

**DOCKET NO. 546** - Crown Castle Towers 06-2 LLC and New Cingular Wireless PCS, LLC d/b/a AT&T 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 70 Universal Drive, North Haven, Connecticut. } Connecticut  
 } Siting Council

February 24, 2026

**Applicants' Draft Findings of Fact**

1. Crown Castle Towers 06-2 LLC and New Cingular Wireless PCS, LLC d/b/a AT&T (Applicants), in accordance with provisions of Connecticut General Statutes (CGS) §16-50g, et seq., applied to the Connecticut Siting Council (Council) on October 25, 2025 for a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, maintenance, and operation of a 138-foot monopole wireless telecommunications facility at 70 Universal Drive, North Haven, Connecticut (refer to Figures 1 & 2). (Applicants 1, p. 1)
2. Crown Castle Towers 06-2 LLC (Crown Castle) is a Delaware limited liability company with an office located at 2000 Corporate Drive, Canonsburg, PA 15317. Crown Castle operates and leases wireless telecommunications facilities throughout the United States. Crown Castle would construct, maintain and own the proposed facility and would be the Certificate Holder. (Applicants 1, p. 4)
3. New Cingular Wireless PCS, LLC d/b/a AT&T (AT&T) is a Delaware limited liability company with an office at 1025 Lenox Park Boulevard NE, Atlanta, Georgia 30319. AT&T is licensed by the Federal Communications Commission (FCC) to provide personal wireless communication service in the State of Connecticut. (Applicants 1, p. 4)
4. The parties to this proceeding are Crown Castle and AT&T. The Intervenor in this proceeding is Cellco Partnership d/b/a Verizon Wireless (Cellco) (Record; Transcript 1, February 3, 2026, 2 p.m. (Tr. 1), p. 5)
5. There are no Connecticut Environmental Protection Act (CEPA) Intervenors in this proceeding. (Record)
6. Under Regulations of Connecticut State Agencies (RCSA) §16-50j-16, the Council may add parties and intervenors at any time during the pendency of a proceeding. Any person granted status is responsible for obtaining and reviewing all materials for the proceeding. (RCSA §16-50j-16 (2025))
7. The purpose of the proposed facility is to maintain reliable wireless communications services for AT&T customers in North Haven that would otherwise be lost due to the decommissioning of its existing facility located approximately 800' to the south at 120 Universal Drive, North Haven. (Applicants 1, Attachment 16)

8. Under CGS §16-50p(b), there is a presumption of public need for personal wireless services and the Council is limited to consideration of a specific need for any proposed facility to be used to provide such services to the public. (CGS §16-50p(b) (2025))
9. Also under CGS §16-50p(b), the Council must examine whether the proposed facility may be shared with any public or private entity that provides service to the public if the shared use is technically, legally, environmentally and economically feasible and meets public safety concerns, and may impose reasonable conditions as it deems necessary to promote the immediate and shared use of telecommunications facilities and avoid the unnecessary proliferation of such facilities consistent with the State's tower sharing policy. (CGS §16-50p(b) (2025); CGS §16-50aa (2025))
10. Pursuant to CGS §16-50l (b), notice of the application was provided to abutting property owners by certified mail on October 27, 2025. On November 18, 2025, the certified mail package sent to Sunoco LLC (who owns the abutting property at 23 Universal Drive) was returned to the Applicants marked undeliverable by the US Postal Service (USPS). The Applicants resent the notice by regular USPS mail to Sunoco LLC at the property location as well as two additional locations. (Applicants 1, Attachment 24; Applicants 6, Response 1, Exhibit A)
11. On October 25, 2025, Applicants provided notice to all federal, state and local officials and agencies listed in CGS §16-50l (b). (Applicants 1, Attachment 24)
12. Pursuant to CGS §16-50l (b), Applicants published public notice of the filing of the application in the New Haven Register on October 24 and October 27, 2025. (Applicants 1, Attachment 4)

### **Procedural Matters**

13. CGS §1-225a permits public agencies to hold remote meetings under the Freedom of Information Act (FOIA) and the Uniform Administrative Procedure Act. FOIA defines "meeting" in relevant part as "any hearing or other proceeding of a public agency." (CGS §1-225a (2025); CGS §1-200, et seq. (2025))
14. CGS §1-225a allows public agencies to hold remote meetings provided that: The public has the ability to view or listen to each meeting or proceeding in real-time, by telephone, video, or other technology;
  - a. Any such meeting or proceeding is recorded or transcribed and such recording or transcript shall be posted on the agency's website within seven (7) days of the meeting or proceeding;
  - b. The required notice and agenda for each meeting or proceeding is posted on the agency's website and shall include information on how the meeting will be conducted and how the public can access it any materials relevant to matters on the agenda shall be submitted to the agency and posted on the agency's website for public inspection prior to, during and after the meeting; and

c. All speakers taking part in any such meeting shall clearly state their name and title before speaking on each occasion they speak.  
(CGS §1-225a (2025))

15. Upon receipt of the application, on October 28, 2025, the Council sent a letter to the Town of North Haven and the Town of Hamden (which is located within 2,500 feet of the proposed facility) (collectively, the Municipalities), as notification that the application was received and is being processed, in accordance with CGS §16-50gg. (Record)
16. Local zoning regulations do not apply to facilities under the exclusive jurisdiction of the Council. Pursuant to CGS §16-50x, the Council has exclusive jurisdiction over telecommunications facilities throughout the state. It shall consider any location preferences provided by the host municipality under CGS §16-50gg as the Council shall deem appropriate. (CGS §16-50x (2025))
17. During a regular Council meeting on November 13, 2025, the application was deemed complete pursuant to RCSA § 16-50l-1a and the public hearing schedule was approved by the Council. (Record)
18. Pursuant to CGS § 16-50m, on November 14, 2025, the Council sent a letter to the Municipalities to provide notification of the scheduled public hearing via Zoom remote conferencing and to invite the Municipalities to participate. (Record)
19. Pursuant to CGS § 16-50m, the Council published legal notice of the date and time of the public hearing to be held via Zoom remote conferencing in The Advisor on November 25, 2025. (Record; Tr. 1, p. 5)
20. The Council's Hearing Notice did not refer to a public field review of the proposed site. Field reviews are neither required by statute nor an integral part of the public hearing process. The purpose of a field review is to be an investigative tool to acquaint members of a reviewing commission with the subject property. (Record; *Manor Dev. Corp. v. Conservation Comm'n*, 180 Conn. 692, 701 (1980); *Grimes v. Conservation Comm'n*, 243 Conn. 266, 278 (1997))
21. On January 27, 2026, pursuant to CGS §16-50o, the Applicants filed a Motion for Protective Order related to the disclosure of the monthly rent and financial terms contained within the lease agreement for the proposed site. (Record)
22. Pursuant to CGS §16-50p(g), the Council shall in no way be limited by the Applicants already having acquired land or an interest therein for the purpose of constructing the proposed facility. (CGS §16-50p(g) (2025); *Corcoran v. Conn. Siting Council*, 284 Conn. 455 (2007))
23. The Council's evaluation criteria under CGS §16-50p does not include the consideration of property ownership or property values nor is the Council otherwise obligated to take into account the status of property ownership or property values. (CGS §16-50p (2025); *Woodbridge Newton Neighborhood Env't Trust v. Conn. Siting Council*, 321 A.3d 363 (Conn. 2024); *Goldfisher v. Conn. Siting Council*, 95 Conn. App. 193 (2006))

24. On January 14, 2026, the Council held a pre-hearing conference on procedural matters for parties and intervenors to discuss the requirements for pre-filed testimony, exhibit lists, administrative notice lists, expected witness lists and filing of pre-hearing interrogatories. The Applicants participated in the Council's pre-hearing conference. Procedures for the public hearing via Zoom remote conferencing were also discussed. (Council Pre-Hearing Conference and Remote Hearing Procedure Memoranda dated January 7, 2026; RCSA §16-50j-22a; RCSA §16-50j-26 (2025))
25. On January 9, 2026, in lieu of an in-person field review of the proposed site, the Council requested that Applicants submit photographic documentation of site-specific features into the record intended to serve as a "virtual" field review of the site. On January 27, 2026, the Applicants submitted such information in response to the Council's interrogatories. (Record; Applicants 6, Response 41, Exhibit C)
26. In compliance with RCSA §16-50j-21, on January 16, 2026, the Applicants installed a six-foot by four-foot sign at 70 Universal Drive, North Haven in the vicinity of the access drive for the proposed site. The sign presented information regarding the proposed telecommunications facility and the Council's public hearing. (Record; Applicants 5)
27. Pursuant to CGS § 16-50m, the Council gave due notice of a public hearing to be held on February 3, 2026, beginning with the evidentiary session at 2:00 p.m. and continuing with the public comment session at 6:30 p.m. via Zoom remote conferencing. The Council provided information for video/computer access or audio only telephone access. (Council's Hearing Notice dated January 7, 2026; Tr. 1, p. 1; Transcript, February 3, 2026, 6:30 p.m. (Tr. 2), p. 1)
28. During the evidentiary hearing session on February 3, 2026, the Council issued a Protective Order related to the disclosure of the monthly rent and financial terms contained within the lease agreement for the above-referenced site, pursuant to CGS §1-210(b) and consistent with the Conclusions of Law adopted in Council Docket 366. (Record; Tr. 1, pp. 7-9)
29. The 6:30 p.m. public comment session afforded interested persons the opportunity to provide limited oral appearance statements. Interested persons were also afforded an opportunity to provide written limited appearance statements at any time up to 30 days after the close of the evidentiary record. Limited appearance statements in this proceeding, whether oral or written, were not provided under oath nor subject to cross examination. (Tr. 1, p. 6-8; Tr. 2, p. 6; CGS §16-50n(f) (2025))
30. No members of the public signed up to speak during the public comment session of the Council's hearing held on February 3, 2026. (Tr. 2, p. 6)
31. In compliance with CGS §1-225a:
  - a. The public had the ability to view and listen to the remote public hearings in real-time, by computer, smartphone, tablet or telephone;
  - b. The remote public hearings were recorded and transcribed, and such recordings and transcripts were posted on the Council's website on February 10, 2026;

- c. The Hearing Notice, Hearing Program, Citizens Guide for Siting Council Procedures and Instructions for Public Access to the Remote Hearings were posted on the Council's website;
- d. Prior to, during and after the remote public hearings, the record of the proceeding has been, and remains, available on the Council's website for public inspection; and
- e. The Council, parties and intervenors provided their information for identification purposes during the remote public hearings.

