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August 9, 2022

BY OVERNIGHT MAIL

Melanie A. Bachman, Esq.
Executive Director/Staff Attorney
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

Re: Homeland Towers, LLC & New Cingular Wireless PCS, LLC d/b/a AT&T
Proposed Wireless Telecommunications Tower Facility
60 Vale Road, Brookfield, CT

Dear Executive Director Bachman:

On behalf of Homeland Towers, LLC (“Homeland”) and New Cingular Wireless PCS, LLC d/b/a AT&T (“AT&T”), we respectfully enclose an original and twenty copies of an Application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility to serve the Town of Brookfield (the “Application”). The enclosed Application provides details of the proposed facility located at 60 Vale Road in the Town of Brookfield. Copies of the Application Certification of Service accompany the Application.

Also included in this submission please find four copies of a Bulk Filing including the Town’s Plan of Conservation and Development; Zoning Regulations; Zoning Map; Inland Wetlands and Watercourses Regulations; and Homeland’s and AT&T’s Technical Report. A check payable to the “Connecticut Siting Council” in the amount of \$1,250, representing the filing fee, and an electronic copy of the Application and its attachments on a thumb drive are also enclosed. Copies of the lease as well as affidavits evidencing publication of the notice of intent to file will follow under separate cover.

We respectfully request that this matter be assigned a docket number and placed on the next available Council agenda for scheduling of a public hearing. Should you or Staff have any questions regarding this matter, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in cursive script that reads "Lucia Chiochio".

Lucia Chiochio
Enclosures

cc: Homeland Towers, LLC; AT&T; Service List



**HOMELAND TOWERS, LLC (HOMELAND)
NEW CINGULAR WIRELESS PCS, LLC (AT&T)**

**Application to the
State of Connecticut Siting Council**

**For a Certificate of
Environmental Compatibility and Public Need**

–BROOKFIELD SOUTH FACILITY–

Docket No. _____

**HOMELAND TOWERS, LLC (HOMELAND)
9 HARMONY STREET, 2ND FLOOR
DANBURY, CONNECTICUT 06810**

**NEW CINGULAR WIRELESS PCS, LLC (AT&T)
84 DEERFIELD LANE
MERIDEN, CONNECTICUT 06450**

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1. AT&T's Statement of Radio Frequency (RF) Need with Coverage Plots
2. Summary of Site Search and List of Existing Tower/Cell Sites
3. General Facility Description, Site Evaluation Report, Site Impact Statement, Tree Inventory
4. Aerial Map, Topographical Map, Drawings, FAA 1-A Survey Certification, Air Space Analysis
5. Environmental Assessment Statement
6. Wetland Inspection and Avian Resources Evaluation
7. Power Density Analysis
8. Visibility Analysis
9. State Historic Preservation Office (SHPO) No Effect Determination and USFWS & NDDDB Compliance Report
10. Materials related to municipal consultation
11. Text of legal notice published in the Danbury News-Times; Notice to Abutting Landowners; List of Abutting Landowners; Certification of Service of Notice
12. Certification of Service of Application on Federal, State and Municipal Agencies
13. Connecticut Siting Council Application Guide

I. Introduction

A. Purpose and Authority

Pursuant to Chapter 277a, § 16-50g et seq. of the Connecticut General Statutes (C.G.S.), as amended, and § 16-50j-1 et seq. of the Regulations of Connecticut State Agencies (R.C.S.A.), as amended, Homeland Towers, LLC (“Homeland”) and New Cingular Wireless PCS, LLC (“AT&T”) (together the “Applicants”), hereby submit an application and supporting documentation (collectively, the “Application”) for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications tower facility (the “Facility”). The Facility is proposed on a 3.99 acre parcel of land owned by 70 Vale Road LLC with an address of 60 Vale Road in the Town of Brookfield (the “Parcel”). The Parcel is improved with a single-story office building, detached garage and surface parking. The Facility is proposed within an approximately 3,600 square-foot (“s.f.”) lease area in the northern section of the Parcel. Construction of the Facility will permit AT&T and other FCC licensed wireless carriers to provide reliable wireless services to residents, businesses, schools, municipal facilities, and visitors to southern Brookfield. AT&T plans to deploy FirstNet services and the Town of Brookfield will also utilize the proposed Facility for emergency communications.

B. Executive Summary

The southern portion of Brookfield and small areas in the eastern portion of Danbury and northern Bethel suffer from a lack of reliable wireless services. The Facility will provide reliable wireless communications services to these areas and address the significant coverage deficiency in the existing AT&T wireless communications network along the nearby roadways and the neighboring commercial/business and residential areas in Brookfield as well as portions of eastern Danbury and northern Bethel. The Facility is needed by AT&T in conjunction with other existing facilities to provide reliable wireless services to the public that is not currently provided in this part of Brookfield. The area is characterized by significant changes in ground elevation resulting in challenging terrain for signal propagation. The challenging terrain and distance between existing wireless sites and the targeted coverage area result in limited options for AT&T to provide reliable wireless services.

The proposed Facility will also be utilized for emergency communications by the Town.

AT&T and Homeland independently investigated different parcels of land in and around Brookfield, including locations in the adjacent municipalities of Bethel and Danbury. AT&T's site search efforts date back several years, and Homeland's search was conducted over the last three and one-half years. These searches determined that there are no tall structures located at the higher elevations in this area of the Town of Brookfield, and other sites investigated were either unavailable or inappropriate for the siting of a tower facility or technically inadequate to satisfy coverage requirements in this part of the state.

