

**STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL**

IN RE:

APPLICATION OF THE TOWERS LLC (A JOINT  
VENTURE BETWEEN VERTICAL BRIDGE REIT,  
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  
TELECOMMUNICATIONS FACILITY AT  
68 DANBURY ROAD IN NEW MILFORD,  
CONNECTICUT

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DOCKET NO. 540  
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November 20, 2025

APPLICANT'S POST-HEARING BRIEF

Respectfully Submitted,



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## **PRELIMINARY STATEMENT**

The Towers LLC, a joint venture between Vertical Bridge REIT, LLC (“VB”) and Cellco Partnership d/b/a Verizon Wireless (“Cellco”), collectively (the “Applicant”), by their attorneys Cuddy & Feder LLP, respectfully submits this post-hearing brief in support of their application (“Application”) for a Certificate of Environmental Compatibility and Public Need (“Certificate”) in Docket No. 540. The Application addresses the public need for a new tower facility in the south-central portion of the Town of New Milford. The need for infrastructure in this region has been identified by both VB and Cellco, including the significant need to address existing capacity issues in the existing Cellco wireless communications network by offloading usage from nearby facilities.

The Applicant presented detailed radio frequency (RF) analyses and data demonstrating the existing need in this area. The property at 68 Danbury Road presents an ideal location which allows the installation of the proposed tower facility that results in minimal environmental impacts, including no direct impacts on wetlands/watercourses and minimal visibility which is largely limited to near-range views within 0.5 mile of the site. The proposed tower facility will include a monopole that will stand 75’ above grade level (AGL). Per the Federal Aviation Administration requirements, the proposed tower will not be marked and lit.

The Applicant’s professionals demonstrated with competent testimony that the location of the proposed Facility does not present significant adverse environmental impacts on any federal or state resources identified in the Siting Council’s enabling legislation. The record demonstrates that the tower facility complies with state and federal MPE standards. The Applicant showed through empirical evidence that the proposed tower facility will address a critical public need for a tower to provide reliable wireless service in this part of the state with minimal or no overall environmental effects. As such, the Applicant submits that the project meets the statutory criteria set forth in Section 16-50p of the Connecticut General Statutes (“C.G.S.”) for approval and are requesting a Certificate for the proposed tower facility to meet the public need for wireless services in this area of the State.

## **STATEMENT OF FACTS**

### **I. Cellco's Consumer Mobile Wireless Network Needs**

Cellco's radiofrequency (RF) engineers establish site search areas where new wireless facilities are needed to address the public's inability to reliably access its wireless network. In this case, Cellco's nearby site located at Hilltop Lane (New Milford S CT) shows significant traffic loading resulting in the need for a facility to offload usage. *Applicant's Ex. 4, A27*. Cellco has determined a need to offload traffic from that site. *Applicant's Ex. 4, A27*. The statistics and indicators used to determine the substandard service are the rate of bearer drops, VOLTE AI >.6% (Voice over LTE), and PRB util >50% (Physical Resource Block). *Applicant's Ex. 4, A34; Tr. 10/23/25, Page 23, Para. 18 through Page 25, Para. 20*. The estimated service gaps to be addressed are approximately 3.05 square miles. *Applicant's Ex. 4, A38-A39*. The introduction of the proposed Facility would significantly improve wireless services, having both coverage and capacity benefits, in all of Cellco's licensed frequencies. *Applicant's Ex. 4, A32; Tr. 10/23/25, Page 65, Para. 5 through Page 68, Para. 7*.

While no municipal agencies or emergency response agencies have approached the Applicant about co-location, the proposed facility is designed to accommodate the typical equipment of same, and the Applicant remains open to providing space to such agencies. *Applicant's Ex. 4, A13 & A26*.