(Council Transcript Memorandum dated February 10, 2026; Tr. 1; Tr. 2; Record)

- 32. The purpose of discovery is to provide the Council, parties and intervenors access to all relevant information in an efficient and timely manner to ensure that a complete and accurate record is compiled. (RCSA §16-50j-22a (2025))
- 33. In an administrative proceeding, irrelevant, immaterial or unduly repetitious evidence shall be excluded, and an agency has the right to believe or disbelieve the evidence presented by any witness, even an expert, in whole or in part. (CGS §4-178 (2025); *Dore v. Comm'r of Motor Vehicles*, 62 Conn. App. 604 (2001); RCSA §16-50j-25)
- 34. Pursuant to CGS §16-50n(f), at the conclusion of the hearing session held on February 3, 2026, the Council closed the evidentiary record for Docket 546 and established March 5, 2026 as the deadline for public comments and the submission of briefs and proposed findings of fact. (Record; Tr. 2, p. 8-9)
- 35. On February 3, 2026, the Council requested an extension of time to September 23, 2026, to render a final decision. On February 11, 2026, in response to the Council's request, the Applicants consented to the extension of time for the Council to render a final decision. (Record)
- 36. Constitutional principles permit an administrative agency to organize its hearing schedule so as to balance its interest in reasonable, orderly and non-repetitive proceedings against the risk of erroneous deprivation of a private interest. It is not unconstitutional for the Council, in good faith, to balance its statutory time constraints against the desire of a party, intervenor or CEPA intervenor for more time to present their objections to a proposal. (*Concerned Citizens of Sterling v. Conn. Siting Council*, 215 Conn. 474 (1990); *Pet v. Dep't of Public Health*, 228 Conn. 651 (1994); *FairwindCT, Inc. v. Conn. Siting Council*, 313 Conn. 669 (2014))

### **State Agency Comment**

- 37. Pursuant to CGS §16-50j (g), on November 14, 2025, the following state agencies were solicited by the Council to submit written comments regarding the proposed facility: Department of Energy and Environmental Protection (DEEP); Department of Public Health (DPH); Council on Environmental Quality (CEQ); Public Utilities Regulatory Authority (PURA); Office of Policy and Management (OPM); Department of Economic and Community Development (DECD); Department of Agriculture (DOAg); Department of Transportation (DOT); Connecticut Airport Authority (CAA); Department of Emergency Services and Public

Protection (DESPP); State Historic Preservation Office (SHPO); and Office of Consumer Counsel (OCC). (Record)

38. On November 19, 2025, the Council received comments from CEQ related to the assessment of alternate sites including the existing tower at 90/100 Universal Drive. These comments, among other visibility concerns, are more specifically addressed in the *Environmental Effects and Mitigation Measures* section of this document, pursuant to CGS §16-50p. (Record; CGS §16-50p (2025))
39. While the Council is obligated to consult with and solicit comments from state agencies by statute, the Council is not required to abide by the comments from state agencies. (CGS §16-50p(g) (2025); *Corcoran v. Conn. Siting Council*, 284 Conn. 455 (2007)).

### **Municipal Consultation**

40. Pursuant to CGS §16-50l(f), the Applicants commenced the 90-day pre-application municipal consultation process on July 22, 2025, by submitting a package which included a site plan, radio frequency analysis report and visual assessment to officials at both the Town of North Haven and the Town of Hamden. (Applicants 1, p. 5-6, Attachment 3)
41. On August 12, 2026, the Applicants met in person with North Haven's Zoning Enforcement Officer and Town Engineer. The Town of North Haven did not have any comments on the Applicants' proposed facility (Applicants 1, p. 5)
42. In correspondence from the Town of North Haven to the Applicants dated September 26, 2025, the Town of North Haven indicated the Applicants had fulfilled their municipal consultation requirements, imparted their support of the effective relocation of the existing facility and waived the remaining time for the consultation period. (Applicants 1, p. 5, Attachment 3)
43. On October 6, 2025, the Applicants met remotely with the Hamden Town Planner. The Town of Hamden did not have any comments on the Applicants' proposed facility. (Applicants 1, p. 6)

### **Public Need for Service**

44. In 1996, the United States Congress recognized a nationwide need for high quality wireless telecommunications services, including cellular telephone service. Through the Federal Telecommunications Act of 1996, Congress seeks to promote competition, encourage technical innovations, and foster lower prices for telecommunications services. (Council Administrative Notice Item No. 4 – Telecommunications Act of 1996)
45. In issuing cellular licenses, the Federal government has preempted the determination of public need for cellular service by the states and has established design standards to ensure technical integrity and nationwide compatibility among all systems. (Council Administrative Notice Item No. 4 – Telecommunications Act of 1996)

46. Section 253 of the Telecommunications Act of 1996 prohibits any state or local statute or regulation, or other state or local legal requirement from prohibiting or having the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service. (Council Administrative Notice Item No. 4 – Telecommunications Act of 1996)
47. Section 704 of the Telecommunications Act of 1996 prohibits local and state entities from discriminating among providers of functionally equivalent services and from prohibiting or having the effect of prohibiting the provision of personal wireless services. This section also requires state or local governments to act on applications within a reasonable period of time and to make any denial of an application in writing supported by substantial evidence in a written record. (Council Administrative Notice Item No. 4 – Telecommunications Act of 1996)
48. Section 704 of the Telecommunications Act of 1996 also prohibits any state or local entity from regulating telecommunications towers on the basis of the environmental effects of radio frequency emissions, which include effects on human health and wildlife, to the extent that such towers and equipment comply with FCC's regulations concerning such emissions. (Council Administrative Notice Item No. 4 – Telecommunications Act of 1996)
49. Section 706 of the Telecommunications Act of 1996 requires each state commission with regulatory jurisdiction over telecommunications services to encourage the deployment on a reasonable and timely basis of advanced telecommunications capability to all Americans, including elementary and secondary schools, by utilizing regulating methods that promote competition in the local telecommunications market and remove barriers to infrastructure investment. (Council Administrative Notice Item No. 4 – Telecommunications Act of 1996)
50. In December 2009, President Barack Obama recognized cell phone towers as critical infrastructure vital to the United States. The Department of Homeland Security, in collaboration with other federal stakeholders, state, local, and tribal governments, and private sector partners, has developed the National Infrastructure Protection Plan (NIPP) to establish a framework for securing resources and maintaining resilience from all hazards during an event or emergency. (Council Administrative Notice Item No. 11 – Presidential Proclamation 8460, Critical Infrastructure Protection)
51. In February 2012, Congress adopted the Middle Class Tax Relief and Job Creation Act (also referred to as the Spectrum Act) to advance wireless broadband service for both public safety and commercial users. The Act established the First Responder Network Authority (FirstNet) to oversee the construction and operation of a nationwide public safety wireless broadband network. Section 6409 of the Act contributes to the twin goals of commercial and public safety wireless broadband deployment through several measures that promote rapid deployment of the network facilities needed for the provision of broadband wireless services. (Council Administrative Notice Item No. 8 – Middle Class Tax Relief and Job Creation Act of 2012)
52. In June 2012, President Barack Obama issued an Executive Order to accelerate broadband infrastructure deployment declaring that broadband access is a crucial resource essential to the nation's global competitiveness, driving job creation, promoting innovation, expanding markets for American businesses and affording public safety agencies the opportunity for

greater levels of effectiveness and interoperability. (Council Administrative Notice Item No. 12 – Presidential Executive Order 13616, Accelerating Broadband Infrastructure Development; Council Administrative Notice Item No. 24 – FCC Wireless Infrastructure Report and Order)

53. Pursuant to Section 6409(a) of the Spectrum Act, a state or local government may not deny and shall approve any request for collocation, removal or replacement of equipment on an existing wireless tower provided that this does not constitute a substantial change in the physical dimensions of the tower. (Council Administrative Notice Item No. 8 – Middle Class Tax Relief and Job Creation Act of 2012; Council Administrative Notice Item No. 24 – FCC Wireless Infrastructure Report and Order)
54. In June 2020, the FCC issued a declaratory ruling that heights of existing towers located outside of the public right-of-way could increase by up to 20 feet plus the height of a new antenna without constituting a substantial change in the physical dimensions of a tower. (Council Administrative Notice Item No. 28 - Declaratory Ruling and Notice of Proposed Rulemaking, FCC 20-75, June 10, 2020)
55. In November 2020, the FCC issued an order that ground excavation or deployment up to 30 feet in any direction beyond the site boundary of existing towers located outside of the public right-of-way does not constitute a substantial change in the physical dimensions of a tower (Council Administrative Notice Item No. 29, Report and Order, FCC 20-153, November 3, 2020)
56. According to State policy, if the Council finds that a request for shared use of a facility by a municipality or other person, firm, corporation or public agency is technically, legally, environmentally and economically feasible, and the Council finds that the request for shared use of a facility meets public safety concerns, the Council shall issue an order approving such shared use to avoid the unnecessary proliferation of towers in the state. (CGS §16-50aa (2025))
57. The Town of North Haven's 2017 Plan of Conservation and Development does not reference wireless communications, wireless infrastructure or communications infrastructure. (Applicants 1, p. 22)
58. On November 14, 2025, the Council sent correspondence to other telecommunications carriers not intervening in the proceeding requesting whether carriers are interested in locating on the proposed facility in the foreseeable future and, if so, to notify the Council by January 27, 2026. On December 4, 2025, Cellco petitioned to participate as an intervenor in this matter. On January 8, 2026, the Council granted Cellco Intervenor status in this matter. (Record; Siting Council Meeting Minutes dated January 8, 2026)
59. The facility would be designed to accommodate at least three wireless carriers. (Applicants 1, p. 13)
60. The tower structure and foundation can be designed to accommodate a future 20-foot extension. (Tr. 1, p. 23)

