

June 2, 2023

Via Electronic and U.S. Mail

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

Re: Docket No. 513 – Application of 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 Off Mason Hill Road, Litchfield, Connecticut

Letter in Lieu of Post Hearing Brief

Dear Attorney Bachman:

On behalf of Cellco Partnership d/b/a Verizon Wireless (“Cellco”), please accept this letter in lieu of a Post-Hearing Brief, in support of the above-referenced application for the construction, operation and maintenance of a new telecommunications facility in Litchfield, Connecticut.

On February 28, 2023, Cellco filed an application with the Siting Council (“Council”) for a Certificate of Environmental Capability and Public Need (the “Application”) to construct a wireless telecommunications facility (the “Litchfield SE Facility”) in the southeast portion of a vacant 8.17-acre parcel off Mason Hill Road in Litchfield, Connecticut (the “Property”). The Property is owned by Joyce S. Williams (the “Owner”). The Property is bisected by a 250-foot wide Eversource Energy electric transmission line easement (the “Eversource Easement”). The proposed Litchfield SE Facility would provide Cellco customers with improved wireless services in southeast portions of Litchfield and northwest portions of Thomaston, particularly along Route 254 and local roads in the area. Cellco service in this area is either unreliable and/or non-existent today.

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Facility Description

In accordance with its Land Lease Agreement with the Property Owner, Cellco proposes to construct, own and maintain a 110-foot tall monopole tower within a 2,500 square-foot facility compound (10,000 square foot leased area) in the southeast portion of the Property.

On or about April 11, 2023, Cello learned that the Litchfield SE Facility tower and related facility compound improvements would not be permitted to encroach into the Eversource Easement. In response, Cellco, with the permission of the Property Owner, relocated and refigured the proposed Litchfield SE Facility compound so that all structures are outside the Eversource Easement. Access to the relocated facility would extend directly from Mason Hill Road to the compound area to the east of the Eversource Easement.

Cellco proposes to install antennas and remote radio heads on an antenna platform at the top of the tower. The antennas would maintain a centerline height of 105 feet AGL. Cellco's radio equipment, a backup battery cabinet and a 30-kW propane fueled back-up generator would be installed on a concrete pad beneath a canopy structure. Access to the alternate tower site would extend from Mason Hill Road over a new partially paved driveway, a distance of approximately 226 feet.¹

Public Need

The unrefuted evidence in the Docket No. 513 record reveals that significant gaps in wireless service exist in each of Cellco's operating frequencies in southeast portions of Litchfield and northwest portions of Thomaston, Connecticut. These gaps cannot be filled by service from Cellco's surrounding cell sites. The proposed Litchfield SE Facility will fill many of these existing wireless service gaps, particularly along Route 254, as well as local roadways in the area around the Property. The proposed Litchfield SE Facility will also provide capacity relief to Cellco's existing Bethlehem NW Facility (Alpha Sector antennas) which is currently operating beyond its existing capacity limits.

Nature of Probable Environmental Impacts

The record contains ample evidence to support a finding by the Council that the Litchfield SE Facility would not have a significant adverse impact on the environment at the Property or the

¹ Access to the alternative cell site location may also be available from Mason Hill Road to the west of the Eversource Easement. Ultimately, Eversource would need to permit the establishment of an access driveway extending through the Easement Area if the Council prefers this point of access.

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surrounding area. The Applicant has presented evidence that the location and development of the Litchfield SE Facility will not adversely affect historic or archeological resources; will not adversely impact federal or State listed, threatened or endangered species or State species of special concern; will not impact migratory birds; will not adversely impact prime farmland soils; will not have any direct impact on any wetlands or watercourses on or near the cell site; will not be considered to be an obstruction or hazard to air navigation and, therefore, will not require any FAA marking or lighting; and will operate well within safety limits established by the FCC for radio frequency emissions. No evidence to the contrary exists in the Docket No. 513 record.

Wetland Impacts

Cellco took great care in selecting the alternate facility location to minimize, to the extent possible, impacts on Wetland 1. Like the original tower site described in the Application, the proposed alternate facility location would have no direct impacts to Wetland 1. The alternate facility compound would maintain a setback of approximately 33 feet from Wetland 1. Minor grading, tree clearing, and installation of soil erosion control measures would result in temporary work occurring within approximately 25 feet of Wetland 1. The Applicant has committed to Best Management Practices described in its November 16, 2022 Wetland Impacts Analysis and is proposing to install additional measures designed to enhance the remaining vegetation that would buffer Wetland 1 from the proposed Alternate Facility compound. A Wetland Impact Analysis Addendum (“Addendum”), describing these additional wetland protection measures was attached to in Cellco’s Submission of Evidence and Information for a Proposed Alternate Location dated April 27, 2023. This Addendum includes a description of a wetland buffer vegetative enhancement plan depicted on Plan Sheet ALT – 1.1.

Visual Impacts

Generally speaking, the primary impact of any telecommunications facility is visual. The overall area where some portion of the proposed Litchfield SE Facility tower may be visible year-round (above the tree line), is conservatively estimated to be approximately 16 acres (0.2% of the 8,042-acre study area), slightly less than the 21 acres estimated year-round visibility for the original tower location. Seasonal views, through intervening trees and branches are anticipated to occur within an area of approximately 67 additional acres (a total of 0.8% of the 8,042-acre study area) and 13 acres more than the original tower location. Overall, the minor shift in the facility location to the alternate facility site is not likely result in a significant visual impact on the area around the Property.

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Public Input

Section 16-501(e) of the Connecticut General Statutes, as amended, requires local input on matters before the Council. On October 27, 2022, Cellco representatives commenced the ninety (90) day municipal consultation process. First Selectwoman Denise Rapp received a copy of the technical information summarizing Cellco's plans to establish a telecommunications facility at the Property. Four (4) copies of Cellco's Technical Report were filed in bulk with the Council. At the request of the Town, Cellco hosted a Public Information Meeting ("PIM") on the proposed tower site, during the December 6, 2022 Board of Selectman regular meeting. Notice of the PIM was published in the Waterbury Republican and was sent to all abutting landowners. A list of the abutting landowners notified of the PIM, a copy of the notice letter sent to the abutters, a copy of the Legal Notice of the PIM and a copy of Cellco's PIM presentation slides are included in Attachment 17 of the Application. Following the PIM, Cellco conducted a public balloon float as a part of its Visual Impact Assessment several abutters were given notice of the time and date of the balloon float. Cellco also responded to a series of questions about RF emissions from the Chair of the Town's Planning and Zoning Commission. A copy of Cellco's response to Chair Bramley's questions is also included in Attachment 17 of the Application. No members of the public spoke at the Council's evening Public Hearing Session.

Conclusion

The unrefuted evidence in the record clearly demonstrates that there is a need for the proposed Litchfield SE Facility and that the environmental impacts from the proposed facility location would be limited and outweighed by the benefits to the public.

Sincerely,



Kenneth C. Baldwin