### **II. Site Search**

Cellco and VB engaged in a site search which analyzed 19 total locations, including 8 existing telecommunications sites within a 4-mile radius and 11 potential properties for the construction of a new facility. *Applicant's Ex. 1, Attach. 2; Applicant's Ex. 4, A7*. Of the 8 existing facilities, all were either currently being used by Cellco or proposed for use by Cellco to provide service in and around the area outside of the area targeted for service by the proposed facility. *Id.* The remaining 10 sites that were not pursued for the construction of a new facility were rejected

for various reasons, including greater land disturbance and clearing, limited space, failure to address RF needs, or no response was received from the multiple attempts to contact the underlying property owner. *Id.* Due to the various rejections, the proposed site and 3 others were evaluated by Cellco RF. The 3 other sites not pursued were eliminated due to the greater tower heights needed to achieve Cellco's service objectives. *Id.* Finally, the specific location of the facility upon the subject property was established to utilize the existing disturbed surfaces to the greatest extent possible, offering a preferred solution than other sites requiring greater land disturbance. *Applicant's Ex. 4, A12; Tr. 10/23/25, Page 55, Para. 6-21.*

### **III. Technical Consultation**

Connecticut General Statutes § 16-50l(g) governs the municipal consultation for telecommunications towers, as defined by C.G.S. § 16-50i(6)(a). This includes the requirement that an applicant consult with the municipality in which a new tower may be located for a period of 90 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 New Milford on January 9, 2025. A follow-up phone call was made to the Town on January 23, 2025 confirming that the Town received the Technical Report filing. The Town did not request a public information meeting on this proposal. On April 7, 2025, a letter was sent to the Town confirming that the 90-day municipal consultation period would expire on April 9, 2025 and that the Town would be notified prior to any application filing with the Siting Council. The Mayor emailed the Applicant's representative in response to this letter. The Applicant's representatives spoke with the Mayor to advise that the Applicant is available to meet to discuss the proposal and/or answer any questions. The Mayor did not present or offer any meeting dates, alternative locations, or other feedback during or after this phone conversation. The Mayor did not issue any verbal or written objection to the proposed facility or its location during any of this communication. The Council similarly sent a notice letter to the Town of New Milford Mayor on June 10, 2025. To the Applicant's

knowledge, no such written or verbal comments or objection were issued in response to that correspondence. *Tr. 10/23/25, Page 61, Para. 1-15.*

The Town of New Milford did not request party or intervenor status in this Docket, nor did the Town present any location preferences pursuant to C.G.S. § 16-50gg. *Applicant's Ex. 1, Page 21-22; Applicant's Ex. 4, A3.*

#### **IV. Certificate Application**

On June 9, 2025, the Applicant submitted an Application to the Siting Council for a Certificate to construct, maintain, and operate a wireless facility at 68 Danbury Road. As detailed in the Application, the proposed Facility includes an approximately 2,500 s.f. lease area located in the southwestern portion of the approximately 4.5-acre Parcel with a post office address of 68 Danbury Road. The Parcel has an existing paved driveway access from Route 202/Route 7. The Facility consists of a new self-supporting monopole that is 75' in height. The monopole tower is proposed within a 2,000 s.f. fenced equipment compound. Cellco would install its proposed antennas and transmission equipment at centerline heights of 72.5', 71.5' and 70'. An equipment cabinet and a back-up battery cabinet is proposed on a 12'6"x11' concrete pad, and a 50kW diesel-fueled emergency back-up generator is proposed on a separate 4'x8' concrete pad in the northwestern corner of the fenced equipment compound. The tower would be designed for future shared use by other FCC licensed wireless carriers. The tower compound would be enclosed by an 8' high chain link fence with chain link fabric. Vehicle access to the Facility would be provided from Route 202/Route 7 over the existing paved driveway. Utility connections would be routed underground through the proposed paved parking areas and driveways from a new utility pole in the Route 202/Route 7 right-of-way. *Applicant's Ex. 1, Pages 14-15 & Attach. 4; Applicant's Ex. 4, A50 & A51.*