The Facility consists of a new self-supporting monopole that is 165' in height with two (2) whip antennas for the Town installed at the top of the monopole. The monopole will be located within a 3,150 s.f. fenced equipment compound located within the 3,600 s.f. lease area in the northern portion of the parcel. AT&T's antennas would be installed at an antenna centerline height of 161' on the monopole tower with a walk-in equipment cabinet and emergency back-up generator located within the equipment compound. The monopole tower and fenced equipment compound are designed to support the antennas and equipment of other FCC licensed wireless carriers as well as the Town's emergency communications equipment. Access and utilities to the Facility will be extended from Vale Road. The facility will be unmanned with no sanitary or water services and will generate on average 1 vehicle trip per month by each wireless carrier consisting of a service technician in a light duty van or truck.

The Applicants respectfully submit that the public need for a tower to provide reliable wireless services to southern Brookfield far outweighs any potential adverse environmental effects from the Facility as proposed in this Application. Indeed, the proposed Facility will provide the important benefit of reliable wireless services to the nearby roadways and the neighboring residential and business/retail areas as well as reliable emergency communication services and will not have any substantial adverse effect on the aesthetics or scenic quality of the neighborhood.

C. The Applicants

Homeland Towers, LLC ("Homeland"), is a New York limited liability company with offices at 9 Harmony Street, Danbury, Connecticut. Homeland currently leases, permits, constructs and has owned numerous tower facilities in Connecticut. Homeland entered

into a long term lease with 70 Vale Road LLC. Homeland will construct, maintain and own the proposed Facility and would be the Certificate holder.

New Cingular Wireless PCS, LLC (“AT&T”), is a Delaware limited liability company with an office at 84 Deerfield Lane, Meriden, Connecticut 06450. The company’s member corporation is licensed by the Federal Communications Commission (“FCC”) to construct and operate a personal wireless services system, which has been interpreted as a “cellular system”, within the meaning of C.G.S. Section 16-50i(a)(6).

Neither company conducts any other business in the State of Connecticut other than the development of tower sites and provision of personal wireless services under FCC rules and regulations. Correspondence and/or communications regarding this Application shall be addressed to the attorneys for the Applicants:

Cuddy & Feder, LLP
 445 Hamilton Avenue, 14th Floor
 White Plains, New York 10601
 Attention: Lucia Chiochio, Esq.
 Daniel Patrick, Esq.

A copy of all correspondence shall also be sent to:

Homeland Towers, LLC
 9 Harmony Street
 Danbury, CT 06810
 Attention: Raymond Vergati
 Manuel Vicente

AT&T
 84 Deerfield Lane
 Meriden, CT 06067
 Attention: Brian Leyden
 Harry Carey

D. Application Fee

Pursuant to R.C.S.A. § 16-50v-1a (b), a check made payable to the Siting Council in the amount of \$1,250 accompanies this Application. Included in this Application and its accompanying attachments are reports, plans and visual materials detailing the design and location for the proposed Facility and the environmental effects associated therewith. A copy of the Siting Council’s Community Antennas Television and Telecommunication

Facilities Application Guide with page references from this Application is also included in Attachment 13.

E. Compliance with C.G.S. §16-50/ (c)

Neither of the Applicants is engaged in generating electric power in the State of Connecticut. Therefore, the Facility is not subject to C.G.S. § 16-50r. Furthermore, the proposed Facility has not been identified in any annual forecast reports. Accordingly, the proposed Facility is not subject to § 16-50/ (c).

II. Service and Notice Required by C.G.S. § 16-50/ (b)

Pursuant to C.G.S. § 16-50/ (b), copies of this Application have been sent by certified mail, return receipt requested, to municipal, regional, state, and federal officials. A certificate of service, along with a list of the parties served with a copy of the Application is included in Attachment 12. Pursuant to C.G.S. § 16-50/ (b), notice of the Applicants' intent to submit this application was published on two occasions in The Danbury News-Times, the publication used for notices in the Town of Brookfield. The text of the published legal notice is included in Attachment 11. The original affidavits of publication will be provided to the Siting Council once received from the publisher. Furthermore, in compliance with C.G.S. § 16-50/ (b), notices were sent to each person or entity appearing of record as the owner of a property which abuts the premises on which the Facility is proposed. Certification of such notice, a sample notice letter, and the list of property owners to whom the notice was mailed are also included in Attachment 11.

III. Statements of Need and Benefits

A. Statement of Need

1. United States Policy & Law - Wireless Facilities

United States policy and laws continue to support the growth of wireless networks. In 1996, the United States Congress recognized the important public need for high quality wireless communications service throughout the United States in part through adoption of the Telecommunications Act (the "Act"). A core purpose of the Act was to "provide for a competitive, deregulatory national policy framework designed to accelerate rapidly private sector deployment of advanced telecommunications and information technologies

to all Americans.” H.R. Rep. No. 104-458, at 206 (1996) (Conf. Rep.). With respect to wireless communications services, the Act expressly preserved state and/or local land use authority over wireless facilities, placed several requirements and legal limitations on the exercise of such authority, and preempted state or local regulatory oversight in the area of emissions as more fully set forth in 47 U.S.C. § 332(c)(7). In essence, Congress struck a balance between legitimate areas of state and/or local regulatory control over wireless infrastructure and the public’s interest in its timely deployment to meet the public need for wireless services.