61. AT&T will deploy 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. (Applicants 1, p. 16-17, Attachment 16)

### **AT&T's Existing and Proposed Wireless Services**

62. AT&T's antennas are currently positioned on the existing 120-foot tower at 120 Universal Drive with an antenna centerline at 118 feet above ground level (agl). (Applicants 6, Response 3)
63. The existing tower was approved by the Town of North Haven Planning and Zoning Commission on November 20, 2000. (Applicants 1, p. 6)
64. The Council has approved tower sharing applications and modifications to the existing tower. (Applicants 1, p. 6, Attachment 6)
65. AT&T provides digital voice and data services using advanced 4th Generation (4G) services over LTE technology in the 700 MHz, 850 MHz, 1900 MHz, 2100 MHz and 2300 MHz frequency bands. (Applicants 1, p. 16, Attachment 16)
66. AT&T is selectively rolling out 5th Generation (5G) services in the 850 MHz, 1900 MHz, 2100 MHz and 2300 MHz bands. 850 MHz will have 5G services at launch. PCS and AWS will have 4G and 5G. (Applicants 1, p. 16, Attachment 16)
67. The 700 MHz frequency provides the widest area of coverage and therefore defines the coverage footprint of the AT&T wireless system. The other higher frequencies (850 MHz, PCS, AWS, etc.) provide a smaller coverage footprint and are used to provide additional capacity to the system. By serving users in the areas they can cover, these higher frequencies reduce the load on the 700 MHz system and increase the data speeds available to users that only have 700 MHz coverage. (Applicants 6, Response 25)
68. AT&T designs its network using a -93 dBm signal level threshold for reliable in-vehicle service (Applicants 1, Attachment 16)
69. If the existing facility is decommissioned, AT&T will have a coverage deficiency along I-91, Route 17 (Middletown Avenue), Quinipiac Avenue, Montowese Avenue, McDermott Road (Medtronic Covidien Medical Manufacturer) as well as other main roads in the area such as those listed in the chart below. (Applicants 1, Attachment 16; Applicants 6, Response 24; Figures 3, 4, 5)

Street Name	Distance (mi)
I 91	0.52
US Hwy 5	0.68
Hartford Tpke	0.15
State Hwy 17	0.1
Quinnipiac Ave	1.87
Middletown Ave	1.19
Fitch St	0.7
Park Rd	0.2
Ridge Rd	0.2
Skiff St	0.11
Providence St	0.08
Cross St	0.07
N Frontage Rd	0.01

70. The coverage deficiencies were confirmed by propagation modeling. (Applicants 1, Attachment 16; Figures 3, 4, 5)
71. To fulfill the potential deficiencies in coverage, AT&T needs to locate its antennas at a centerline height of 120 feet on the proposed tower. AT&T cannot meet their coverage objectives with a lower antenna centerline height. (Applicants 1, p. 11, Attachment 16; Applicants 6, Response 29)
72. In order to utilize flush-mounted antennas, AT&T would require 2 additional levels of antennas above the 120-foot antenna centerline height, which would then require the overall height of the monopole be raised to 158 feet agl to accommodate collocators. (Applicants 6, Response 28)

### **Site Selection**

73. Due to the upcoming expiration of its lease agreement for the 120 Universal Drive site, in September 2022, Crown Castle initiated a site search. AT&T did not conduct a separate site search. (Applicants 1, p. 12-13; Applicants 6, Response 6)
74. In June 2023 Crown Castle learned that the existing tower may need to be decommissioned based on discussions with the property owner. (Applicants 6, Response 2)
75. Crown Castle did not identify any existing towers, electric transmission lines or structures that were available and feasible in its search ring. (Applicants 1, p. 12, Attachment 15; Applicants 6, Response 9)
76. Crown Castle focused on the parcels adjacent to the existing site to maintain continuity of service. All of the industrial parcels in the area are developed to a certain extent, and many were not conducive due to the location of existing structures on the parcels. (Applicants 1, p. 12-13; Applicants 6, Response 7)

77. Crown Castle considered the following parcels in North Haven:
  - a. **130 Universal Drive:** After initial interest, the property owner was not responsive.
  - b. **120 Universal Drive:** Initially listed as a candidate but it is the existing parcel and the property owner was not interested in continuing the lease for a telecommunications facility.
  - c. **150 Universal Drive:** Significantly developed parcel and the property owner was only interested in using the rear portion of the property which had limited space for a multi-carrier telecommunications tower.
  - d. **222 Universal Drive:** After leaving at least 6 messages, the property owner's assistant advised that the property owner wasn't interested.
  - e. **70 Universal Drive:** Proposed parcel.
  - f. **78 Rebesch Drive:** Property owner not responsive.
  - g. **170 McDermott Road:** The Town of North Haven indicated that there was no interest in using the parcel for a telecommunications tower, which is consistent with the letter of support from the Town submitted with this application and the Applicants' discussions with the Town during the consultation process.
  - h. **37 Nettleton Avenue:** After initial interest, the property owner did not respond to further inquiries.
  - i. **250 Universal Drive:** The property owner was not interested due to the future planned use of the parcel.(Applicants 6, Response 7A)
78. Once Crown Castle was able to enter into a lease agreement with the owner of the proposed parcel, which is only 800' to the north of the existing tower, it ended its site search. (Applicants 6, Response 7A)
79. Crown Castle will work with the existing property owner to maintain the existing facility on a month-to-month basis to ensure on-air continuity of service for the carriers. (Applicants 6, Responses 4 & 5; Tr. 1, p. 18)
80. Cellco currently locates its antennas on an 80-foot signal tower at 90/100 Universal Drive. Due to structural and space limitations, that tower cannot be upgraded. Verizon plans to collocate on the proposed tower. (Applicants 1, p. 13, 15-17; Applicants 6, Response 8)
81. T-Mobile's antennas are located on the existing tower with an antenna centerline height of 105 feet and has committed to relocate to the proposed tower at 108' antenna centerline height. (Applicants 6, Response 23).
82. The Council has no authority to compel a parcel owner to sell or lease property, or portions thereof, for the purpose of siting a facility nor shall the Council be limited in any way by the applicant having already acquired land or an interest therein for the purpose of constructing a facility. (*Corcoran v. Conn. Siting Council*, 284 Conn. 455 (2007); CGS §16-50p(g)(2025))
83. For any site to be considered a feasible and prudent alternative to a proposed facility site, it must be available to host the proposed facility. The Council has no authority to force a property

owner to agree to sell or lease land, or any portion thereof, as a primary or alternative location for a proposed facility. (*Corcoran v. Conn. Siting Council*, 284 Conn. 455 (2007))

### *Small Cells and Distributed Antenna Systems*

84. A series of small cells or a Distributed Antenna System (DAS) to serve the area is not cost effective or feasible given the number of facilities required and encumbrances on existing utility poles such as transformers, risers, and streetlights that would limit a carrier's ability to use the pole. While the number of small cells or DAS nodes that would be required to provide comparable service is unknown, it is expected to be a large number given the size of the service area. (Applicants 6, Response 10)
85. To provide wireless service to the proposed service area would require a significant number of small cell deployments either on existing utility poles or on new utility poles along roadways or on private parcels throughout the proposed service area and would not be economically viable as a replacement for a single tower site. The estimated cost of each small cell node/facility is \$50,000-\$70,000 which does not include the front haul fiber connection to the node which averages \$50,000-\$70,000 per node. (Applicants 3, Response 10)

### **Proposed Site**

86. Pursuant to RCSA §16-50j-2a(29), "Site" means a contiguous parcel of property with specified boundaries, including, but not limited to, the leased area, right-of-way, access and easements on which a facility and associated equipment is located, shall be located or is proposed to be located. (RCSA §16-50j-2a(29)(2025))
87. The proposed site is located on an approximate 6-acre parcel owned by North Haven Property LLC at 70 Universal Drive, North Haven (Assessor's Map 011, Lot 002). The parcel is developed with a retail building and parking lot (refer to Figure 6). (Applicant 1, p. 7-8; Attachment 7)
88. The host parcel is zoned Light Industrial (IL30). Abutting areas to the north, south and east of the Site are also in the IL30 zoning district with areas to the west in the General Industrial (IG-80) zoning district. (Applicants 1, p. 7)
89. The surrounding area is characterized to the east by industrial and commercial development primarily along Universal Drive, and the I-91 corridor, and residential development on the eastern side of I-91. The Quinnipiac River and associated marsh/wetlands lie to the west, with the Route 5 corridor and residential development beyond. There is a large area of conservation land, the Quinnipiac River Marsh Wildlife Area to the west. (Applicants 1, p. 7, Attachment 11)
90. The proposed tower site would be located in the southern portion of the parcel adjacent to an existing paved parking area. (Applicants 1, Attachment 1 – Site Location Map)

91. The proposed tower site is at an approximate ground elevation of 19 feet above mean sea level (amsl). (Applicants 1, p. 7-8, Attachment 7)
92. The tower site would be within a 4,900 square-foot gravel compound area. (Applicants 1, p. 7-8, Attachment )
93. Approximately 100 cubic yards of clean, broken stone will be required for the compound and the turn around area. The utility trench for the proposed underground utilities will require exaction of approximately 50 cubic yards of material to backfill the trench. (Applicants 1, p. 8)

### **Proposed Facility**

94. The proposed facility would consist of a 138-foot monopole tower, designed to support three carriers. In addition to AT&T, Cellco and T-Mobile have agreed to collocate on the proposed tower (refer to Figure 5). (Record; Applicants 1, p. 3, Attachment 1, Tr. 1, p. 19-21)
95. The tower and foundation could be designed to support an increase in height of up to 20 feet. (Tr. 1, p. 23)
96. AT&T would install 9 panel antennas, 9 remote radio heads and 2 surge arrestors mounted on an antenna platform at a centerline height of 120 feet agl (refer to Figure 7). (Applicants 1, Attachment 7)
97. AT&T would install one walk-up electronic equipment cabinet, one battery cabinet, and a 20kW propane-fueled powered generator on a 15-foot by 16-foot concrete pad. A 500-gallon propane tank on a 4-foot by 10-foot concrete pad will also be located within the fenced compound. (Applicant 1, p. 11, Attachment 7)
98. The proposed walk-up electronic equipment cabinet would be equipped with a motion sensor light for use during maintenance visits after dark. (Applicants 6, Response 35)
99. The proposed equipment compound would be surrounded by an 8-foot-high chain link fence with a locked gate and appropriate signage. The facility will also be monitored 24/7 at AT&T's state-of-the-art Network Operation Center which can detect a malfunction or tampering. (Applicant 1, p. 7-8, Attachment 7; Applicants 6, Response 32)
100. Access to the tower site would be from an existing paved parking area to a proposed gravel compound, approximately 200' in length. (Applicants 1, p. 7-8)
101. Site improvements entail approximately 125 cubic yards of net excavation for construction of the fenced compound and vehicle turnaround area. Approximately 100 cubic yards of clean, broken stone will be required for the compound and the turn around area. The utility trench for the proposed underground utilities will require exaction of approximately 50 cubic yards of material to backfill the trench. (Applicants 1, p. 8)