#### **V. Pre-Hearing Filings**

The Applicant submitted an Affidavit of Publication of the Legal Notice evidencing the notice published in the New Milford Spectrum noticing the Applicant's intent to file its application

for a Certificate of Environmental Compatibility and Public Need and a Sign Posting Affidavit evidencing the sign posted at the Site informing the public of the Council hearing on the Application. *Applicant's Ex. 3 & Ex. 5; Tr. 10/23/25, Page 16, Para. 9-25; Tr. 10/23/25, Page 59, Para. 23 through Page 60, Para. 15.* The Applicant also provided responses to Siting Council Interrogatories on September 12, 2025. *Applicant's Ex. 4.* The Applicant submitted Pre-Hearing Information on September 12, 2025 and amended Pre-Hearing Information on October 21, 2025. On August 5, 2025, the Applicant submitted a Motion for Protective Order Related to Disclosure of the Exact Monthly Rent in the Lease Agreement. *Applicant's Ex. 6.*

## **VI. Public Hearings**

Pursuant to C.G.S. § 16-50m and Public Act No. 22-3, the Siting Council scheduled a public hearing via ZOOM remote conferencing for October 23, 2025. At the public evidentiary hearing, the Siting Council heard comprehensive testimony from the Applicant's panel of witnesses on the need for the Facility, the investigation of sites, and any environmental effects associated with construction of the Facility. The duly noticed public comment session was conducted via ZOOM remote conferencing on the evening of October 23, 2025. No public comments were received during the October 23, 2025 public comment session.

At the October 23, 2025 evidentiary hearing, the Siting Council granted the Applicant's Motion for Protective Order Related to Disclosure of the Exact Monthly Rent in the Lease Agreement.

The evidentiary record and hearing were closed on October 23, 2025 after the Applicant and public were given a full and fair opportunity to present evidence and comment.

### **POINT I**

#### **A PUBLIC NEED CLEARLY EXISTS**

#### **FOR A NEW TOWER FACILITY IN SOUTH-CENTRAL NEW MILFORD**

Pursuant to C.G.S. § 16-50p, the Siting Council is required to find and determine as part of any Certificate application, "a public need for the proposed facility and the basis for that need."

C.G.S. § 16-50p(a)(1). In this Docket, Cellco provided coverage analyses, data, and expert testimony that clearly demonstrate the need for a new tower facility to provide reliable wireless services in south-central New Milford to homes, schools, business uses, public safety agencies, and the traveling public. *Applicant's Ex. 1, Attach. 1; Applicant's Ex. 4, A27 – A40; Tr. 10/23/25, Page 25, Para.17-20; Tr. 10/23/25, Page 62, Para. 4 through Page 61, Para. 17.*

Indeed, the Application materials and Cellco's expert witness testimony demonstrate that a new tower facility at a minimum height of 75' AGL is required at the proposed site to provide reliable wireless telecommunications services to the public. *Applicant's Ex. 1, Attach. 1; Applicant's Ex. 4, A35.* In addition to expert testimony, Cellco's analysis includes modeling and statistics showing that a new tower facility is needed to provide wireless services to an area of the state that experiences significant gaps in both emergency communications and reliable wireless services. *Applicant's Ex. 1, Attach. 1; Applicant's Ex. 4, A27 – A40 & A52 – 53.*

Cellco's evidence and expert testimony in this proceeding clearly establish that no other alternative technologies, such as distributed antenna systems ("DAS") or small cells would reliably address the coverage and capacity off-load needs in this area of Connecticut given the size of the identified coverage gap. *Applicant's Ex. 1, Pages 12-13; Applicant's Ex. 3, A11.* This area simply does not have the appropriate density, usage patterns, and geography like more urban areas of the State, where Cellco is deploying small cells for limited capacity and very limited coverage. Cellco established that it appropriately designed its network in New Milford to provide reliable wireless service over a wide geographic area based on the characteristics of where services are required and the need to adequately offload capacity from nearby facilities. *Applicant's Ex. 1, Attach. 1; Applicant's Ex. 4, A27 & A29; Tr. 10/23/25, Page 65, Para. 5 through Page 68, Para. 7.*

