

December 3, 2025

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. 541 – The Towers, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility and associated equipment located at 132 Bass Road, Windham, Connecticut

Letter in Lieu of Post Hearing Brief

Dear Attorney Bachman:

On behalf of a joint venture between Vertical Bridge REIT, LLC (“VBR”) 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 Windham, Connecticut.

On June 23, 2025, the Applicant filed an application with the Connecticut Siting Council (“Council”) for a Certificate of Environmental Capability and Public Need (the “Application”) to construct a wireless telecommunications facility (the “Willimantic East 2 Facility” or “Facility”) in the northerly portion of a 12.4-acre parcel at 132 Bass Road in Windham, Connecticut (the “Property”). The Property is owned by Michael and Bonnie Sikoski (the “Property Owner”) and is used for residential purposes. The proposed Willimantic East 2 Facility would provide Cellco customers and emergency service providers with improved wireless services throughout significant portions of eastern Windham and western Scotland Connecticut (an approximately 6.4 square mile area).

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Facility Description

In accordance with its Land Lease Agreement with the Property Owner, the Applicant proposes to construct, own and maintain a 156-foot-tall monopole tower within a 50' x 50' facility compound in the northerly portion of the Property. Access to the Facility compound would extend from Bass Road over an existing access driveway for 600 feet and then continue approximately 285 feet on a new access driveway to the tower site.

Cellco's antennas and remote radio heads would be installed at a centerline height of 150 feet above ground level. Cellco's radio equipment, a backup battery cabinet, a 50-kW diesel fueled back-up generator and a 210-gallon diesel fuel tank would be installed on concrete pads in the Facility compound.

Section 16-50p Criteria

Section 16-50p of the Public Utility Environmental Standards Act, Conn. Gen. Stat. § 16-50g et seq., sets forth the criteria for Council decisions in Certificate proceedings. Under Section 16-50p, the Applicant must satisfy two key criteria for the Application to be granted and for a Certificate to issue. First, the Applicant must demonstrate that there is a "public need for the facility." Conn. Gen. Stat. § 16-50p(a)(3)(A). Second, the Applicant must identify "the nature of the probable environmental impact" of the Facility through review of the numerous elements specified in Conn. Gen. Stat. § 16-50p(a)(3)(B), and then demonstrate that these impacts "are not sufficient reason to deny the application." Conn. Gen. Stat. § 16-50p(a)(3)(C). The unrefuted evidence in the record for this docket establishes that the above criteria have been satisfied and that the Applicant is entitled to a Certificate.

Public Need

As noted in the Application, the FCC in its Report and Order released on May 4, 1981 (FCC Docket No. 79-318) recognized a public need on a national basis for technical improvement, wide area coverage, high quality, and a degree of competition in mobile telephone service. The Federal Telecommunications Act of 1996 (the "Telecommunications Act") emphasized and expanded on these aspects of the FCC's 1981 decision. (Pub. L. No. 104-104, 140 Stat. 56). Among other things, the Telecommunications Act recognized an important nationwide public need for high quality personal wireless telecommunications services of all varieties. The Telecommunications Act also expressly promotes competition and seeks to reduce regulation in all aspects of the telecommunications industry to foster lower prices for consumers and to encourage the rapid deployment of new telecommunications technologies. (Council Adm. Notice 4).

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The National Broadband Plan (the “Broadband Plan”) released in 2010 recognized broadband as a “foundation for economic growth, job creation, global competitiveness and a better way of life.” One of the Plan’s goals was for the United States to “lead the world in mobile innovation, with the fastest and most extensive wireless networks of any nation.” (Council Adm. Notice 22).

Cellco holds licenses to provide wireless services throughout the State of Connecticut. (Applicant 1, Tab 5). The Facility would be part of Cellco’s expanding wireless telecommunications network envisioned by the Telecommunications Act and the Broadband Plan and that has been developed to help meet these nationwide goals. In particular, Cellco’s system has been designed, and the proposed Facility has been selected, to maximize the geographical coverage, improve network capacity, and improve the overall quality of wireless service to allow for the efficient and reliable use of Cellco’s network. (Applicant Exhibit 1 (“Applicant 1”) pp. 6-7, 9-10, Tab 8; November 6, 2025 Transcript (“Tr.”) pp. 19-20). While the Facility may not directly improve coverage on state or federal roads, travelers, residents, and workers on local roads also deserve access to a fast, reliable wireless network. Additionally, the Facility will relieve existing capacity problems at several of Cellco’s surrounding cell sites allowing those sites to provide improved coverage to large geographic areas, including several major state roads. (Applicant 1, Tab 6; Tr. pp. 18-20).

The record contains ample, written evidence and extensive testimony from Cellco’s Radio Frequency Design Engineer that placing antennas at a height of 150 feet above ground level at the proposed Facility would allow Cellco to satisfy its wireless service objectives in the Windham/Scotland area and provide high-quality reliable wireless service in northeast portions of Windham and northwest portions of Scotland where it does not exist today. Cellco’s objectives are two-fold. First, the Facility will fill significant gaps in reliable wireless “coverage”. As a secondary benefit, the Facility will provide capacity relief to Cellco’s existing Scotland and Chaplin South cell sites, which are currently experiencing performance below Cellco’s standards. (Tr. pp. 18-20, 51, 74-76). Coverage plots included in the Application illustrate clearly that the Cellco customers living, working, and traveling through northeast portions of Windham and northwest portions of Scotland are underserved in all of Cellco’s operating frequencies. Even in its 700 MHz frequency range, Cellco’s most robust operating frequency, significant areas around the Property and significant portions of Bass Road, Back Road, and other local roads in the area, experience signal levels \geq -95 dBm, a signal strength characterized as unreliable for customers inside a vehicle or inside a building. (Applicant 1, pp. 6-7, Tab 6; Applicant Exhibit 3, p. 13; Tr., pp. 18-20, 31-33, 51, 74-76).