In December 2009, then President Obama issued Proclamation 8460 which included wireless facilities within his definition of the nation’s critical infrastructure and declared in part:

Critical infrastructure protection is an essential element of a resilient and secure nation. Critical infrastructure are the assets, systems, and networks, whether physical or virtual, so vital to the United States that their incapacitation or destruction would have a debilitating effect on security, national economic security, public health or safety. From water systems to computer networks, power grids to cellular phone towers, risks to critical infrastructure can result from a complex combination of threats and hazards, including terrorist attacks, accidents, and natural disasters.¹

Congress and the Federal Communications Commission further developed a national plan entitled “Connecting America: The National Broadband Plan” (the “Plan”).² Although broad in scope, the Plan’s goal is undeniably clear:

[A]dvance consumer welfare, civic participation, public safety and homeland security, community development, health care delivery, energy independence and efficiency, education, employee training, private sector investment, entrepreneurial activity, job creation and economic growth, and other national purposes.³ [internal quotes omitted]

¹ Presidential Proclamation No. 8460, 74 C.F.R. 234 (2009).

² *Connecting America: The National Broadband Plan*, Federal Communications Commission (2010), available at <https://www.fcc.gov/general/national-broadband-plan>.

³ *Id.* at XI.

A specific goal of the Plan is that “[t]he United States should lead the world in mobile innovation, with the fastest and most extensive wireless networks of any nation.”⁴

Shortly after adoption of the Plan, and in April 2011, the FCC issued a Notice of Inquiry concerning the best practices available to achieve wide-reaching broadband capabilities across the nation including better wireless access for the public.⁵ The FCC also adopted various orders in furtherance of the public need for the deployment of wireless infrastructure including specific time limits for decisions on land use and zoning permit applications.⁶ Congress also acted again when it passed the Middle Class Tax Relief and Job Creation Act of 2012, which includes Section 6409 in the Spectrum Act which preempts a discretionary review process for eligible modifications of existing wireless towers or base stations.

In 2018, the FCC adopted two separate orders incorporating several declaratory rulings and a set of new regulations to specifically address various areas of state and municipal oversight of wireless facility siting including towers and small cells.⁷ The first order prohibits any actual or de facto moratoria on the siting of wireless facilities. The second, intended to streamline the siting of current 4G LTE and future 5G wireless infrastructure, addressed numerous provisions of the Telecommunications Act and focused on any state or local siting requirements that might materially inhibit the deployment of wireless facilities including small cells. The Trump Administration has further developed a national strategy for the United States to win the 5G global race and continue American leadership in wireless technology.⁸

Throughout the pandemic, the critical importance of reliable wireless services was underscored as various government entities issued stay-at-home orders and Americans

⁴ Id. at 25.

⁵ FCC 11-51: Notice of Inquiry, In the Matter of Acceleration of Broadband Deployment: Expanding the Reach and Reducing the Cost of Broadband Deployment by Improving Policies Regarding Public Rights of Way and Wireless Facilities Siting, available at <https://docs.fcc.gov/public/attachments/FCC-11-51A1.pdf>.

⁶ WT Docket No. 08-165 - Declaratory Ruling on Petition for Declaratory Ruling to Clarify Provisions of Section 332(c)(7)(B) to Ensure Timely Siting Review and to Preempt Under Section 253 State and Local Ordinances that Classify All Wireless Siting Proposals as Requiring a Variance.

⁷ WT Docket No. 17-79 - Declaratory Ruling and Third Report and Order, Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment.

⁸ See <https://www.whitehouse.gov/presidential-actions/presidential-memorandum-developing-sustainable-spectrum-strategy-americas-future> and <https://www.whitehouse.gov/articles/america-will-win-global-race-5g>

utilized wireless services for work, school, telehealth, deliveries, etc. Indeed, telecommunications was deemed an essential service during the pandemic state of emergency. The federal government also identifies the continued operation and growth of telecommunications capabilities as vital during this unprecedented time. On March 16, 2020, the Director of the United States Department of Homeland Security, Cybersecurity and Infrastructure Security Agency, National Communications Coordination Branch issued a directive ordering cooperation and access to allow telecommunications providers to maintain their infrastructure to ensure the continuation of critical communication capabilities during the COVID-19 pandemic.⁹

More recently, in an effort to close the digital divide and maintain America's leadership in wireless technology, the Biden Administration allocated \$65 billion for broadband expansion in the Infrastructure Bill to build high-speed internet networks, to assist low-income families pay for service and to establish digital equity programs.¹⁰

2. United States Wireless Usage Statistics

Over the past thirty plus years, wireless communications have revolutionized the way Americans live, work and play. The ability to connect with one another in a mobile environment has proven essential to the public's health, safety and welfare. As of June 2020, there were an estimated over 442 million wireless devices in the United States amounting to approximately 1.3 devices per person.¹¹

In 2020, the United States also saw a record-setting amount of data-traffic with over 42.2 trillion MBs of data carried over U.S. wireless networks in 2020.¹² The ever-increasing number of households transitioning to mobile voice connection only (i.e. abandoning land lines) has now grown to approximately 62.5% of households

⁹ <https://www.cisa.gov/news/2020/03/19/cisa-releases-guidance-essential-critical-infrastructure-workers-during-covid-19>

¹⁰ H.R.3684 - Infrastructure Investment and Jobs Act 117th Congress (2021-2022)
<https://www.congress.gov/bill/117th-congress/house-bill/3684/text>

¹¹ CTIA Annual "The State of Wireless 2020" available at <https://api.ctia.org/wp-content/uploads/2020/08/2020-Annual-Survey-final.pdf>.

