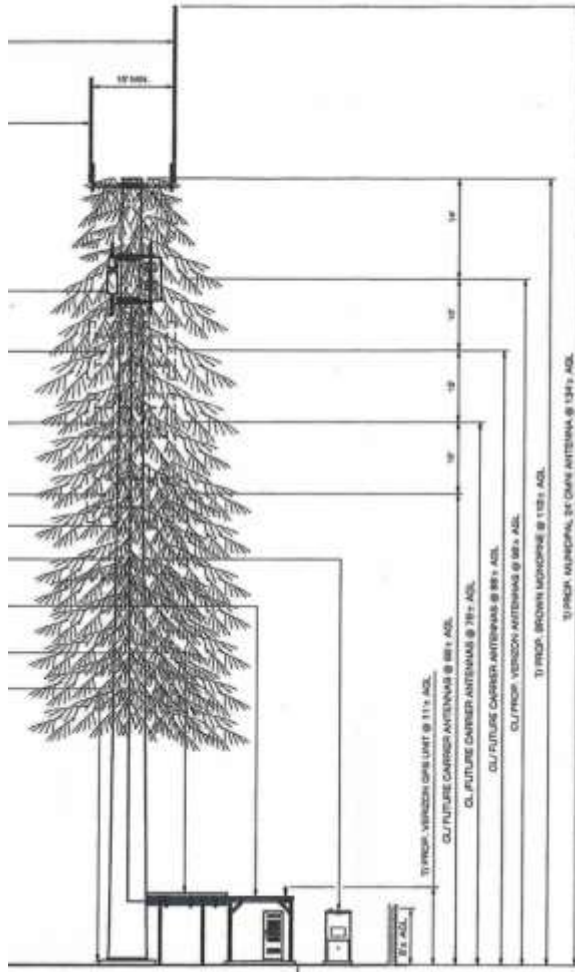
(Applicants 5 – field review)

Figure 7 – Site Plan



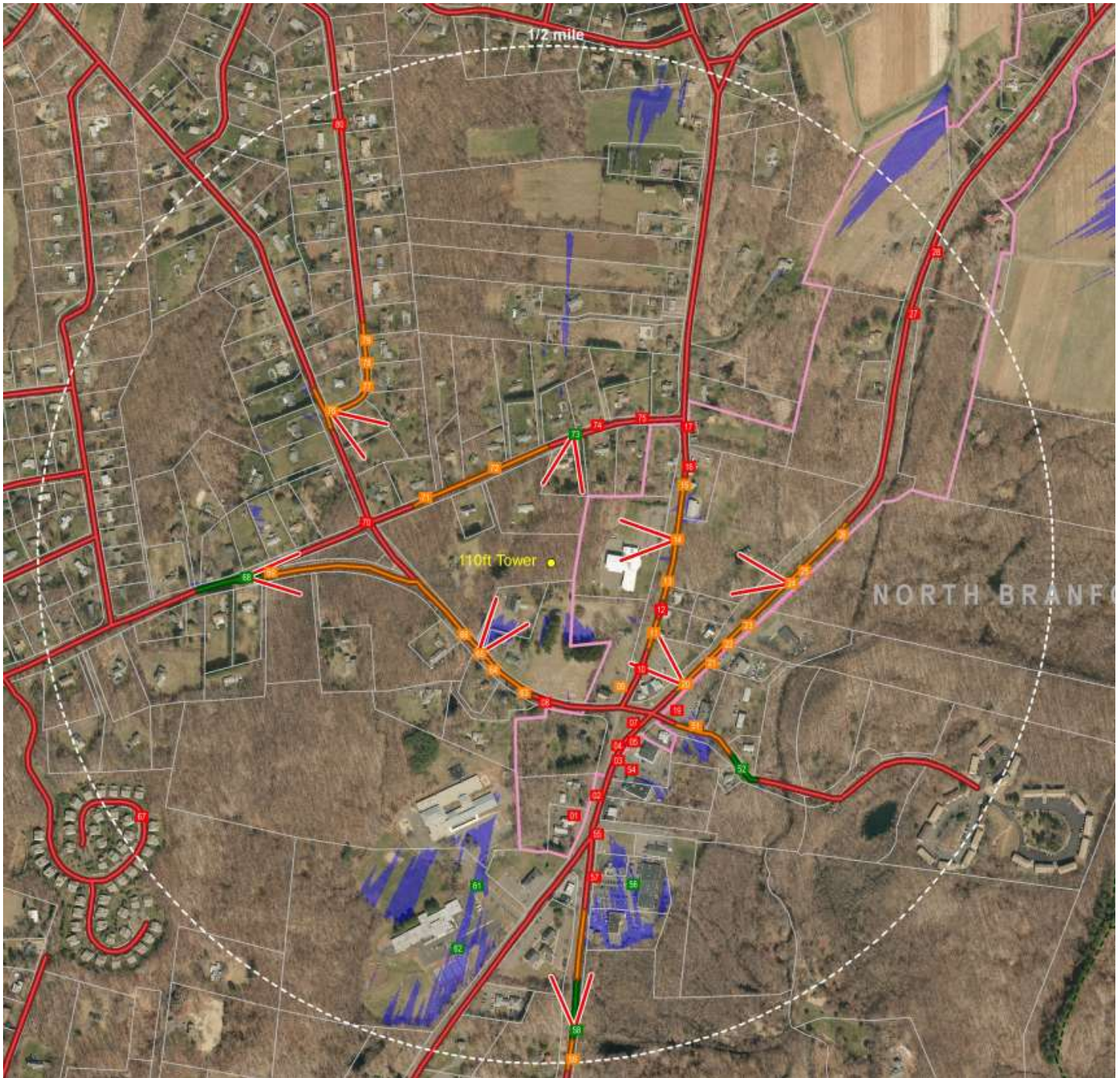
(Applicants 1, Attachment 1)