The unrefuted evidence in the Docket No. 541 record reveals that there are significant gaps in wireless service, particularly in Cellco’s 700 MHz “base frequencies,” and that there is a

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significant need for improved wireless service in portions of eastern Windham and western Scotland.

Nature of Probable Environmental Impacts

The record also contains ample evidence to support a finding by the Council that the Willimantic East 2 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 Willimantic East 2 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 impact prime farmland soils; is not anticipated to have measurable direct or secondary impacts on wetlands or watercourses; will not impact historic or cultural resources; is not anticipated to be considered an obstruction or hazard to air navigation and, therefore, is not anticipated to 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. 541 record.

The proposed 156-foot tower will maintain adequate setbacks from adjacent property boundaries (approximately 546 feet to the west; approximately 391 feet to the south; approximately 100 feet to the north; and approximately 309 feet to the east). The closest residence to the tower site is the Property's residence and is approximately 190 feet to the southwest. The Applicant explored and responded to Council questions about relocating the tower to the north and/or east on the Property. However, moving the tower to the suggested alternative locations on the Property would require more tree clearing and a longer access driveway.

Visual Impacts

Generally speaking, the primary impact of any telecommunications facility is visual. The overall area where some portion of the proposed Willimantic East 2 Facility tower may be visible year-round (above the tree line), is conservatively estimated to be approximately 28 acres. Seasonal views, through intervening trees and branches, are anticipated to occur within an area of approximately 50 additional acres. Combined visibility is predicted to be only approximately 0.98% of the 8,042-acre study area. Due to distance, intervening topography, and existing vegetation, the Willimantic East 2 Facility will only be visible from a small portion of Beaver Brook State Park, but otherwise will not be visible from any other open space properties or trails and will have limited seasonal visibility from the nearest residences. The Applicant respectfully submits, that the overall visual impacts of the 156-foot tower at the Property will be insignificant.

That said, the Applicant explored and responded to Council questions about certain alternative tower designs and locations on the Property that might reduce the overall visual effect of

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the proposed 156-foot tower. Adjusting the location of the tower on the Property is unlikely to provide significant benefits on visibility. The alternative tower locations on the Property discussed would result in increased environmental impact with limited or no expected reduction to the already limited visibility. The Applicant respectfully submits that the proposed location appropriately balances visibility impacts with other important environmental effects.

Local Input

In accordance with Section 16-50l(e) of the Connecticut General Statutes, the Applicant commenced the ninety (90) day municipal consultation process for the proposed Willimantic East 2 Facility on March 10, 2025. Robert Zarnetske (Windham's Town Manager), Matthew Vertefueille (Windham's Zoning Enforcement Officer), Paula Stahl (Chairman of Windham's Planning and Zoning Commission), Susan Johnson (Chairman of Windham's Inland Wetlands and Watercourses Commission), Dana Barrow, Jr. (Scotland's First Selectman), Isabelle Kisluk (Scotland's Zoning Enforcement Officer), Barbara Syme (Chairperson of Scotland's Planning and Zoning Commission), and Chris Demorit (Chairperson of Scotland's Inland Wetlands and Watercourses Commission) all received a copy of a Technical Report, containing information on the Applicant's plans to establish a telecommunications facility at the Property, the Council's review and approval process, and the municipality's role in that process. The Applicant also contacted Windham's Town Manager after filing the Application, but did not receive a response.

In addition, in accordance with Section 16-50l(b) of the General Statutes, full copies of the Application package were sent to numerous municipal officials in Windham and Scotland, including the Town Manager, First Selectman, Town Clerk, Zoning Enforcement Officer, Chair of the Planning and Zoning Commission, and Chair of the Inland Wetlands and Watercourses Commission. Neither VBR nor Cellco received any comments or communications directly from the Town or members of the public after submission of the Application.

Conclusion

The record in Docket No. 541 establishes that the impacts associated with the proposal would be limited and outweighed by the benefits to the public from the proposed Facility and, therefore, requires that the Council approve the Application. As discussed above, the only potential adverse impact from the proposed tower involves "scenic values." As the record overwhelmingly demonstrates, the Facility would have minimal impacts on scenic values in the area. (Applicant 1, Tab 8; Applicant 3, p. 21; Tr. pp. 28-30). These limited aesthetic impacts may be, and in this case are, outweighed by the public benefit derived from the establishment of the Facility. Unlike many other types of development, telecommunications facilities do not cause indirect environmental impacts, such as increased traffic and related pollution. The Applicant has designed the proposed Facility so that it could be shared by other wireless carriers, and the

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Town, or local emergency service providers, if a need exists. (Applicant 1, p. 10).

The unrefuted evidence in the record clearly demonstrates that there is a need for the proposed Willimantic East 2 Facility and that the improved service from the proposed Facility will provide a significant benefit to the Windham and Scotland communities and emergency service providers in the area. The record also demonstrates that the environmental impacts associated with the proposed Willimantic East 2 Facility would not be substantial and that any impacts are outweighed by the benefits the Facility will offer to the public. In sum, the potential environmental impacts from the Facility would be minimal when considered against the benefits to the public. These impacts are insufficient to deny the Application. The proposed Facility, therefore, satisfies the criteria for a Certificate pursuant to Conn. Gen. Stat. § 16-50p, and the Applicant's request for a Certificate should be granted.

Sincerely,



Jonathan H. Schaefer