102. Power and telecommunications utilities would extend underground from a proposed 35-foot agl utility pole. (Applicants 1, p. 10, Attachment 6; Applicants 6, Response 22)
103. The site does not require water or sewer services. There would be no water connection to the site. (Applicant 1, p. 17, Attachment 7)
104. There are 6 single family residential structures within 1,000 feet of the proposed site with the closest being approximately 635 feet to the east across I-91 at 32 Nettleton Avenue. (Applicants 1, p. 8-9, Attachment 11)
105. The distance from the proposed tower to the existing parking lot (which is the nearest publicly accessible area) is  $\pm 35$  feet, to the closest property line is  $\pm 109$  feet and to the active railroad tracks is  $\pm 130$  feet. (Applicants 6, Responses 15 & 16)
106. The proposed tower will be designed with a pre-engineered yield point at 69' agl. (Responses 36; Attached 7 – Sheet CP-1)
107. A D&M Plan is a condition of a Council final decision that must be met prior to commencement of construction and constitutes the “nuts and bolts” of a facility approved by the Council. (CGS §16-50p (2025); RCSA §16-50j-75, et seq.; *Woodbridge Newton Neighborhood Env't Trust v. Conn. Siting Council*, 321 A.3d 363 (Conn. 2024))
108. The Applicants anticipate the facility would be constructed over a 12-week period. (Applicants 1, p. 10)
109. Site construction would commence following Council approval of a D&M Plan for the facility. (Applicants 1, p. 25)
110. A copy or notice of the filing of a D&M Plan with the Council is required to be provided to the service list for comment. (RCSA §16-50j-75(e)(2025))
111. The Council has statutory authority to order a D&M Plan and the Council's D&M Plan process has been upheld by the Connecticut Supreme Court. (CGS §16-50p (2025); *FairwindCT, Inc. v. Conn. Siting Council*, 313 Conn. 669 (2014))
112. The site will be accessed typically once or twice a month for maintenance activities. (Applicants 1, p. 21)
113. Crown Castle will conduct annual or biannual ground-based inspections of the proposed tower as well as a climbed inspection every 5 years per Telecommunication Industry Association standards. (Applicants 6, Response 19)

114. Crown Castle's estimated cost of the proposed facility is:

<b>Description:</b>	<b>Cost:</b>
Site Acquisition	\$ 12,000
Design/Due Diligence/zoning	\$176,000
Construction	<u>\$492,000</u>
<b>Total</b>	<b>\$680,000</b>

115. AT&T's estimated cost of the proposed facility is:

<b>Description:</b>	<b>Cost:</b>
Equipment/Materials	\$114,000
Construction	\$179,000
Integration & Optimization	<u>\$ 15,300</u>
<b>Total</b>	<b>\$308,300</b>

(Applicants 1, p. 12)

116. Crown Castle would recover the costs associated with the construction of the facility by leasing space on the proposed facility to collocating tenants. (Applicants 1, p. 24; Applicants 6, Response 18)

117. AT&T will recover its costs as part of its business operations and services. (Applicants 1, p. 24; Applicants 6, Response 18)

118. Neither the project, nor any portion thereof, is proposed to be undertaken by State departments, institutions or agencies or to be funded in whole or in part by the State through any grant or contract. Both Crown Castle and AT&T are private entities. (CGS §22a-1, *et seq.* (2025); Applicants 6, Response 17))

### **Public Health and Safety**

119. The Wireless Communications and Public Safety Act of 1999 (911 Act) was enacted by Congress to promote and enhance public safety by making 9-1-1 the universal emergency assistance number, by furthering deployment of wireless 9-1-1 capabilities, and by encouraging construction and operation of seamless ubiquitous and reliable networks for wireless services. (Council Administrative Notice Item No. 6 - Wireless Communications and Public Safety Act of 1999)

120. The proposed facility would be in compliance with the requirements of the 911 Act and would provide Enhanced 911 services. (Applicants 1, p. 16)

121. Wireless carriers have voluntarily begun supporting text-to-911 services nationwide in areas where municipal Public Safety Answering Points (PSAP) support text-to-911 technology. Text-to-911 will extend emergency services to those who are deaf, hard of hearing, have a speech disability, or are in situations where a voice call to 911 may be dangerous or impossible. However, even after a carrier upgrades its network, a user's ability to text to 911 is limited by

the ability of the local 911 call center to accept a text message. The FCC does not have the authority to regulate 911 call centers; therefore, it cannot require them to accept text messages. (Council Administrative Notice Item No. 23 – FCC Text-to-911: Quick Facts & FAQs)

122. AT&T's proposed equipment installation would be capable of supporting text-to-911 service. (Applicants 1, p.16)
123. Pursuant to the Warning, Alert and Response Network Act of 2006, "Wireless Emergency Alerts" (WEA) is a public safety system that allows customers who own enabled mobile devices to receive geographically targeted, text messages alerting them of imminent threats to safety in their area. WEA complements the existing Emergency Alert System that is implemented by the FCC and FEMA at the federal level through broadcasters and other media service providers, including wireless carriers. (Council Administrative Notice No. 5 – FCC WARN Act)
124. AT&T's proposed equipment would provide WEA services. (Applicants 1, p. 16)
125. Pursuant to CGS §16-50p(a)(3)(G), the tower would be constructed in accordance with the current governing standard in the State of Connecticut for tower design in accordance with the currently adopted International Building Code. (Applicants 1, p. 10)
126. The tower would be designed to the Telecommunications Industry Association 222-H Structural Standards for Steel Antenna Towers and Antenna Supporting Structures. The maximum wind speed tolerance for the antennas on the proposed tower is 150 mph. (Applicants 1, p. 10; Applicants 6, Response 20)
127. The proposed tower would not require notice to the Federal Aviation Administration (FAA) or constitute an obstruction or hazard to air navigation. Therefore, it would not require any obstruction marking or lighting. (Applicants 1, p. 10, 19)
128. Security measures at the site would include, but are not limited to, the proposed compound fence, a locked access gate, remote monitoring and silent intrusion alarms on the equipment cabinets. (Applicants 1, p. 10; Applicants 6, Response 32)
129. The tower would be designed with a pre-engineered yield point at 69 feet to ensure the tower setback radius remains on the host parcel. (Applicants 1, p. 12, Attachment 7; Applicants 6, Response 36)
130. Operational noise from AT&T's radio equipment would comply with state noise control standards. Noise resulting from the operation of emergency equipment is exempt from state standards. (Applicants 1, p. 11; Council Administrative Notice No. 42 - DEEP Noise Control Regulations)
131. Construction noise is exempt from the DEEP Noise Control Regulations §22a-69-1.8. Construction noise includes, but is not limited to, "physical activity at a site necessary or incidental to the erection, placement, demolition, assembling, altering, blasting, cleaning,

repairing, installing, or equipping of buildings or other structures, public or private highways, roads, premises, parks, utility lines, or other property.” (RCSA §22a-69-1.1(g) (2025))

132. Motion sensor lights would be installed on the walk-up cabinets for night maintenance. (Applicants 6, Response 35)
133. The proposed site is located within a Federal Emergency Management Agency (FEMA) Flood Zone X. (Applicants 1, p. 7)
134. The site is not located within a state-designated aquifer protection area or public water supply watershed area. (Applicants 1, p. 8)
135. The cumulative worst-case maximum power density from the radio frequency emissions from the operation of AT&T's antennas is 3.54 percent of the standard for the General Public/Uncontrolled Maximum Permissible Exposure, as adopted by the FCC, at a horizontal distance of approximately 720 feet from the tower using the proposed antenna configuration. This calculation was based on methodology prescribed by the FCC Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997) using far-field methodology that assumes all channels would be operating simultaneously, which creates the highest possible power density levels. (Applicants 1, p. 19, Attachment 18)

#### *Emergency Backup Power*

136. In response to two significant storm events in 2011, Governor Malloy formed a Two Storm Panel (Panel) that was charged with an objective review and evaluation of Connecticut's approach to the prevention, planning and mitigation of impacts associated with emergencies and natural disasters that can reasonably be anticipated to impact the state. (Final Report of the Two Storm Panel, (Council Administrative Notice Item No. 56))
137. Consistent with the findings and recommendations of the Panel, and in accordance with CGS §16-50ll, the Council, in consultation and coordination with DEEP, DESPP and PURA, studied the feasibility of requiring backup power for telecommunications towers and antennas as the reliability of such telecommunications service is considered to be in the public interest and necessary for public health and safety. (Council Administrative Notice Item No. 35 – Council Docket No. 432)
138. Commercial Mobile Radio Service (CMRS) providers are licensed by and are under the jurisdiction and authority of the FCC. At present, no standards for backup power for CMRS providers have been promulgated by the FCC. (Council Administrative Notice Item No. 35 – Council Docket No. 432)
139. AT&T would install a 20-kW propane-fueled emergency backup generator and a 500-gallon propane tank within the compound. The generator would be capable of providing approximately 112 hours of runtime at full electrical load in the event of an outage. AT&T would utilize a battery backup to provide 3 to 4 hours of power in the event the emergency backup generator failed to start. (Applicants 1, p. 11)

140. AT&T selected propane as a generator fuel source as opposed to diesel due to the presence of a wetland adjacent to the site. (Tr. 1, p. 30)
141. AT&T's generator would be remotely exercised for 30 minutes, once a week, during the daytime. (Applicants 1, p. 11)
142. According to RCSA §22a-69-1.8, noise created as a result of, or relating to, an emergency, such as an emergency backup generator, is exempt from the DEEP Noise Control Regulations. (RCSA §22a-69-1.8 (2025))