¹² CTIA Annual "The State of Wireless 2021 Highlights" available at <https://api.ctia.org/wp-content/uploads/2021/07/2021-Annual-Survey-Highlights.pdf>.

nationwide.¹³ As of 2019, Connecticut in contrast lags behind in this statistic with approximately 43.1% wireless only households.¹⁴

Wireless access to the internet has also grown exponentially since the advent of the truly “smartphone” device. CTIA reports that data use in 2020 was 108 times more than 2010.¹⁵ A total of 190.4 million data-only devices, such as medical sensor, smartwatches, and hotspots were connected in 2020.¹⁶ Americans exchanged over 119 billion more messages in 2020 than in 2019.¹⁷

Wireless access has also provided individuals a newfound form of safety. Up to 80% of *all* 9-1-1 calls made each year come from a wireless device.¹⁸ Beginning May 15, 2015, wireless carriers in the U.S. voluntarily supported Text-to-911, a program that allows users to send text messages to emergency services as an alternative to placing a phone call.¹⁹

¹³ See *Wireless Substitution: Early Release of Estimates From the National Health Interview Survey, January-June 2020*, National Center for Health Statistics, Stephen J. Blumberg Ph.D and Julian V. Luke, found at <https://stacks.cdc.gov/view/cdc/100855>.

¹⁴ See *Modeled Estimates of the percent distribution of household telephone status for adults aged 18 and over, by state: United States, 2018* available at https://www.cdc.gov/nchs/data/nhis/earlyrelease/Wireless_state_202108-508.pdf

¹⁵ CTIA Annual “The State of Wireless 2021 Highlights” available at <https://api.ctia.org/wp-content/uploads/2021/07/2021-Annual-Survey-Highlights.pdf>.

¹⁶ [Id.](#)

¹⁷ [Id.](#)

¹⁸ 911 Wireless Services Guide last reviewed November 2, 2015

¹⁹ See *Text-to-911: What you need to know* available at <https://www.fcc.gov/consumers/guides/what-you-need-know-about-text-911>. It should be noted that while the carriers have committed to supporting 911 texting in their service areas, text-to-911 is not available everywhere. Emergency call centers, called PSAPs (Public Safety Answering Points), are the bodies in charge of implementing text messaging in their areas. These PSAPs are under the jurisdiction of their local state and counties, not the FCC, which governs the carriers. See also *Gov. Malloy Announced Launch of Statewide Text-to-911 Capability* available at <https://portal.ct.gov/Malloy-Archive/Press-Room/Press-Releases/2018/08-2018/Gov-Malloy-Announces-Launch-of-Statewide-Text-to-911-Capability>, indicating that the State of Connecticut has recently transitioned to the Text-to-911.

During the pandemic, when so many relied on wireless service during an unprecedented time, mobile voice use increased by 24.3% and data traffic increased by 19.6%.²⁰

3. Public Need For A Tower For Wireless Services

The Facility proposed in this Application will be an integral component of AT&T's network in its FCC licensed areas throughout the state. There is a significant deficiency in all carriers' wireless communications service in the southern part of Brookfield. The proposed Facility will provide reliable services in AT&T's network to an area of the Town currently experiencing deficient coverage, including U.S. Route 7 and Gray's Bridge Road as well as other roads in the area and the surrounding neighborhood. The proposed Facility will also provide service to portions of eastern Danbury and northern Bethel. Attachment 1 is a Radio Frequency Engineering Report with coverage plots depicting the "Current Coverage" provided by AT&T's existing facilities in this area of the state and "Proposed Coverage" as predicted from the proposed Facility together with existing coverage from adjacent sites. Additional statistics regarding the overall area, population and roadway miles of expanded coverage in the community are included in AT&T's report.

B. Statement of Benefits

Southern Brookfield is an area that experiences significant gaps in both emergency communications and reliable wireless services. The coverage area for reliable wireless services encompasses a large area of southern Brookfield and portions of eastern Danbury and northern Bethel. Carriers have seen the public's demand for traditional cellular telephone services in a mobile setting develop into a requirement for anytime-anywhere wireless connectivity with critical reliance placed on the ability to send and receive voice, text, image and video. Provided that network service is available, modern devices allow for interpersonal and internet connectivity, irrespective of whether a user is mobile or stationary, which has led to an increasing percentage of the population to rely on their wireless devices as their primary form of communication for personal, business and emergency needs. This reliance on wireless services became critical during the pandemic for working-from-home, virtual schooling, telehealth appointments and access to goods. Post pandemic, reliable wireless service continues as a critical tool for all aspects of daily life. The Facility would allow AT&T and other carriers to provide

²⁰ CTIA Annual "The State of Wireless 2020" available at <https://api.ctia.org/wp-content/uploads/2020/08/2020-Annual-Survey-final.pdf>.

these benefits to the public that are not offered by any other form of communication system.