Figure 8 – Monopine and Monopole profiles



(Applicants 1, Attachment 1)

Figure 9 - Viewshed Map/Analysis of the proposed site



Land Cover Viewshed Area (110ft Tower)
(Includes existing vegetation and structures)

Scenic Resources

Northford Center Historic District
Trail

Photo Locations/Balloon Visibility

Balloon not visible
Balloon seasonally visible through trees
Balloon visible above trees

Photo Simulation

(Applicants 5, response 29- Viewshed map)

DOCKET NO. 507 – Homeland Towers, LLC and 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 wireless telecommunications facility located at 222 Clintonville Road, North Branford, Connecticut. } Connecticut
} Siting
} Council
May 26, 2022

Opinion

On January 27, 2022, Homeland Towers, LLC (HT) and Cellco Partnership d/b/a Verizon Wireless (Cellco), applied to the Connecticut Siting Council (Council) for a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, maintenance, and operation of a 110-foot wireless telecommunications facility at 222 Clintonville Road in North Branford, Connecticut. The purpose of the proposed facility is to provide reliable wireless communications services to the Northford area of the Town of North Branford (Town).

The United States Congress recognized a nationwide need for high quality wireless services through the adoption of the Federal Telecommunications Act of 1996 and directed the Federal Communications Commission (FCC) to establish a market structure for system development and develop technical standards for network operations. The FCC preempts state or local regulation on matters that are exclusively within the jurisdiction and authority of the FCC, including, but not limited to, network operations and radio frequency emissions. Preservation of state or local authority extends only to placement, construction and modifications of telecommunications facilities based on matters not directly regulated by the FCC, such as environmental impacts. The Council’s statutory charge is to balance the need for development of proposed wireless telecommunications facilities with the need to protect the environment.

HT owns and/or operates numerous tower facilities in the state. HT would construct, maintain and own the proposed facility and would be the Certificate Holder. Cellco is licensed by the FCC to provide personal wireless communications service throughout the state and would lease space on the proposed tower for their telecommunications equipment.