### **Environmental Effects and Mitigation Measures**

#### *Air and Water Quality*

143. Operation of the proposed facility would not produce air emissions, excluding operation of the emergency backup generator. (Applicant 1, p. 19)
144. Pursuant to RCSA §22a-174-3b, the emergency backup generator would be managed to comply with DEEP's "permit by rule" criteria and would comply with air emissions. Therefore, the generator would be exempt from general air permit requirements. (RCSA §22a-174-3b; Applicants 6, Response 31)
145. The Inland Wetlands and Watercourses Act (IWWA), CGS §22a-36, et seq., contains a specific legislative finding that the inland wetlands and watercourses of the state are an indispensable and irreplaceable but fragile natural resource with which the citizens of the state have been endowed, and the preservation and protection of the wetlands and watercourses from random, unnecessary, undesirable and unregulated uses, disturbance or destruction is in the public interest and is essential to the health, welfare and safety of the citizens of the state. (CGS §22a-36, et seq. (2025))
146. The IWWA grants regulatory agencies with the authority to regulate upland review areas in its discretion if it finds such regulations necessary to protect wetlands or watercourses from activity that will likely affect those areas. (CGS §22a-42a (2025))
147. The IWWA forbids regulatory agencies from issuing a permit for a regulated activity unless it finds on the basis of the record that a feasible and prudent alternative does not exist. (CGS §22a-41 (2025))
148. The nearest wetlands to the proposed site are approximately 51 feet to the southeast of the fence compound (refer to Figure 8). (Applicants 1, p. 23; Attachments 7, 17)
149. The proposed facility would have no direct impact on the wetlands. (Applicants 1, p. 18, Attachment 17)

150. AT&T would install appropriate erosion and sedimentation (E&S) controls consistent with the applicable *Connecticut Guidelines for Soil Erosion and Sediment Control* (Applicants 1, p. 18)
151. Pursuant to CGS §22a-430b, a DEEP Stormwater Permit is required for any disturbance greater than 1 acre. The construction limit of disturbance for the proposed site is approximately 0.21 acres; therefore, construction of the facility would not require a DEEP Stormwater Permit. (Applicants 1, p. 8; DEEP-WPED-GP-015)
152. No additional improvements to the stormwater controls will be necessary due to the distance to the wetlands, the existing ground cover, the intercepting vegetation, and the improvements of largely impervious surfaces at the existing site as well as a lack of existing general controls at the proposed site. (Tr. 1, p. 26)

#### *Forests and Parks*

153. West Rock Ridge State Park, the closest State park, is located in Hamden and New Haven approximately 4 miles to the west of the proposed site. (Council Administrative Notice Item No. 84)
154. East Rock Park, a historic district listed on the National Register of Historic Places is within 2 miles of the proposed site. (Applicants 1, Attachment 11)
155. The proposed facility will be visible from a small section of East Rock Park Historic District. (Applicants 1, Attachment 11, Photo Location 13)
156. Construction of the compound area, overhead utility line and access drive would not require the removal of any trees. (Applicants 1, p. 9, Attachment 9)

#### *Fish and Wildlife*

157. The site is not adjacent to DEEP-designated cold-water habitat. Development of the site would not affect fish passage. (Council Administrative Notice Item No. 49)
158. DEEP Natural Diversity Database (NDDDB) maps show approximate locations of state-listed endangered, threatened, and special concern species and can be used to find areas of potential conservation concern. (Council Administrative Notice Item No. 78)
159. The proposed facility is located within a shaded NDDDB buffer area. (Applicants 1, Attachment 19).
160. The Applicants submitted a NDDDB review request to the DEEP to identify State-listed endangered, threatened, and special concern species occurring in the vicinity of the proposed facility and to determine if the proposed activity could potentially conflict with listed species. (Applicants 1, Attachment 19)

161. On May 13, 2025, DEEP issued a NDDDB determination letter (No. 202504184) indicating “no extant populations of Federal or State Endangered, Threatened or Special Concern species (RCSA Sec. 26-306) are known to occur within the project area delineated for the Communication Tower/New Facility, North Haven.” (Applicants 1, Attachment 19)
162. The closest Important Bird Area (IBA), as designated by the National Audubon Society, to the proposed site is the Quinnipiac River Tidal Marsh in North Haven, New Haven and Hamden (located ±0.3 miles to the west of the proposed site). (Applicants 1, Attachment 23)
163. Due to the developed nature of the Subject Property and surrounding area and the lack of tidal marsh habitat on the Subject Property, this IBA would not experience an adverse impact resulting from the development of the proposed facility. (Applicants 1, Attachment 23)
164. The proposed facility would comply with the USFWS telecommunications tower guidelines for minimizing the potential for impact to bird species. (Applicants 1, Attachment 23)
165. The Applicants complied with National Environmental Policy Act (NEPA) requirements for telecommunications facilities. (Applicant 1, pp. 12 and 14; Applicant 3, response 53)

#### *Agriculture and Soils*

166. Agricultural land is an economic resource. The terms “agriculture” and “farming” are defined under CGS §1-1q. Agriculture and farming activities are exempt from certain statutes and regulations, including, but not limited to, provisions related to wetlands and nuisance. (CGS §1-1q (2025); CGS §19a-341(2025)(commonly known as “the Right to Farm Law”); CGS §22a-19 (2025); CGS §22a40 (2025); CGS §7-131d (2025); *Red Hill Coal., Inc. v. Town Plan & Zoning Comm’n*, 212 Conn. 727 (1989); *Indian Spring Land Co. v. Inland Wetlands & Watercourses Agency*, 322 Conn. 1 (2016))
167. The proposed facility would not be located on prime farmland soil or statewide important farmland soils. (Applicants 1, Attachment 10)
168. Crown Castle’s Phase I and Phase II environmental site assessments concluded the historic use of the proposed property did not result in elevated contamination to on-site project area soil. (Applicants 6, Response 14)
169. A Health and Safety Plan and a Groundwater Management Plan will be put in place for future excavation due to possible on-site groundwater impacts in the project area due to elevated metals. (Applicants 6, Response 13; Tr. 1, p. 18-19)

#### *Scenic, Historic and Recreational Values*

170. The Applicants performed a preliminary cultural resource survey which identified two resources listed on the National Register of Historic Places located within 0.5 miles of the proposed site (the Area of Potential Effect (APE)): the Beach Homestead, located

approximately 0.45 miles away; and the Martha Culver House which is outside of the APE at approximately 0.75 miles from the proposed site. (Applicants 1, Attachment 21)

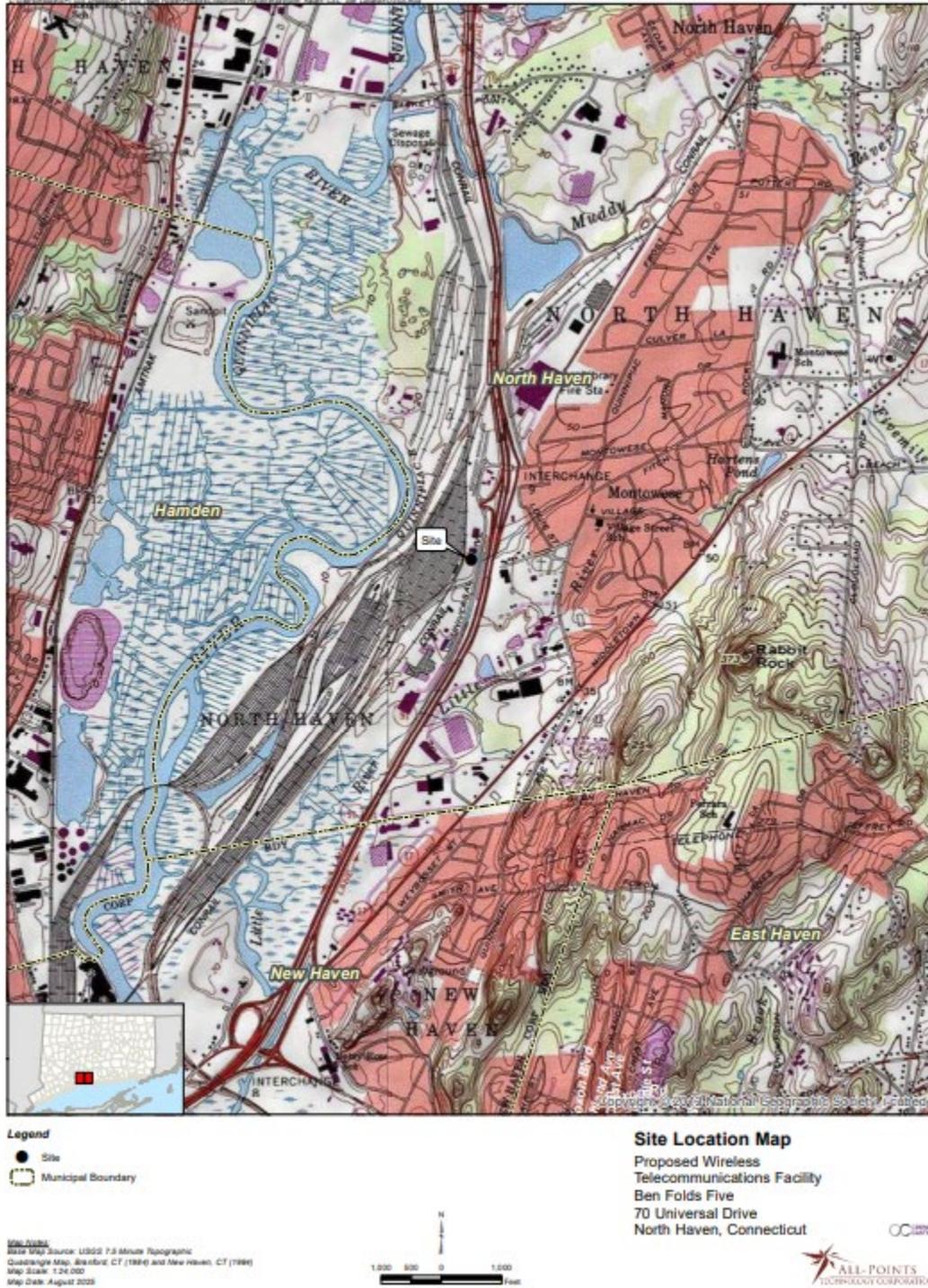
171. On April 9, 2025, the Applicants requested a cultural resource assessment from the State Historic Preservation Office (SHPO) for the proposed facility. (Applicants 1, Attachment 22)
172. On May 19, 2025, SHPO indicated that no properties listed, or formally determined eligible for listing on the National Register of Historic Places, are located within 1 mile of the project area. Further, SHPO determined that no historic properties will be affected by the proposed facility. (Applicants 1, Attachment 22)
173. There are no State-designated scenic highways within a 2-mile radius of the proposed site. (Applicants 1, Attachment 9)
174. Pursuant to CGS §16-50p(b), the Council shall examine whether the proposed facility would be located in an area of the state which the Council, in consultation with DEEP and any affected municipalities, finds to be a relatively undisturbed area that possesses scenic quality of local, regional or state-wide significance and the latest facility design options intended to minimize aesthetic and environmental impacts. The Council may deny an application for a certificate if it determines that the proposed facility would substantially affect the scenic quality of its location or surrounding neighborhood and no public safety concerns require that the proposed facility be constructed in such a location. (CGS §16-50p(b) (2025))
175. No comments were received from the Municipalities, OPM or DEEP regarding any impact to scenic quality or resources. (Record)