Moreover, AT&T will provide “Enhanced 911” services from the Facility, as required by the Wireless Communications and Public Safety Act of 1999, Pub. L. No. 106-81, 113 Stat. 1286 (codified in relevant part at 47 U.S.C. § 222) (“911 Act”). The purpose of this federal legislation is to promote public safety through the deployment of a seamless, nationwide emergency communications infrastructure that includes wireless communications services. In enacting the 911 Act, Congress recognized that networks that provide for the rapid, efficient deployment of emergency services would enable faster delivery of emergency care with reduced fatalities and severity of injuries. With each year since passage of the 911 Act, additional anecdotal evidence supports the public safety value of improved wireless communications in aiding lost, ill, or injured individuals, such as motorists and hikers. Carriers are able to help 911 public safety dispatchers identify wireless callers’ geographical locations within several hundred feet, a significant benefit to the community associated with any new wireless site.

In 2009, Connecticut became the first state in the nation to establish a statewide emergency notification system. The CT Alert ENS system utilizes the state Enhanced 911 services database to allow the Connecticut Department of Homeland Security and Connecticut State Police to provide targeted alerts to the public and local emergency response personnel alike during life-threatening emergencies, including potential terrorist attacks, Amber Alerts and natural disasters. Pursuant to the Warning, Alert and Response Network Act, Pub. L. No. 109-437, 120 Stat. 1936 (2006) (codified at 47 U.S.C. § 332(d)(1) (WARN), the FCC has established the Personal Localized Alerting Network (PLAN). PLAN will require wireless service providers to issue text message alerts from the President of the United States, the U.S. Department of Homeland Security, the Federal Emergency Management Agency, and the National Weather Service using their networks that include facilities such as the one proposed in this Application. Telecommunications facilities like the one proposed in this Application enable the public to receive e-mails and text messages from the CT Alert ENS system on their mobile devices. The ability of the public to receive targeted alerts based on their geographic location at any given time represents the next evolution in public safety, which will adapt to unanticipated conditions to save lives.

Public safety will also be serviced by AT&T's deployment of FirstNet services from this Facility. FirstNet is a federal agency with a mandate to create a nationwide, interoperable public safety broadband network for first responders. FirstNet selected AT&T to build, manage and operate the FirstNet network. By deploying FirstNet at this Facility, AT&T will provide prioritized, preemptive wireless services for first responders in this area of Brookfield.

The important benefits of emergency communication services will also be provided by the Town which intends to install equipment on the proposed Facility.

C. Technological Alternatives

The FCC licenses granted to wireless carriers operating in Connecticut authorize them to provide wireless services in this area of the state through deployment of a network of wireless transmitting sites. Brookfield is a community with significant changes in ground elevation, which provides for a challenging topography for transmitting wireless services in all directions. At this time, there are no known existing tower sites or structures in the southern Brookfield area that would meet the technical requirements and/or are available for lease or acquisition for construction of a tower site that could support a wireless facility.

Repeaters, microcell transmitters, distributed antenna systems and other types of transmitting technologies are not a practicable or feasible means of addressing the existing coverage deficiency in Brookfield. Technologies like small cells are best suited for specifically defined areas where capacity is necessary, such as commercial buildings, shopping malls, and tunnels. Closing the coverage gaps and providing reliable wireless services in southern Brookfield requires a tower site that can provide reliable service over a footprint that spans several square-miles. The Applicants submit that there are no equally effective, feasible technological alternatives to a new tower for providing reliable personal wireless services in the southern Brookfield area.

IV. Site Selection and Tower Sharing

A. Site Selection

AT&T and indeed all other licensed carrier networks, currently do not provide reliable services in most areas of southern Brookfield. To address this need, AT&T and Homeland

have been engaged in site searches in southern Brookfield and the surrounding area over a period of several years. This particular site search area in Brookfield is predominated by significant ranges in ground elevation. No suitable tall structures are located at the higher elevations in this area of the Town of Brookfield. The area consists principally of low story commercial structures with some wooded areas and residential development to the south.

AT&T and Homeland independently investigated a number of different parcels of land within Brookfield as well as the City of Danbury and the Town of Bethel for construction of a new tower facility. AT&T's site search efforts date back several years. Homeland's search was conducted over a three and one-half year period. As provided in Attachment 2, other than the Parcel, twenty (20) other sites were investigated and deemed either unavailable or inappropriate for the siting of a tower facility or technically inadequate to satisfy AT&T's coverage requirements for this area of need.

B. Tower Sharing

The proposed Facility is designed to accommodate the antennas and equipment of AT&T and up to three (3) additional wireless carriers for wireless services networks in the Town of Brookfield as well as Town emergency communications equipment.

V. Facility Design

The proposed Facility includes an approximately 3,600 s.f. rectangular shaped lease area located in the northeast portion of the approximately 3.99 acre Parcel located at 60 Vale Road. The Facility consists of a new self-supporting monopole that is 165' in height. The monopole tower will be located within a 3,150 s.f. fenced equipment compound. AT&T would install twelve (12) antennas with twelve (12) remote radio head units (RRHs) at a centerline height of 161' and a walk-in equipment cabinet and emergency generator at grade within the fenced equipment compound. The tower would be designed for future shared use of the structure by other FCC licensed wireless carriers. Municipal antennas for the Town include two (2) whip antennas approximately 26' in length installed at the top of the tower. The monopole will be designed with a hinge point at approximately 129' AGL so that in the unlikely event of a catastrophic failure, the tower radius will be contained within the Parcel boundaries.

The 3,150 s.f. fenced equipment compound would accommodate AT&T's equipment, the Town's equipment and provide for future shared use of the Facility by other carriers. The tower compound would be enclosed by an 8' high chain link fence. An AT&T walk-in cabinet and 15kW diesel emergency generator would be installed at the tower base on a concrete pad with a containment trench within the tower compound.