Cellco’s network does not have reliable coverage in the Northford area, including but not limited to, the Northford center and portions of State Routes 17, 22 and 150. Cellco provides wireless service to portions of North Branford and the surrounding area from seven existing tower sites within four miles of Northford. None of these existing facilities provides reliable service to the target area.

Cellco would deploy 700 MHz, 850 MHz, 1900 MHz, 2100 MHz and 3500 MHz wireless service at the site, all of which transmit voice and data services. The 850 MHz and 3500 MHz bands are designed to carry 5G services.

The site would provide reliable service to 0.9 miles of Route 17, 1.5 miles of Route 22, and 1.6 miles of State Route 150 as well as to the surrounding residential and commercial areas. Although the proposed site provides needed coverage to the Northford area, it cannot cover all of Cellco’s needs in the larger, surrounding area. For example, a one mile coverage gap would remain on Route 150 in Wallingford but this area is beyond Cellco’s objectives for the proposed site.

In 2014, Cellco identified a need and began a search for a facility site in Northford that included locating antennas within the steeple at St. Andrews Church. At that time, the church was not interested in hosting a telecommunications facility and Cellco subsequently abandoned its search.

In 2018 and 2020, HT searched for suitable tower sites. HT investigated 29 potential sites in the Northford area, several of which were Town properties and lands owned by the South Central Connecticut Regional Water Authority. Both the Town and water authority declined to lease space to HT for tower development. Of the private properties, all except the host property were rejected due to deficient coverage to the area, the presence of land constraints such as wetlands, or lack of property owner interest. In addition, Cellco examined collocation at existing towers in the area, but none were able to provide adequate, reliable service to the target area.

Although many sites were examined and many landowners did not respond to HT's solicitation, the Council has no authority to compel a parcel owner to sell or lease property, or portions thereof, for the purpose of siting a facility.

The proposed site consists of either a 110-foot monopole (painted brown) or 110-foot monopine located in the eastern portion of the 7.8-acre residentially-zoned parcel. The property is developed with a residence that is accessed from a driveway extending east from Clintonville Road. The tower would be located within a 4,061 square-foot equipment compound designed to support the equipment of three additional carriers, as well as municipal emergency services equipment. No other wireless carriers expressed an interest to the Council in co-locating on the tower at this time.

Cellco proposes to install 12 panel antennas and 6 remote radio heads installed on t-arm mounts at a tower centerline height of 96 feet above ground level. The Town would install two municipal whip antennas at the top of the tower for public works and emergency service communications, as part of a town wide communication system upgrade to digital technology. Cellco would install equipment cabinets within the compound on a 10-foot by 10-foot concrete pad covered by a canopy and the Town would install radio equipment within a 10-foot by 10-foot lease area. The proposed equipment compound will be surrounded by an eight-foot chain link fence with a 12-foot wide gate that would be locked for security purposes.

In the event an outage of commercial power occurs at the proposed site, Cellco would rely on a 50-kilowatt propane-fueled generator and an associated 500-gallon propane tank that would provide approximately two days of run time before refueling is necessary. Cellco would share its generator with the Town. There is enough space within the compound to accommodate a larger fuel storage tank, therefore, the Council will order the installation of a 1,000-gallon fuel tank to ensure enough backup power during a prolonged outage. Cellco would also provide a battery backup power source for use in the event the generator does not start.

The compound would be accessed by using a portion of the existing driveway and a new 12-foot wide, 795-foot long gravel driveway that extends through lawn and forested areas to the compound. Utilities to the compound would be installed underground along the access road from existing service along Clintonville Road.

The nearest property boundary from the proposed compound and tower is approximately 51 feet and 96 feet, respectively, to the south at 250 Clintonville Road. Thus, the tower setback radius for the proposed tower would extend beyond the boundary of the subject property. HT would design a yield point at the 80-foot level of the tower to ensure the tower setback radius remains within the boundaries of the host parcel. There are approximately 36 residential structures within 1,000 feet of the proposed tower site. The nearest residence is located approximately 253 feet to the north at 61 Pistapaug Road.