#### *Visibility*

176. Property owners have no right to an unobstructed view from structures built on adjacent property except where there is an express statutory provision or there is a contract or restrictive covenant protecting the private right to a view or vista. (*Mayer v. Hist. Dist. Comm'n*, 325 Conn. 765 (2017); CGS §47-25 (2025))
177. Applicants used a combination of predictive computer models, in-field analysis, and a review of various data sources to evaluate the visibility of the proposed facility. (Applicants 1, Attachment 11)
178. On February 7, 2025, the Applicants conducted a balloon float and field reconnaissance of the proposed site to assist in a visibility evaluation of the tower. The balloon float consisted of flying a four-foot diameter balloon to a height of approximately 138 feet agl. An in-field reconnaissance was then performed from publicly accessible locations in the surrounding area to determine where the balloon was visible. The in-field reconnaissance included photographs taken from various areas around the site. (Applicants 1, Attachment 11)

179. A viewshed map was developed based on computer modeling and the in-field balloon fly observations. The viewshed map depicts areas with visibility within a two-mile radius (8,042 acres) of the site (Study Area) (refer to Figure 9). (Applicants 1, Attachment 9).
180. Based on the viewshed analysis (refer to Figure 9), the proposed tower would be visible year-round from ±599 acres of the Study Area. A majority (±419 acres or 70%) of these views occur over open water, the Quinnipiac River and adjacent marsh. (Applicants 1, Attachment 11)
181. The proposed tower would be seasonally visible (leaf-off conditions) from an additional ±954 acres of the Study Area, including ±331 acres (or 34.7%) over open water and marsh. (Applicants 1, Attachment 11)
182. Not counting open water and the Quinnipiac River marshes, the predicted visibility of ±703 acres represent 8.7% of the 8,042-acre Study Area. (Applicants 1, Attachment 11).
183. Pursuant to CGS §16-50p(a)(3)(F), for a telecommunications facility proposed to be installed on land near a building containing a school, the facility will not be less than 250 feet from the building containing the school unless the location is acceptable to the chief elected official of the municipality or the Council finds that the facility will not have a substantial adverse effect on the aesthetics or scenic quality of the neighborhood in which such school is located. (CGS §16-50p(a)(3)(F) (2025))
184. The proposed facility will not be visible from the nearest commercial day care center (Building Blocks Early Learning Center, approximately 1.7 to the west of the proposed facility at 40 London Drive, Hamden) or the nearest school (Ferrara Elementary School, approximately 1.1 miles to the southeast of the proposed facility at 22 Maynard Road, East Haven). (Applicants 1, Attachment 17)
185. Approximately 53 residences within 0.5 miles of the proposed facility may have seasonal views of the proposed tower and approximately 5 residences within 0.5 miles of the proposed facility may have a combination of year-round and seasonal views of the proposed tower. (Applicants 6, Response 38)
186. Views of the proposed facility are limited to locations along major roadways (refer to Figure 10 - photo locations: 1-3, 5, 29), within industrial zoned properties (refer to Figure 10 - photo locations: 30-32), and select locations within residential neighborhoods to the west overlooking the Quinnipiac River Marsh. (Applicants 1, p. 19)

**Figure 1 – Site Location – Topographic Map**



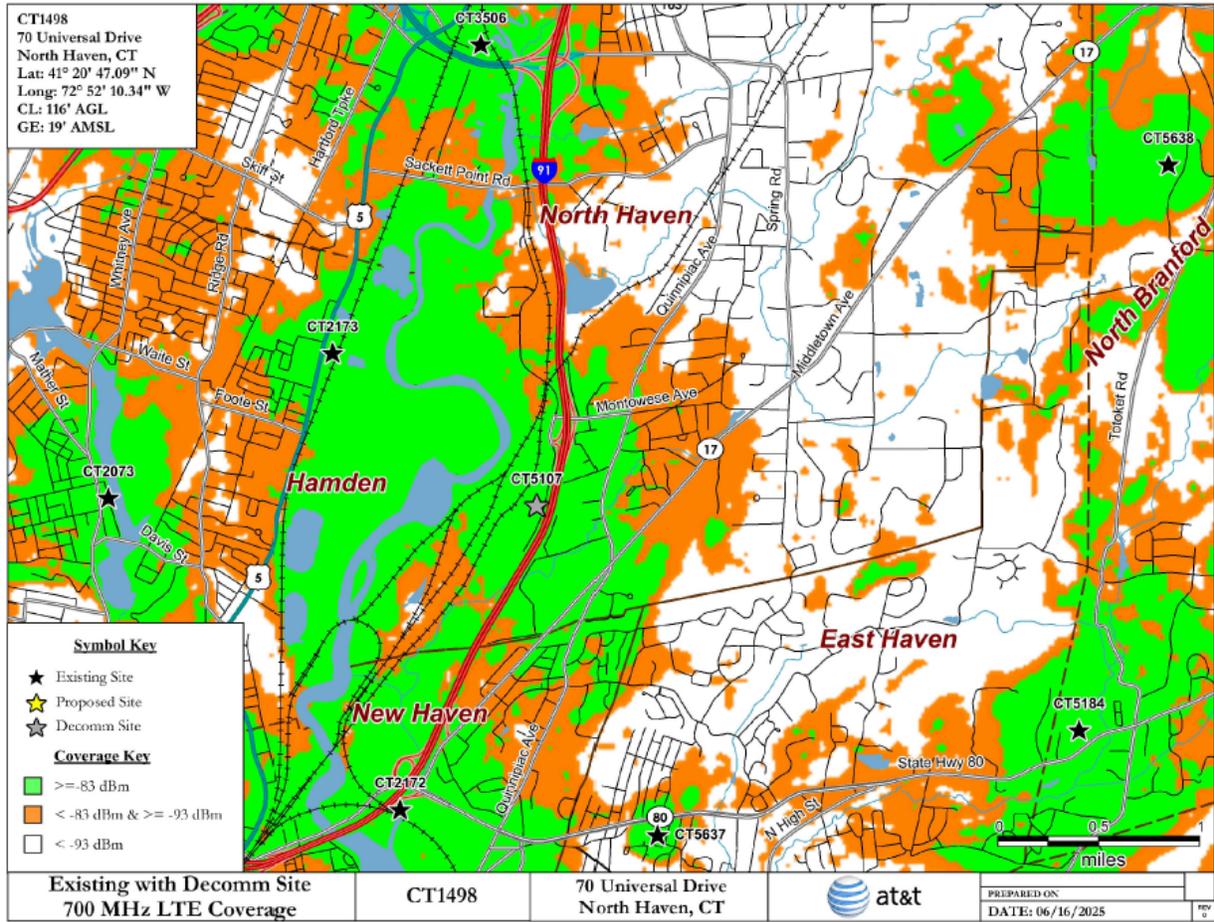
(Applicants 1, Attachment 1)

**Figure 2 – Site Location – Aerial Photograph**



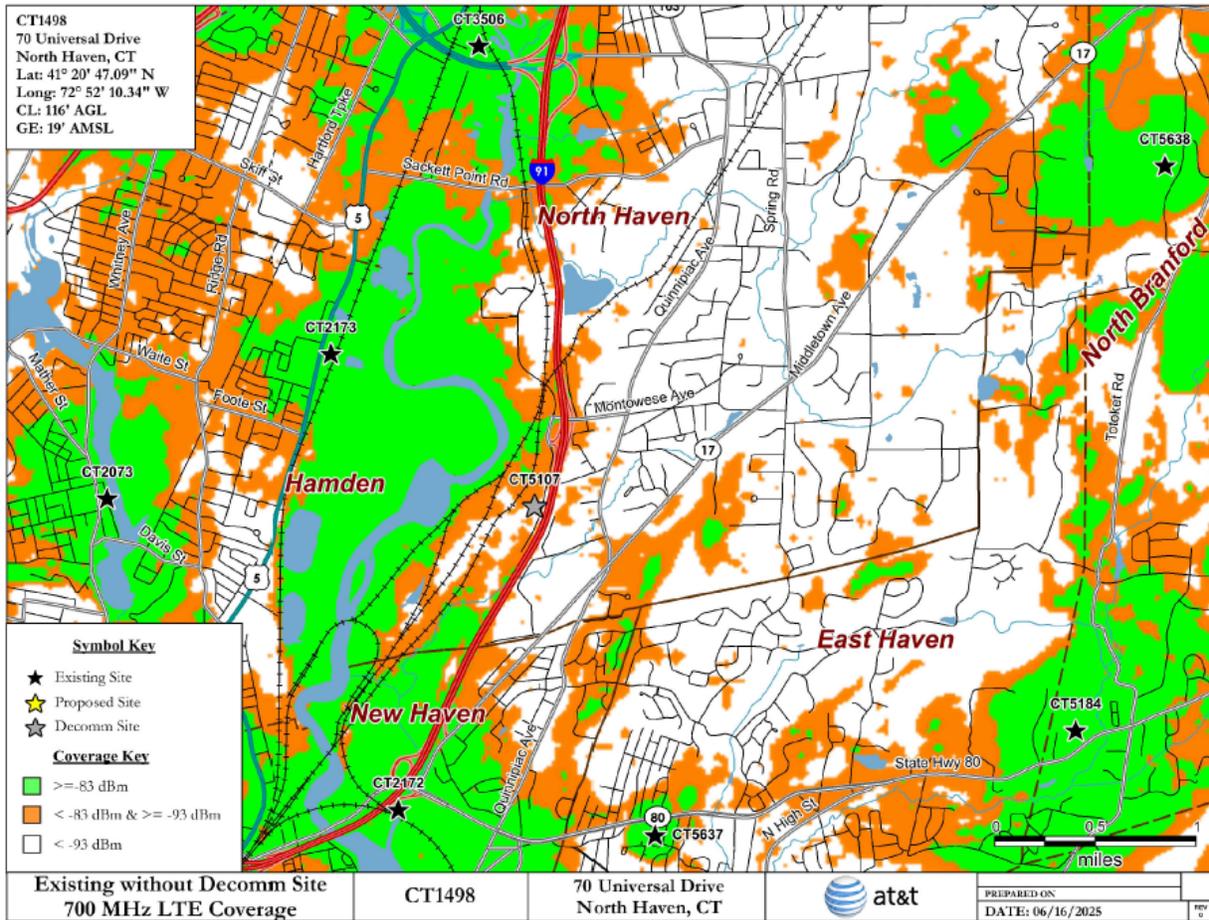
(Applicant 6, Response 12, Exhibit B)