## **POINT II**

### **THERE ARE NO EXISTING STRUCTURES OR OTHER VIABLE ALTERNATIVE SITES FOR SITING THE PROPOSED WIRELESS FACILITY**

The Applicant submitted significant evidence demonstrating that there are no existing structures or viable alternative tower sites for providing reliable wireless service to this area of New Milford or the nearby communities. The Applicant determined that no tall, non-tower structures were located within the identified area of need that were available for leasing due to the fact that the area consists of mainly single-story commercial structures which are inadequate in height. *Applicant's Ex. 1, Attach. 2.*

Cellco and VB engaged in a site search which included the review of 19 total locations, including 8 existing telecommunications sites within a 4-mile radius and 11 potential properties for the construction of a new facility. *Applicant's Ex. 1, Attach. 2; Applicant's Ex. 4, A7.* Of the 8 existing facilities, all were either currently being used by Cellco or proposed for use by Cellco to provide service in and around the area outside of the area targeted for service by the proposed Facility. *Id.* The remaining 10 sites that were not pursued for the construction of a new facility were rejected for various reasons, including greater land disturbance and clearing, limited space, failure to address RF needs, or no response was received from the multiple attempts to contact the underlying property owner. *Id.* Due to the various rejections, only the proposed site and 3 others were evaluated by Cellco RF. The 3 other sites were eventually not pursued due to the greater tower heights needed to achieve Cellco's service objectives. *Id.* Finally, the specific location of the facility upon the subject property was established to utilize the existing disturbed surfaces to the greatest extent possible, thereby limiting any potential environmental impacts. *Applicant's Ex. 4, A12.*

### **POINT III**

#### **THE PROPOSED TOWER FACILITY PRESENTS NO SIGNIFICANT ADVERSE ENVIRONMENTAL EFFECTS**

Pursuant to C.G.S. § 16-50p, the Council is required to find and determine as part of a Certificate application any probable environmental impacts of a facility on the natural environment, ecological balance, public health and safety, scenic, historic and recreational values,



forests and parks, air and water purity, fish and wildlife, schools and commercial child daycare centers<sup>1</sup>, or otherwise due to the facility design. The Applicant respectfully submits that the proposed Facility will not have any significant environmental effects on the resources listed in C.G.S. § 16-50p and the public need for the Facility as proposed in this Docket supports the approval of the proposed Facility.

**I. Potential Visual Effects**

The Applicant respectfully submits that the evidence and testimony in this proceeding, as summarized below, demonstrates that the visibility of the proposed Facility will not result in an overall significant adverse visual impact. The Applicant's comprehensive Visibility Analysis demonstrates that areas from where the Facility would be visible year-round comprise up to 36 +/- acres of the 8,042-acre study area. Seasonal visibility (when leaves are off the trees) is estimated to include up to an additional 157 +/- acres. Together, this represents approximately 2.4% of the 8,042-acre study area. The majority of visibility occurs within 0.5 miles of the Parcel. The Facility is not anticipated to be visible from the New Milford Historic District or the Sunny Valley Preserve Farm and Nature Trails. Within 1,000' of the proposed Facility, an estimated 12 residential properties would potentially have seasonal views and 4 of those residential properties would have a mix of year-round and seasonal views. Notably, these are properties where there will likely be a view of the proposed tower on some portion of the property, but not necessarily a view of the tower from the residences thereon. The Visibility Analysis reveals that the residential area to the west will have limited seasonal visibility due to the short height of the proposed Facility and the existing tree cover. *Applicant's Ex. 1, Pages 15-16 & Attach. 5; Applicant's Ex. 4, A59; Tr. 10/23/25, Page 46, Para. 6-25; Tr. 10/23/25, Page 47, Para. 1-9; Tr. 10/23/25, Page 57, Para. 1-13.*

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<sup>1</sup> Distance to schools and commercial day care facilities are evaluated in the context of significant visual impacts.