The tower site is located on a small hill and development of the site would require 2,450 cubic yards of cut and 400 cubic yards of fill. HT does not anticipate the need for blasting to construct the facility. The proposed facility would be constructed in compliance with the *2002 Connecticut Guidelines for Soil Erosion and Sedimentation Control*. Erosion control measures include the application of erosion control blankets, swales/check dams, and erosion and sedimentation barriers such as silt sox. HT would consider using two rows of erosion control barrier adjacent to a spring fed, manmade pond on the site, located in the south-central portion of the parcel.

Development of the site would remove 93 trees with a diameter of six inches or greater at breast height. The Applicant would plant 35 to 40 trees along the access road and around the compound.

The proposed access drive would be 17 feet at its closest point to the pond. In this area, HT would install a culvert within the road to prevent the potential for standing water from being retained on the upgradient side of the road. This area is also at the base of the small hill and is adjacent to the north property line. Due to the narrow upland area between the pond and property line, site disturbance to construct the road/culvert would occur up to the property line. HT stated that reduction in the amount of site disturbance in this area may be possible, therefore, the Council will order HT to re-examine the culvert installation and associated road grading to reduce the amount of disturbance in this area.

The spring fed pond was assessed for the potential to support vernal pool obligate species. Although wood frog was found, the presence of predatory species in the pond and the amount of residential development in the surrounding area, the pond was determined to have a low function as a vernal pool. The development of the site would not substantially affect the use of the pond by vernal pool species.

The site is not located within a DEEP Natural Diversity Database buffer area. The northern long-eared bat (NLEB), a federally-listed Threatened Species and State Endangered Species, is known to occur in the vicinity of the proposed site. However, the proposed site is not located within 150 feet of a known NLEB maternity roost tree or within 0.25-mile of a known hibernaculum. The U.S. Fish and Wildlife Service (USFWS) determined that the proposed facility would not have an impact on the NLEB.

The Indiana bat, a federally-listed Threatened Species, has been historically recorded in the North Branford area. To reduce potential effects on the bat, HT would be willing to adhere to a tree clearing restriction between April 1 and October 1, and thus, the Council will order HT to adhere to this restriction.

Although the proposed facility is not located in proximity to a National Audubon Society designated Important Bird Area, the facility would comply with the USFWS guidelines for minimizing the potential for telecommunications towers to impact bird species.

The host parcel abuts the Northford Historic District to the east, generally located along the main roads east and northeast of the site. The historic district includes 106 historic resources, most of which are houses and associated outbuildings, as well as two churches, a schoolhouse, and a library. The State Historic Preservation Office (SHPO) determined that the proposed project would not have an adverse effect on sites listed on or eligible for listing on the National Register of Historic Places, including, but not limited the historic district, and other historic and archeological sites within a mile of the site, as long as the facility is constructed as non-visible as possible. SHPO recommended a monopole, rather than a monopine, be constructed at the site.

The site is not within a flood zone or an aquifer protection area. A portion of the site is mapped prime farmland soil, but the property owner does not conduct agricultural activities on the parcel. Operation of the facility would comply with DEEP Noise Control Standards.

HT prepared a visual impact assessment of the site utilizing computer modeling supplemented with in-field studies within a two-mile radius of the site. These analyses were used by HT to generate photo-simulations of the proposed tower. Based on HT's visual impact assessment within a two-mile radius of the site (Study Area-8,042 acres), the proposed tower would be visible year-round from approximately 43 acres (<1%) of the Study Area, mostly from agricultural or commercial areas.

For areas within a half-mile of the site, 13 acres would have year-round views of the tower, including but not limited to, from four residences on Clintonville Road, and two residences on Pistapaug Road, where the upper portions of the tower would be visible. Approximately 25-30 residences within a half-mile of the site may be able to view a portion of the tower through deciduous vegetation during winter leaf-off season. Landscaping would be installed around the compound to screen views of the compound from abutting properties.