**Figure 3 – Existing 700 MHz LTE Coverage with Existing Site**



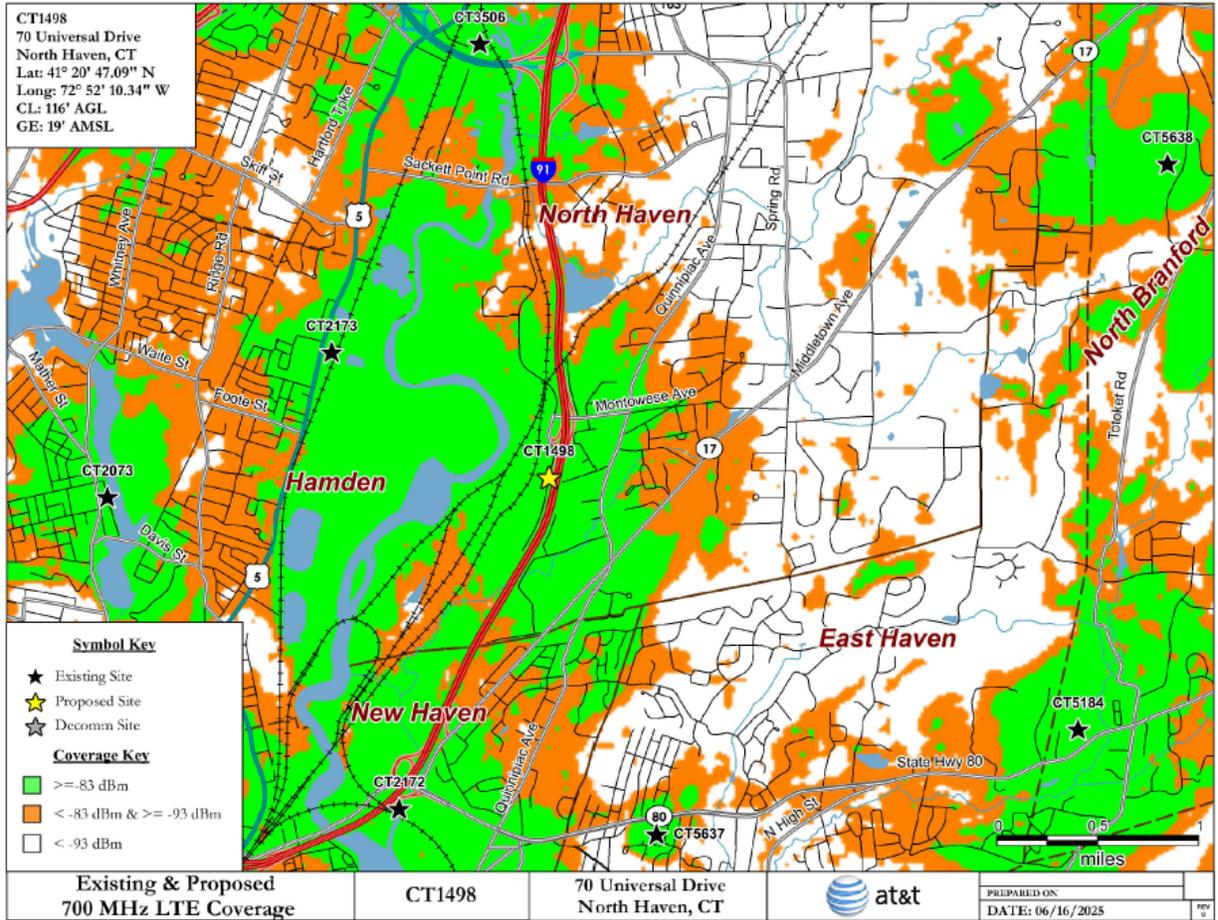
(Applicants 1, Attachment 16)

**Figure 4 – Existing 700 MHz LTE Coverage with Existing Site Decommissioned**



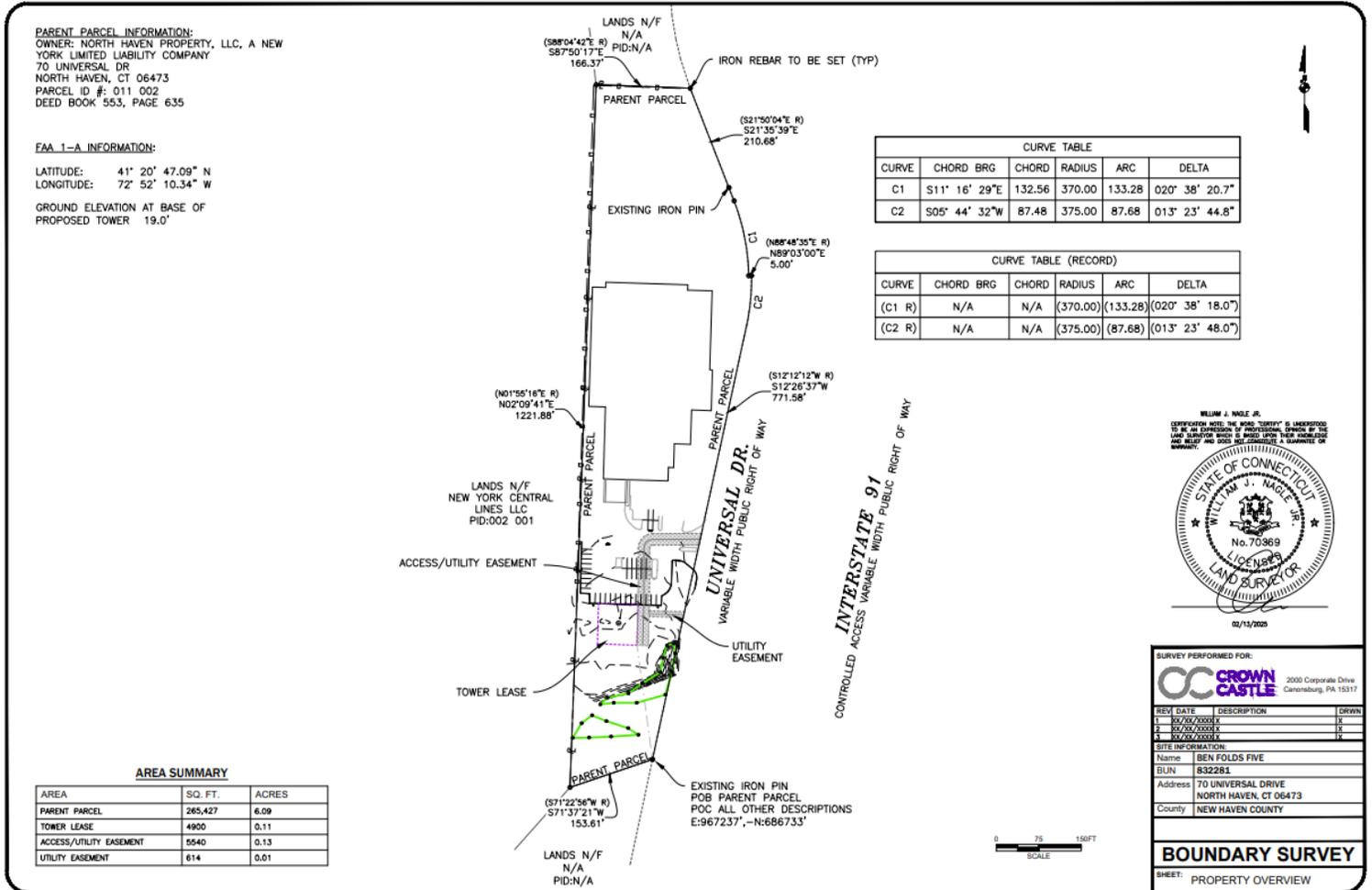
(Applicants 1, Attachment 16)

**Figure 5 – Proposed 700 MHz LTE Coverage**



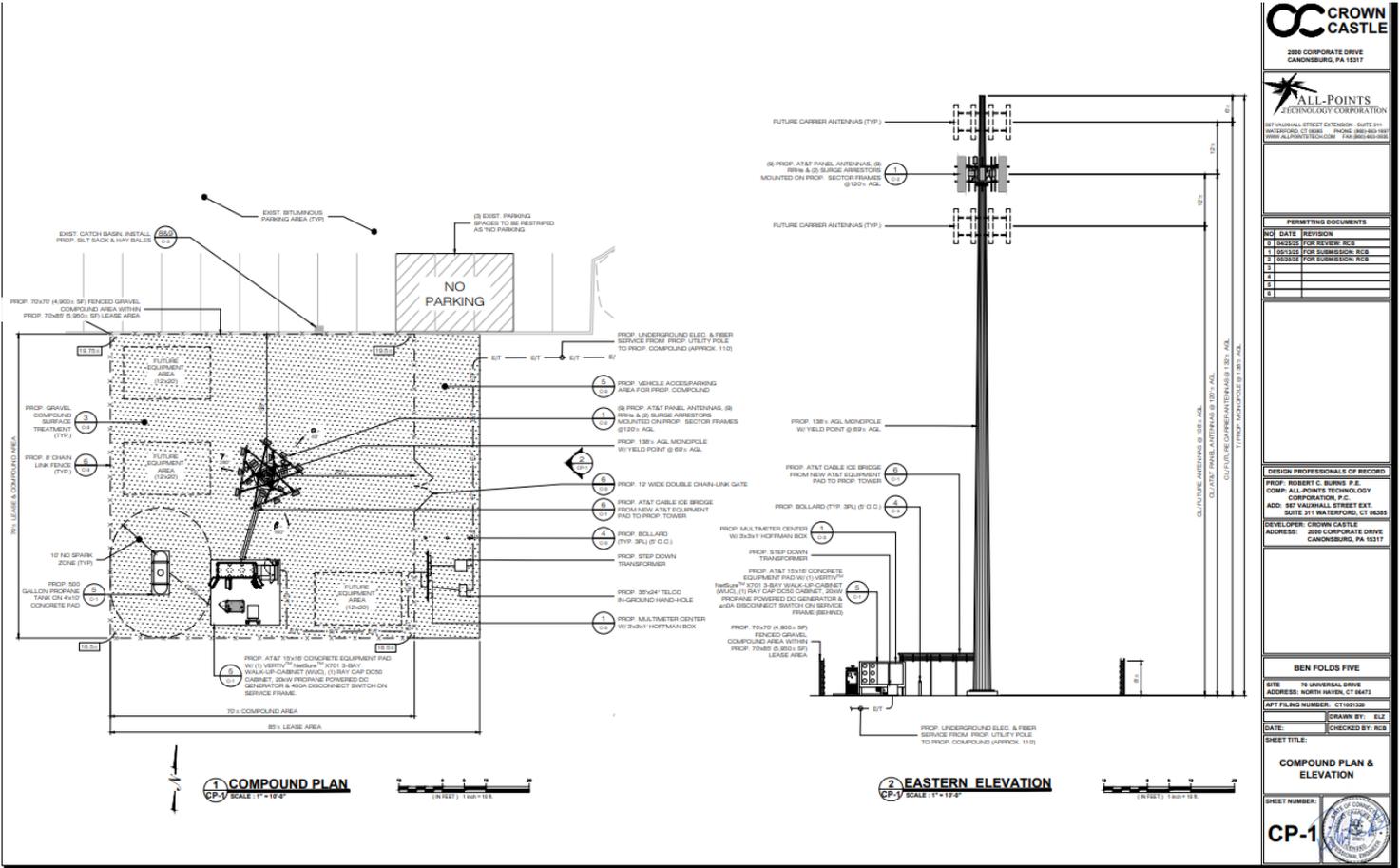
(Applicants 1, Attachment 16)