The host parcel at 68 Danbury Road operates a daycare center and the Sarah Noble Intermediate School occupies the adjoining property to the west. The proposed Facility will have varying degrees of visibility from the Sarah Noble Intermediate School, the Church, and the daycare center. At the Intermediate School, which abuts the host property to the west, an existing stand of trees approximately 50' deep and averaging 60' in height lines the western property boundary. This treeline will substantially screen the facility, as shown in Photos 16 and 18 (leaf-off) of the Visibility Analysis (*Applicant's Ex. 1, Attach. 5*) and represented under leaf-on conditions in Photo 9 of the attached Remote Field Review (*Applicant's Ex. 4, Attach. 4*). Along the school access drive on the eastern portion of the property, views will be sporadic both through the understory and extending slightly above the trees. Year-round visibility is predicted across the northern open field areas, as reflected in the viewshed mapping. By contrast, the central and southern areas of the property are expected to experience more limited, intermittent views, consisting of a mix of year-round and seasonal visibility. In those areas, existing vegetation and the school building itself will provide additional screening. The daycare center operates within the Church, both of which are located on the host property. Visibility is expected to consist of a mix of seasonal and year-round views depending on location, with tree cover providing some screening in several areas. Views from the host property are well documented in the Remote Field Review (*Applicant's Ex. 4, Attach. 4*), which shows the area to include a combination of mature tree cover, open paved areas, and open space in the southeast portion of the property, along with the church structure and two outbuildings in the northwest portion. *Applicant's Ex. 1, Pages 15-16 & Attach. 5; Applicant's Ex. 4, A59-60.*

The proposed tower will not be marked and lit. *Applicant's Ex. 4, A56 - A57.* The proposed tower is designed with a galvanized steel finish. At this location, 2 potential stealth options were considered: painting the monopole a neutral color, such as brown, or constructing a monopine. However, the surrounding canopy averages 74' in height, nearly equal to the 75' proposed monopole, and already provides substantial screening. Because the canopy is largely deciduous,

a monopine could appear out of place and draw more attention. Painting the monopole brown would provide little benefit; while it could soften views against trees, it would increase contrast whenever the facility is backdropped by sky, making the tower more noticeable. Photo-simulations demonstrate that the Facility will be well integrated into the existing landscape. In several representative views, the monopole is backdropped by hillside rather than sky, which reduces visibility. In others, existing trees provide screening with only seasonal visibility anticipated. Where visible above the canopy, the Facility extends only slightly above treeline. In nearly all views, existing electrical infrastructure and commercial development are also present, further diminishing the Facility's visual prominence. The simulations clearly show that vegetation and topography sufficiently mitigate visibility, making additional stealth treatments unnecessary. The proposed galvanized monopole represents the most appropriate and context-sensitive design for this location. *Applicant's Ex. 4, A62 – A64; Tr.10/23/25, Page 40, Para. 22 through Page 43, Para. 24; Tr.10/23/25, Page 46, Para. 6 through Page 47, Para. 9.*

The evidence demonstrates that the proposed Facility will not have a substantial adverse effect on the aesthetics or scenic quality of the neighborhood or community.

## **II. Potential Impacts to the Natural Environment**

The Applicant's evidence and expert testimony clearly established that potential impacts to the natural environment from the proposed Facility are not significant.