Vehicle access to the Facility would be provided from Vale Road over an existing paved driveway/parking area and a gravel accessway a total distance of approximately 640' to the proposed compound. Utility connections would be routed overhead with new utility pole placements in Vale Road and right outside of the equipment compound. Attachments 3 and 4 contain the specifications for the proposed Facility, including an abutters map, existing conditions survey, site plan, compound plan and tower elevation, and other relevant details of the proposed Facility.

Included as Attachments 5, 6, 7, 8 and 9 are various documents obtained or created as part of the Applicants' environmental review including a Visibility Analysis (Attachment 8). Some of the relevant information included in Attachments 5, 6, 7, 8 and 9 reveals that:

- Total area of disturbance is approximately 15,000 s.f. and 4 trees with a dbh between 6" and 10" dbh are proposed for removal. Site improvements entail approximately 70 cubic yards of excavation. Approximately 70 cubic yards of crushed stone are needed for the compound and driveway construction.
- On-site management of stormwater and erosion controls will be implemented during and after construction and as such, the proposed Facility will have little to no impact on water flow or water quality. No direct impacts to any wetlands or watercourses are anticipated.
- Anticipated visibility of the Proposed Facility will be limited to the commercial and industrial areas within approximately 0.5 mile of the Parcel. The municipal antennas proposed for installation at the top of the monopole do not affect the extent of visibility of the Proposed Facility.

VI. Environmental Compatibility

Pursuant to C.G.S. §16-50p (a)(3)(B), the Siting Council is required to find and determine as part of the Application process any probable impact of the Facility on the natural environment, ecological balance, public health and safety, scenic, historic and recreational values, forest and parks, air and water purity, and fish and wildlife. As demonstrated in this Application, the Facility will be constructed in compliance with applicable regulations and guidelines, and best practices will be followed to ensure that the construction of the proposed Facility will not have a significant adverse environmental impact. In addition, the regular operation and monthly maintenance of the Facility will not have a significant environmental impact.

A. Visual Assessment

Included in Attachment 8 is a Visibility Analysis which contains a viewshed map and photo simulations of off-site views. As detailed in the enclosed Visibility Analysis, areas from where the Facility would be visible comprise 35+/- acres of the 8,042 acre study area and is generally limited to within 0.25 mile of the Parcel. Seasonal visibility (when leaves are off the trees) is estimated to include an additional 96 +/- acres. Together, this represents approximately 1.63%, or less than 2% of the 2-mile radius study area. Visibility will mainly occur within the surrounding commercial and industrially developed area with the except of seasonal views along some sections of Park Lane and Parkwood Drive (approximately 0.3 mile to the south). The Town's whip antennas located at the top of the monopole do not affect the existing of visibility associated with the Proposed Facility. Due to their narrow profile, they are not prominent features to a near-view observer and become indistinguishable beyond distances of approximately 0.25 mile away.

No schools or commercial child-care centers are located within 250' of the Parcel. Country Kids Child Care is located approximately 0.38 mile north-northwest of the Parcel. As shown in Photo 30 in the enclosed Visibility Analysis, the Proposed Facility will be visible from this daycare center.

Weather permitting, the Applicants will raise a balloon with a diameter of at least three (3) feet at the Parcel on the day of the Siting Council's first hearing session on this Application, or at a time otherwise specified by the Siting Council.²¹

B. CT DEEP, SHPO and Other State and Federal Agency Comments

Various consultations and analyses for potential environmental impacts are summarized and included in Attachment 9. Representatives of the Applicants submitted requests for review from federal and state entities including the Connecticut Department of Economic and Community Development State Historic Preservation Office (SHPO). Homeland Towers conducted an evaluation of the proposed Facility's potential effects on historic resources and concluded that the proposed Facility will have no effect on historic properties listed or eligible for listing on the National Register of Historic Places. SHPO's concurrence with Homeland Towers' evaluation that the Proposed Facility will have no impact on historic resources is included in Attachment 9.

The proposed Facility and Parcel are not located within a DEEP Natural Diversity Data Base ("NDDDB") buffer zone as shown in the map included in Attachment 9. Thus, in accordance DEEP review policy, consultation is not required. An evaluation of federally-listed threatened, endangered or special concern species was also conducted. One federally listed threatened species, the northern long-eared bat ("NLEB") is known to occur in the vicinity of the Parcel. An adverse effect on the NLEB is not expected as the proposed Facility is located within a Parcel associated with industrial development and limited tree clearing is anticipated. In addition, the NDDDB map reveals that the Proposed Facility is not located within 150 feet of a known occupied NLEB maternity roost tree and is not located within 0.25 miles of known NLEB hibernaculum.

A copy of Homeland Tower's USFWS & NDDDB Compliance Report included in Attachment 9.

As required by statute, this Application is being served on state and local agencies, which may choose to comment on the Application prior to the close of the Siting Council's public hearing.

²¹ The Applicants will comply with Siting Council directives regarding the state-wide efforts to prevent the spread of the COVID-19 coronavirus with respect to conducting the balloon float.

C. Power Density

In August of 1996, the FCC adopted a standard for Maximum Permissible Exposure (MPE) for RF emissions from telecommunications facilities like the one proposed in this Application. The tower site will fully comply with federal and state MPE standards. The cumulative worst-case calculation of power density from AT&T's operations would be 14.57% of the MPE standard. A maximum power density report is included in Attachment 7.

