

April 18, 2024

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. 520 – 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 telecommunications facility located at 124 Ague Spring Road, Haddam, Connecticut.

Letter in Lieu of Post Hearing Brief

Dear Attorney Bachman:

On behalf of Homeland Towers, LLC (“Homeland”) and Cellco Partnership d/b/a Verizon Wireless (“Cellco”) (collectively the “Applicant”), 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 wireless telecommunications facility in Haddam, Connecticut.

On November 29, 2023, Homeland, in cooperation with 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 “Haddam North Facility” or “Facility”) in the northwest portion of a 13.14-acre parcel at 124 Ague Spring Road in Haddam Neck, Connecticut (the “Property”). The Property is owned by Brennan and Samantha Danaher (the “Property Owner”). The proposed Haddam North Facility would provide Cellco customers and emergency service providers with improved wireless services along a four (4) mile stretch of Route 154, as well as local roads in Haddam and Haddam Neck and southern portions of East Hampton. Cellco service in this area, particularly along Route 154, is either unreliable or non-existent today.

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Facility Description

In accordance with its Option and Ground Lease Agreement with the Property Owner, Homeland proposes to construct, own and maintain a 150-foot-tall monopole tower within a 40' x 70' (2,800 square-foot) facility compound in the northwest portion of the Property. Access to the Facility would extend from Ague Spring Road over a portion of an existing driveway on the Property, then over a new gravel driveway extending to the Facility compound.

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 146 feet above ground level. Cellco's radio equipment, a backup battery cabinet and a 50-kW diesel fueled back-up generator would be installed on a concrete pad beneath a canopy structure in the northeast corner of the compound.

Public Need

The unrefuted evidence in the Docket No. 520 record reveals that significant gaps in wireless service, particularly in Cellco's 200 MHz "base frequencies", exist in each of Cellco's operating frequencies in northeast portions of Haddam, Connecticut. These gaps are not currently being filled by service from Cellco's surrounding cell sites. Of particular concern is the approximately seven (7) mile gap in Cellco's 700 MHz service that currently exists along Route 154 in Haddam. This coverage gap extends from the intersection of Route 154 and Walkley Hill Road to the Haddam – Chester town line.

The proposed Haddam North Facility will fill an approximately four (4) mile portion of the seven (7) mile gap in service along Route 154 and provide service to local roadways and significant portions of the Connecticut River in the area to the south and west of the Property.¹ The proposed Haddam North Facility will also provide some limited capacity relief to Cellco's existing Higganum Facility (Alpha Sector antennas) which is currently operating at or near its existing capacity limits.

Nature of Probable Environmental Impacts

The record contains ample evidence to support a finding by the Council that the Haddam North Facility would not have a significant adverse impact on the environment at the Property or the surrounding area. The Applicant has presented evidence that the location and development of the Haddam North Facility 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

¹ The significant need for improved wireless service in the area, particular along Route 154, has been an issue of concern to Haddam public officials and residents for some time. This concern was repeated by the Town's First Selectman, by emergency service providers in Town and by local residents who attended the Public Information Meeting hosted by Homeland on October 12, 2023 and submitted comments to the Council.

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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. 520 record.

State Historic Preservation Office Determination

On October 27, 2023, the Connecticut State Historic Preservation Officer (“SHPO”) issued a determination letter for the proposed Haddam North Facility and found that: 1) two State Register Historic properties in the vicinity of the property would not be impacted by the proposed Facility; 2) the Applicant should conduct a Phase 1B Cultural Resources Reconnaissance Survey of the Facility compound area²; and 3) the proposed Facility tower would be visible from the Haddam Center Historic District (“HCHD”), a National Register District, and the Higganum Landing Historic District (“HLHD”), a State Register District, both on the west side of the Connecticut River and outside the one-half mile Area of Potential Effect (“APE”), and that such visibility constitutes an adverse effect.

To mitigate the adverse effects, the SHPO recommended that mitigation measures might include a financial contribution to the Haddam Historical Society (“HHS”) for a capital improvement project of some type and the painting of the tower “sky blue” above the tree line. Homeland has been in touch with representatives from the HHS who have suggested that Homeland’s mitigation effort include make a financial contribution that can be used to install an ADA compliant access ramp to the new HHS Haddam Shad Museum. Homeland’s mitigation effort will be memorialized in a Memorandum of Agreement between the parties.

Visual Impacts

Generally speaking, the primary impact of any telecommunications facility is visual. The overall area where some portion of the proposed Haddam North Facility tower may be visible year-round (above the tree line), is conservatively estimated to be approximately 432 acres (5.37% of the 8,042-acre study area), a vast majority of which is over the open water of the Connecticut River. Seasonal views, through intervening trees and branches are anticipated to occur within an area of approximately 255 additional acres (a total of 3.17% of the 8,042-acre study area).

Gateway Conservation Zone

The Town of Haddam maintains certain zoning regulations consistent with the goals established by the Connecticut River Gateway Commission. The Gateway Commission was

² The Phase 1B requested was completed and submitted to the SHPO. On February 20, 2024 the SHPO issued its determination that “no additional archaeological investigation are warranted”.

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notified, in August of 2023, of Homeland's plans to construct the proposed Haddam North Facility tower. Homeland provided the Gateway Commission Staff with a copy of the Technical Report on August 14, 2023 and the Siting Council Application on November 29, 2023. The Connecticut River Gateway Commission did not submit comments on the proposed Facility to the Council until March 13, 2024.

The proposed Haddam North Facility is located within the Gateway Conservation Zone district. Telecommunications towers are not permitted in the Town's Gateway Conservation Zone. Notwithstanding this restriction, Homeland and Cellco have established that the need for improved wireless service along Route 154 and the surrounding area and the significant public benefit of providing this new and improved wireless service significantly outweighs the limited, distant views of the proposed tower on the Gateway zone.

Public Input

Section 16-501(e) of the Connecticut General Statutes, as amended, requires local input on matters before the Council. On July 31, 2023, Homeland representatives commenced the ninety (90) day municipal consultation process. First Selectman Robert McGarry received a copy of the technical information summarizing Homeland's plans to establish a telecommunications facility at the Property. Four (4) copies of the Technical Report were filed in bulk with the Council. At the request of the Town, Homeland and First Selectman McGarry hosted a Public Information Meeting ("PIM") on the proposed tower site on October 12, 2023. Notice of the PIM was published in the Haddam Killingworth News 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 the Application.

Conclusion

The unrefuted evidence in the record clearly demonstrates that there is a need for the proposed Haddam North Facility, that the improved service from the proposed tower will significantly benefit the Haddam Community, and that the environmental impacts from the proposed Facility would be limited and outweighed by the benefits to the public.

Sincerely,



Kenneth C. Baldwin