### **a. Wetlands, Drainage, and Other Environmental Factors**

As set forth in the Wetland Investigation Report in the Application, the proposed Facility will not result in direct impacts to on-site wetlands. *Applicant's Ex. 1, Attach. 8.* A wetland delineation was conducted at the Parcel and identified no wetlands or watercourses present on the Site or within the vicinity of the proposed Facility. Thus, no permanent, direct impacts to wetlands, or species habitat, are anticipated to result from the proposed Facility. *Applicant's Ex. 1, Page 17 & Attach. 8.*

The proposed Facility would be unmanned, requiring monthly maintenance visits approximately one hour long. Carriers that maintain antennas and equipment monitor their facility 24 hours a day, 7 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. *Applicant's Ex. 1, Page 17.*

The Applicant demonstrated through data, analyses, and expert testimony that the design of the proposed Facility in combination with the protective measures and construction monitoring will not result in a significant adverse impact.

#### **b. Clearing and Grading**

The total area of disturbance, including grading and clearing, is approximately 4,481 s.f. and 6 trees are proposed for removal. Site improvements entail approximately 19.43 cubic yards of cut and approximately 0.98 cubic yards of fill. *Applicant's Ex. 1, Page 14.*

The proposed Facility location utilizes the currently developed and disturbed areas of the Site to the greatest extent possible to reduce any potential impacts related to clearing or grading. *Applicant's Ex. 1, Attach. 4.*

Utility connections would be routed underground from a new utility pole within the Route 202/Route 7 right-of-way. *Applicant's Ex. 1, Page 14.*

There are a total of 0.19-acre of mapped Prime Farmland Soils and 0.16-acre of Statewide Important Farmland Soils on the Site (included within Compound and Access/ Utility Easement). However, it should be noted that all mapped Prime Farmland Soils are in developed (paved) areas. Similarly, all but +/- 100 square feet of mapped Statewide Important Farmland Soils (associated

with a small vegetated area within eastern portion of compound) are also within previously developed (paved) locations. *Applicant's Ex. 4, A66.*

The record demonstrates that the grading and clearing required for the proposed Facility will not result in significant adverse impacts.

### **c. Habitat Assessment and Wildlife and Historic Resources**

The Applicant conducted an evaluation of the proposed Facility's potential effects on historic resources. There are no sites or districts included on the National Register of Historic Properties within 0.5-mile of the Facility location. Further, the proposed Facility will not be visible from the New Milford Historic District or the Sunny Valley Preserve Farm and Nature Trails. Thus, no impacts are anticipated to any historic resources. *Applicant's Ex. 1, Pages 15-16 & Attach. 5 & 6; Applicant's Ex. 4, A59.*

Two federally listed species are known to occur in the vicinity of the Parcel: the northern long-eared bat ("NLEB") (endangered) and the tricolored bat (threatened). A review of the Connecticut Department of Energy & Environmental Protection ("CTDEEP") Wildlife Division Natural Diversity Data Base ("NDDB") habitat map revealed that the proposed Facility is not within 150' of a known occupied NLEB maternity roost tree or a known NLEB hibernaculum. The nearest NLEB habitat resource to the proposed Facility is approximately 1.6 miles to the northwest. The tricolored bat would also use the NLEB hibernaculum. Nevertheless, in accordance with USFWS requirements, the Applicant will incorporate a time-of-year restriction for the very limited tree clearing activities. No known state-listed species are currently depicted on the most recent CTDEEP NDDB Maps in the location of the proposed Facility. The nearest NDDB buffer is approximately 0.11 mile southwest of the Parcel. Since the proposed facility and parcel are not located within a NDDB buffer area, consultation with CTDEEP is not required. Based on an Avian Resources Evaluation report, no adverse impacts to migratory bird species are anticipated. The proposed Facility is not proximate to an Important Bird Area and would comply with the United States Fish and Wildlife Services ("USFWS") recommended best practices. It is

anticipated that, with the protection measures in place, the proposed Facility will not adversely impact any identified Federal and State threatened, endangered, or species of special concern. *Applicant's Ex. 1, Page 16 & Attach. 6.*

### **III. Compliance with C.G.S. § 16-50p(a)(3)(F)**

The proposed Facility is located within 250' of the existing place of worship building which includes the daycare center. To the extent that such daycare center is a "commercial childcare facility" for the purposes of C.G.S. § 16-50p(a)(3)(F), the Applicant has demonstrated compliance with that section.