Most of the resource areas within the Northford Center Historic District would not have year-round views of the tower except for the abutting property to the southeast at 4 Old Post Road, and small segments of Old Post Road approximately 600 feet east of the site. Other areas and roadways within the district may have seasonal views of the tower.

There are no Connecticut blue-blazed or other hiking trails located within two miles of the proposed site. In addition, there are no state or locally designated scenic roads located within two miles of the proposed site.

No public schools or commercial child day care facilities are located within 250 feet of the proposed site.

According to a methodology prescribed by the FCC Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997), the cumulative worst-case maximum power density from the radio frequency emissions from the operation of Cellco's and the Town's proposed antennas to be installed on the tower have been calculated to amount to 13.7 % of the FCC's General Public/Uncontrolled Maximum Permissible Exposure, as measured at the base of the tower. This is conservatively based on all antennas of a given sector pointing down to the ground and emitting maximum power. This percentage is below federal standards established for the frequencies used by wireless companies. If federal standards change, the Council will require that the tower be brought into compliance with such standards. The Council will require that the power densities be recalculated in the event other carriers add antennas to the tower. The Telecommunications Act of 1996 prohibits any state or local agency from regulating telecommunications towers on the basis of the environmental effects of radio frequency emissions to the extent that such towers and equipment comply with FCC's regulations concerning such emissions. Regarding potential harm to wildlife from radio emission; this, like the matter of potential hazard to human health, is a matter of federal jurisdiction. The Council's role is to ensure that the tower meets federal permissible exposure limits.

After considering the record in this matter, the Council finds a need for a new tower to provide necessary wireless services for Cellco to an underserved area. The Applicants are proposing either a brown painted monopole or a monopine at the site. Although there are areas with pine trees in proximity to the site, the Council finds that in this case, a brown painted monopole would be just as effective as a monopine when viewed through the trees.

Based on the record in this proceeding, the Council finds that the effects associated with the construction, operation, and maintenance of the telecommunications facility at the proposed site in the proposed location, including effects on the natural environment, ecological balance, public health and safety, scenic, historic, and recreational values, agriculture, forests and parks, air and water purity, and fish, aquaculture and

wildlife are not disproportionate either alone or cumulatively with other effects when compared to need, are not in conflict with policies of the state concerning such effects, and are not sufficient reason to deny this application. Therefore, the Council will issue a Certificate for the construction, maintenance, and operation of a 110-foot brown painted monopole telecommunications facility at the proposed site located at 222 Clintonville Road, North Branford, Connecticut.

<p>DOCKET NO. 507 – Homeland Towers, LLC and 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 wireless telecommunications facility located at 222 Clintonville Road, North Branford, Connecticut.</p>	<p>} Connecticut } Siting } Council</p>
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May 26, 2022

Decision and Order

Pursuant to Connecticut General Statutes §16-50p, and the foregoing Findings of Fact and Opinion, the Connecticut Siting Council (Council) finds that the effects associated with the construction, maintenance, and operation of a telecommunications facility, including effects on the natural environment, ecological balance, public health and safety, scenic, historic, and recreational values, agriculture, forests and parks, air and water purity, and fish, aquaculture and wildlife are not disproportionate, either alone or cumulatively with other effects, when compared to need, are not in conflict with the policies of the State concerning such effects, and are not sufficient reason to deny the application, and therefore directs that a Certificate of Environmental Compatibility and Public Need, as provided by General Statutes §16-50k, be issued to Homeland Towers, LLC, hereinafter referred to as the Certificate Holder, for a telecommunications facility located at 222 Clintonville Road, North Branford, Connecticut.

Unless otherwise approved by the Council, the facility shall be constructed, operated, and maintained substantially as specified in the Council’s record in this matter, and subject to the following conditions:

1. The tower shall be constructed as a monopole, painted brown, at a height of 110 feet above ground level to provide the proposed wireless services, sufficient to accommodate the antennas of Cellco Partnership d/b/a Verizon Wireless, the Town of North Branford and other entities, both public and private. The height of the tower may be extended after the date of this Decision and Order pursuant to regulations of the Federal Communications Commission.