D. Wetlands, Drainage & Other Environmental Factors

A wetland delineation was conducted at the Parcel and there were no wetlands identified in or immediately adjacent to the proposed access drive or the lease area. Wetlands are located approximately 123' south of the proposed compound. Proposed sedimentation and erosion controls will be designed, installed, and maintained during construction activities in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control which will minimize any temporary impacts. Overall, the construction and operation of the proposed Facility will not impact any wetlands or inland waterways. The Wetlands Inspection is included in Attachment 6.

Included in Attachment 6 is an Avian Resources Evaluation which concludes that no migratory bird species are anticipated to be impacted by the Proposed Facility. No Important Bird Areas are located in proximity to the Proposed Facility and it will comply with the United States Fish and Wildlife Service guidelines for minimizing potential impacts to bird species.

The proposed Facility would be unmanned, requiring monthly maintenance visits approximately one hour long. Carriers that maintain antennas and equipment at an approved Facility monitor their facility 24 hours a day, seven days a week from a remote location. The proposed Facility does not require a water supply or wastewater utilities. No outdoor storage or solid waste receptacles will be needed. Furthermore, the proposed Facility will neither create nor emit any smoke, gas, dust, other air contaminants, noise, odors, nor vibrations other than those created by any heating and ventilation equipment or generators installed by the carriers. During power outages and weekly equipment cycling an emergency generator would be utilized with air emissions in compliance with State of Connecticut requirements.

E. National Environmental Policy Act Review

The Applicants evaluated the project in accordance with the FCC's regulations implementing the National Environmental Policy Act of 1969, Pub. L. No. 91-190, 83 Stat. 852 (codified in relevant part at 42 U.S.C. § 4321 et seq.) ("NEPA"). The Parcel was not identified as a wilderness area, wildlife preserve, National Park, National Forest, National Parkway, Scenic River, State Forest, State Designated Scenic River or State Gameland. Furthermore, according to the site survey and field investigations, no federally regulated wetlands or watercourses will be impacted by the proposed Facility.

F. Air Navigation

The proposed Facility was analyzed for potential impacts to air navigation. The Applicant conducted an air space analysis which concluded that registration with the Federal Aviation Administration ("FAA") is not required. Thus, it is not anticipated that marking or lighting of the tower for air navigation safety will be required. See materials included in Attachment 4.

VII. Consistency with the Town of Brookfield's Land Use Regulations

Pursuant to the Siting Council's Application Guide, a narrative summary of the consistency of the project with the Town's zoning and wetland regulations and plan of conservation and development is included in this section. A description of the zoning classification of the site and the planned and existing uses of the proposed site location are also detailed in this section.

A. Brookfield's Plan of Conservation and Development

The Brookfield 2015 Plan of Conservation & Development ("POCD"), effective July 2, 2015 and amended March 17, 2016 is included in the Bulk Filing. Wireless communication is noted on POCD Page 103: "Improvements in wireless communication have been made over the course of the last decade under the jurisdiction of the Connecticut Siting Council. The Planning Commission has approved the placement of a cellular tower behind the Pocono Road Fire House." While this existing tower provides some service within the Town, gaps in reliable service exist to the south of the fire house tower. The Proposed

Facility will remedy this existing gap in service. It is respectfully submitted that the Proposed Facility will further the POCD goals of promoting economic development as businesses rely on wireless services for operations, communications, etc. And, through AT&T's deployment of FirstNet and the Town's use of the Proposed Facility, the Proposed Facility will provide the benefit of reliable emergency communications.

B. Brookfield's Zoning Regulations and Zoning Classification

The Town of Brookfield Zoning Regulations Section 7.2 set forth general requirements for telecommunications towers and antennas. The Parcel is classified in the Town's I-1 HO Industrial Height Overlay Zone. The Town of Brookfield Zoning Regulations acknowledge the Siting Council's exclusive jurisdiction and also provide guidelines and standards for tower facilities for tower facilities that may fall within the Town's jurisdiction.

The table below provides a review of general requirements of tower facilities under the Town of Brookfield Zoning Regulations accompanied by the proposed Facility's overall conformity with those requirements.

Section from the Zoning Regulations	Standard or Preference	Proposed Facility
7.2.C.1.a	Distance: any tower should be constructed a minimum distance of one mile from any existing towers.	The Proposed Facility is located more than one mile from neighboring existing AT&T sites. It should be noted that depending upon the area of need, locating towers within 1 mile of each other may be required to provide service.
7.2.C.1.b	Lot Size and Setback: Any site should be the minimum lot size for the zoning district in which it is located and should be sufficient size to accommodate a setback from all adjoining property lines equal to the maximum height of the tower and all appendages plus 25 feet.	Required Minimum Lot Size: 40,000 s.f. Parcel Lot Size: 173,804 s.f. Setback: tower is designed with a yield point at 129'
7.2.C.1.c	Towers should not be located on any property designated by the Planning Commission as a scenic ridgeline.	The industrially developed Parcel is not designated as a scenic ridgeline.
7.2.C.1.d	Antennas should be located on existing towers, where available. If no existing	As demonstrated herein, no existing towers exist in the area of need. The visual