The record confirms that the chief elected official of the Town of New Milford was adequately informed of the proposed facility and its location, and that no objection was issued, either verbally or in writing, to the Applicant or the Siting Council. A Technical Report was filed with the Town of New Milford on January 9, 2025. A follow-up phone call was made to the Town on January 23, 2025 confirming that the Town received the Technical Report filing. On April 7, 2025, a letter was sent to the Town confirming that the 90-day municipal consultation period would expire on April 9, 2025. The Mayor emailed the Applicant's representative in response to this letter. As a result, the Applicant's representatives met with the Mayor by phone and provided details about the proposed facility and offering to coordinate a separate meeting with the Town. Throughout this correspondence and communications, the Mayor did not issue any verbal or written objection to the proposed Facility or its location. A copy of the June 9, 2025 Application was then sent to the Town. The Council similarly sent a notice letter to the Town of New Milford Mayor on June 10, 2025. To the Applicant's knowledge, no such written or verbal objection was issued by the Town in response to that correspondence. Additionally, neither the Town nor the Mayor requested party or intervenor status during the proceeding. Thus, the record reflects that the Town was adequately made aware of the proposed Facility and did not issue any objection or other indication of non-acceptance.

Assuming arguendo that the chief elected official's informed decision not to object to the location is not determinative that the location is "acceptable", the Applicant has nevertheless demonstrated that the facility will not have a substantial adverse effect on the aesthetics or scenic quality of the neighborhood. As detailed in Point III, Section I herein, the evidence demonstrates that the proposed Facility will not have a substantial adverse effect on the aesthetics or scenic quality of the neighborhood or community. This is largely due to the minimal tower height of 75' AGL, the existing natural screening inclusive of trees standing approximately 75' AGL, and similar infrastructure in the area. *Tr. 10/23/25, Page 40, Para. 22 through Page 43, Para. 24; Tr. 10/23/25, Page 46, Para. 6 through Page 47, Para. 9.*

### **CONCLUSION**

The Applicant demonstrated a critical public need for a new tower structure and a lack of any significant adverse environmental effects associated with the proposed Facility. The Applicant demonstrated the importance of this proposed tower Facility which is needed to serve the public and provide reliable communications services. The Applicant's evidence, based on data and expert analyses and testimony, reveals that there are no known practical or feasible alternatives to the proposed Facility at 68 Danbury Road to remedy the gaps in coverage and improvement the substandard wireless services.

We submit that when the Siting Council reviews this Docket, the Applicant has demonstrated:

- The proposed new tower Facility is needed to ensure reliable wireless service including emergency services.
- A comprehensive site search yielded no viable alternative locations.
- No other rational technical or location alternatives exist for providing critical mobile communications services to the public.
- The environmental effects are limited and mitigated to the greatest extent possible.

Based on all of the foregoing, and upon balancing of the probable environmental effects associated with the proposed Facility, the Applicant respectfully submits the public need for the tower facility for reliable communications far outweighs any adverse environmental effects associated with the project. For the reasons set forth in this brief and as more fully evidenced by the record, the Applicant submits that the standards and criteria set forth in C.G.S. § 16-50p for approval of tower facilities by the Siting Council have been met and fully warrant issuance of a Certificate for the proposed Facility in Docket No. 540.



**CERTIFICATE OF SERVICE**

I hereby certify that on this day, one original and fifteen (15) hard copies of the foregoing were sent via overnight Federal Express and electronically to the Connecticut Siting Council in accordance with the Connecticut Siting Council directives.

Dated: November 20, 2025



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