2. The Certificate Holder shall prepare a Development and Management (D&M) Plan for this site in compliance with Sections 16-50j-75 through 16-50j-77 of the Regulations of Connecticut State Agencies. The D&M Plan shall be submitted to and approved by the Council prior to the commencement of facility construction and shall include:
 - 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;
 - 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 equipment compound including, but not limited to, fence design, ground equipment, access road, utility installation and emergency backup power;
 - c) construction plans for site clearing, grading, water drainage and stormwater control, wetland/watercourse crossings, two rows of erosion and sedimentation controls in areas adjacent to the pond, and erosion and sedimentation controls consistent with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended;
 - d) construction timeline to include the restriction of tree clearing from April 1 to October 1;
 - e) the tower, antenna mounting equipment and antennas shall be painted brown;
 - f) the tower shall be designed with a yield point to ensure that the tower setback radius remains within the boundaries of the subject property;

- g) installation of a 1,000-gallon propane tank for the 50-kilowatt propane fueled emergency backup generator;
 - h) examination of the pipe crossing area to potentially reduce the amount of disturbance near the wetland and abutting property line;
 - i) a landscape plan to include additional tree plantings beyond those specified in the record, and the removal of diseased trees, if any, within the boundaries of the facility site;
 - j) construction schedule including hours and days of the week for construction activities; and
 - k) a Fuel Spill Response Plan.
3. 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. The Certificate Holder shall ensure a recalculated report of the electromagnetic radio frequency power density be submitted to the Council if and when circumstances in operation cause a change in power density above the levels calculated and provided pursuant to this Decision and Order.
4. Upon the establishment of any new federal radio frequency standards applicable to frequencies of this facility, the facility granted herein shall be brought into compliance with such standards.
5. The Certificate Holder shall provide the Council with a copy of necessary permits from any other state or federal agency with concurrent jurisdiction prior to the commencement of construction.
6. The Certificate Holder shall permit public or private entities to share space on the proposed tower for fair consideration, or shall provide any requesting entity with specific legal, technical, environmental, or economic reasons precluding such tower sharing.
7. Unless otherwise approved by the Council, if the facility authorized herein is not fully constructed with at least one fully operational wireless telecommunications carrier providing wireless service within eighteen months from the date of the mailing of the Council's Findings of Fact, Opinion, and Decision and Order (collectively called "Final Decision"), this Decision and Order shall be void, and the Certificate Holder shall dismantle the tower and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made. The time between the filing and resolution of any appeals of the Council's Final Decision shall not be counted in calculating this deadline. Authority to monitor and modify this schedule, as necessary, is delegated to the Executive Director. The Certificate Holder shall provide written notice to the Executive Director of any schedule changes as soon as is practicable.
8. Any request for extension of the time period referred to in Condition 7 shall be filed with the Council not later than 60 days prior to the expiration date of this Certificate and shall be served on all parties and intervenors, as listed in the service list, and the Town of North Branford.
9. If the facility ceases to provide wireless services for a period of one year, this Decision and Order shall be void, and the Certificate Holder shall dismantle the tower and remove all associated equipment or reapply for any continued or new use to the Council within 90 days from the one year period of cessation of service. The Certificate Holder may submit a written request to the Council for an extension of the 90 day period not later than 60 days prior to the expiration of the 90 day period.
10. Any nonfunctioning antenna, and associated antenna mounting equipment, on this facility shall be removed within 60 days of the date the antenna ceased to function.