	towers are available, antennas may be located on new towers or other structures, whichever provides the greatest amount of screening.	analysis reveals that the Proposed Facility will not have a significant visual impact.
7.2.C.4	The proposed support structure shall be designed for additional facilities including other wireless communication companies and local police, fire, and ambulance needs.	The Proposed Facility is designed to accommodate the facilities of three other wireless carriers as well as the Town's emergency communications equipment.
7.2.C.9	A fence with a height of eight feet shall be required around the tower and its ancillary equipment.	The equipment compound will be enclosed by an 8' tall fence.
7.2.C.10	Landscaping shall be required around the fence.	Landscaping is not proposed given the industrial nature of the Parcel and surrounding properties.
7.2.C.13	Only monopole antennas shall be permitted as new towers and only after exhausting co-locations on existing towers or buildings.	The Proposed Facility is a monopole. The Site Search evaluation demonstrates that no existing towers or tall buildings are located within the area of need.
7.2.C.17	All operations on site, including the operation of generating equipment, shall comply will all state and local noise regulations.	The Proposed Facility will be designed to comply with all applicable noise regulations.
7.2.C.19	Illumination shall not be permitted on the tower unless required by the Federal Communications Commission, the Federal Aviation Agency or the Connecticut Siting Council.	The tower will not be illuminated.

C. Planned and Existing Land Uses

The Facility is proposed on an approximately 3.99-acre parcel of land owned by 70 Vale Road LLC with the surrounding area consisting of industrial and commercial uses with residential uses to the south. Consultation with municipal officials did not indicate any other planned changes to the existing surrounding land uses. Copies of the Town of Brookfield Zoning Code, Inland Wetlands Regulations, Zoning Map and Plan of Conservation and Development are included in the Bulk Filing.

D. Brookfield's Inland Wetlands and Watercourses Regulations

The Brookfield Inland Wetlands Regulations ("Local Wetlands Regulations") regulate certain activities conducted in "Wetlands" and "Watercourses" as defined therein. The Town established upland review areas for wetlands and watercourses as follows:

- (1) on land within seventy-five feet (75') measured horizontally from the boundary of any wetland or one hundred feet (100') of any watercourse, provided
- (2) if the slope of such land exceeds 5%, within the distance measured horizontally from the boundary of the wetland or watercourse equal to seventy-five (75') feet for a wetland and one hundred (100') feet for a watercourse plus an additional 5 feet for each 1% increase in slope greater than 5%, but not more than two hundred (200') feet.

As set forth in the Wetland Investigation Report in Attachment 6, the proposed Facility is located approximately 123' south of the nearest wetland resource. With the intervening slope between the delineated wetland and proposed compound consisting of approximate 17% slope, the adjusted upland review area per the Town's regulations would be 160'. As such, the project would constitute a regulated activity under Local Wetlands Regulations. The proposed Facility is not anticipated to result in an adverse impact to wetlands due to the distance separating the proposed work activities from the nearest wetland or watercourse and the existing developed and disturbed nature of the proposed Facility location. Further, all appropriate sediment and erosion control measures will be designed and employed in accordance with the Connecticut Soil Erosion Control Guidelines, as established by the Connecticut Council of Soil and Water Conservation and DEP (2002). Soil erosion control measures and other best management practices will be established and maintained throughout the construction of the proposed Facility. The Applicants do not anticipate an adverse impact on any wetland or water resources as part of construction or longer term operation of the Facility and respectfully submit that any indirect impacts would not significantly add to the existing commercial development and usage of the Parcel.

VIII. Consultation with Town Officials

C.G.S. § 16-50/ generally requires an applicant to consult with the municipality in which a new tower facility may be located for a period of ninety days prior to filing any application with the Siting Council. With respect to the Facility as proposed in this Application, a Technical Report was filed with the Town of Brookfield on April 14, 2022. On June 15, 2022, a duly noticed (in-person) public information meeting was held at the Town of Brookfield Town Hall including a presentation by the Applicants and comments and questions from the public in attendance. The Applicants did not receive any additional comments after the public information meeting.

A copy of the April 14, 2022 Technical Report is included in the Bulk Filing.

IX. Estimated Cost and Schedule

A. Overall Estimated Cost

The total estimated cost of construction for the proposed Facility is represented in the table below.

Requisite Component:	Cost (USD)
Tower & Foundation	150,000
Site Development	100,000
Utility Installation	55,000
Facility Installation	75,000
Subtotal Homeland Towers Cost	380,000
Antennas and Equipment	172,000
Subtotal AT&T Cost	172,000
Total Estimated Costs	552,000

B. Overall Scheduling

Site preparation work would commence following Siting Council approval of a Development and Management (“D&M”) Plan and the issuance of a Building Permit by the Town of Brookfield. The site preparation phase is expected to be completed in 4-5

weeks. Installation of the monopole, antennas and associated equipment is expected to take an additional 3 weeks. The duration of the total construction schedule is approximately 8 weeks. Facility integration and system testing for carrier equipment is expected to require an additional 2 weeks after construction is completed.

X. Conclusion

This Application and the accompanying materials and documentation clearly demonstrate that a public need for a new tower in southern Brookfield and portions of eastern Danbury and northern Bethel exists to provide both emergency communications and wireless services to the public. AT&T has gaps in reliable communications in and around this area of the state. The Applicants respectfully submit that the public need for the proposed Facility outweighs any potential environmental effects from development of the tower, none of which have been identified as substantial or significant. Accordingly, the Applicants respectfully request that the Siting Council grant a Certificate of Environmental Compatibility and Public Need to Homeland Towers for a new wireless telecommunications Facility in southern Brookfield.

Respectfully Submitted,

By: 

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