11. In accordance with Section 16-50j-77 of the Regulations of Connecticut State Agencies, the Certificate Holder shall provide the Council with written notice two weeks prior to the commencement of site construction activities. In addition, the Certificate Holder shall provide the Council with written notice of the completion of site construction, and the commencement of site operation.
12. The Certificate Holder shall remit timely payments associated with annual assessments and invoices submitted by the Council for expenses attributable to the facility under Conn. Gen. Stat. §16-50v.
13. This Certificate may be transferred in accordance with Conn. Gen. Stat. §16-50k(b), provided both the Certificate Holder/transferor and the transferee are current with payments to the Council for their respective annual assessments and invoices under Conn. Gen. Stat. §16-50v. In addition, both the Certificate Holder/transferor and the transferee shall provide the Council a written agreement as to the entity responsible for any quarterly assessment charges under Conn. Gen. Stat. §16-50v(b)(2) that may be associated with this facility. If construction has not been completed in accordance with Condition 7 of this Decision and Order at the time the Certificate is requested to be transferred, a certified letter from a wireless telecommunications carrier with a firm commitment to install associated wireless equipment at the facility upon completion of construction shall also be provided.
14. The Certificate Holder shall maintain the facility and associated equipment, including but not limited to, the tower, tower foundation, antennas, equipment compound, radio equipment, access road, utility line and landscaping in a reasonable physical and operational condition that is consistent with this Decision and Order and a Development and Management Plan to be approved by the Council.
15. If the Certificate Holder is a wholly-owned subsidiary of a corporation or other entity and is sold/transferred to another corporation or other entity, the Council shall be notified of such sale and/or transfer and of any change in contact information for the individual or representative responsible for management and operations of the Certificate Holder within 30 days of the sale and/or transfer.
16. This Certificate may be surrendered by the Certificate Holder upon written notification and acknowledgment by the Council.

We hereby direct that a copy of the Findings of Fact, Opinion, and Decision and Order be served on each person listed in the Service List, dated January 31, 2022, and notice of issuance published in the New Haven Register.

By this Decision and Order, the Council disposes of the legal rights, duties, and privileges of each party named or admitted to the proceeding in accordance with Section 16-50j-17 of the Regulations of Connecticut State Agencies.

CERTIFICATION

The undersigned members of the Connecticut Siting Council (Council) hereby certify that they have heard this case, or read the record thereof, in **DOCKET NO. 507** – Homeland Towers, LLC and 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 wireless telecommunications facility located at 222 Clintonville Road, North Branford, Connecticut, and voted as follows to approve the proposed site:

<u>Council Members</u>	<u>Vote Cast</u>
<u>/s/ John Morissette</u> John Morissette, Presiding Officer	Yes
<u>/s/ Quat Nguyen</u> Chairman Marissa Paslick Gillett Designee: Quat Nguyen	Yes
<u>/s/ Kenneth Collette</u> Commissioner Katie Dykes Designee: Kenneth Collette	Yes
<u>/s/ Louanne Cooley</u> Louanne Cooley	Absent
<u>/s/ Robert Silvestri</u> Robert Silvestri	Yes
<u>/s/ Daniel P. Lynch, Jr.</u> Daniel P. Lynch, Jr.	Yes
<u>/s/ Mark Quinlan</u> Mark Quinlan	Yes

Dated at New Britain, Connecticut, May 26, 2022.



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

Web Site: portal.ct.gov/csc

VIA ELECTRONIC MAIL

May 27, 2022

TO: Classified/Legal Supervisor
507220214
The New Haven Register
100 Gando Drive
New Haven, CT 06513
nhlegals@hearstmediact.com

FROM: Lisa A. Fontaine, Fiscal Administrative Officer

RE: **DOCKET NO. 507** – Homeland Towers, LLC and 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 wireless telecommunications facility located at 222 Clintonville Road, North Branford, Connecticut.

Please publish the attached legal notice for one day on the first day possible from receipt of this notice.

Please send an affidavit of publication and invoice to my attention.

Thank you.

LF



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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NOTICE

Pursuant to General Statutes § 16-50p (a), the Connecticut Siting Council (Council) announces that, on May 26, 2022, the Council issued Findings of Fact, an Opinion, and a Decision and Order approving an application from 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 located at 222 Clintonville Road, North Branford, Connecticut. This application record is available for public inspection in the Council's office, Ten Franklin Square, New Britain, Connecticut.