**Figure 6 – Property Overview**



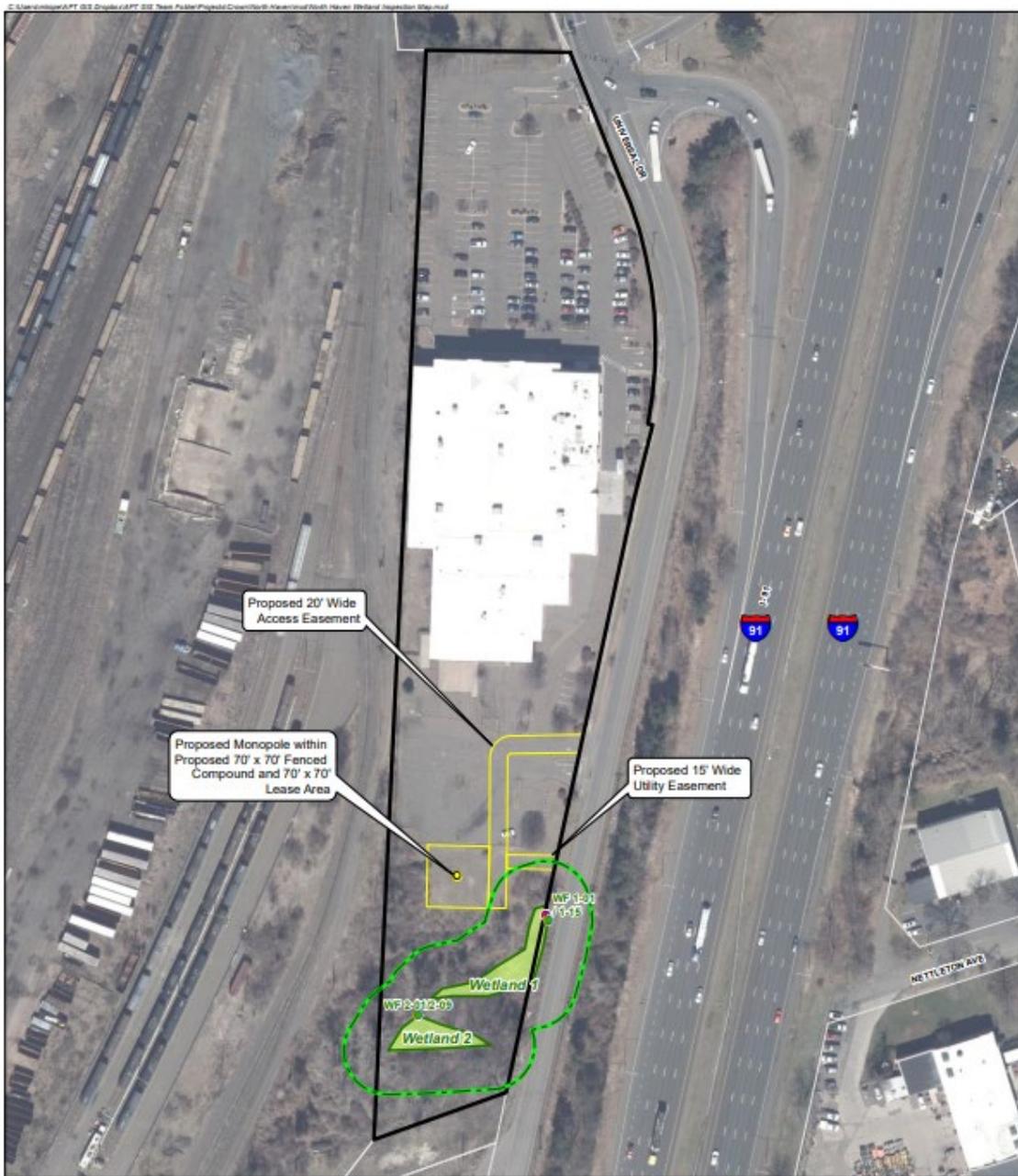
(Applicants 1, Attachment 7)

**Figure 7 – Compound Plan & Elevation**



(Applicants 1, Attachment 7)

**Figure 8 – Wetlands Location Map**



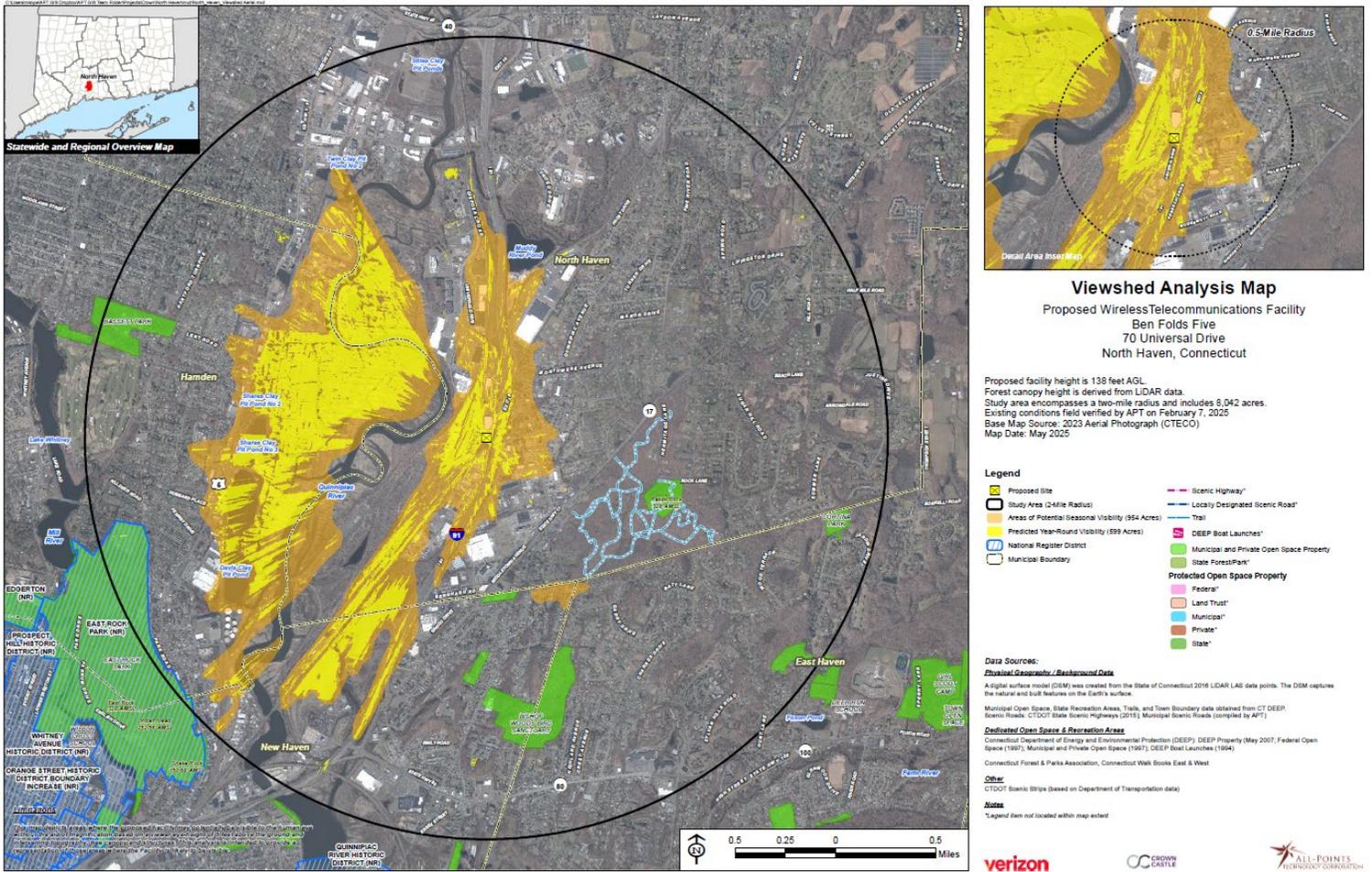
- Legend**
- Proposed Monopole
  - Proposed Site Layout
  - 50' Upland Review
  - Delineated Wetland Boundary
  - Approximate Wetland
  - Culvert
  - Subject Property
  - Approximate Parcel Boundary
  - Municipal Boundary

**Wetland Inspection Map**  
 Proposed Wireless  
 Telecommunications Facility  
 Ben Folds Five  
 70 Universal Drive  
 North Haven, Connecticut

Map Links:  
 Base Map Source: 2023 Aerial Photograph (CTECC)  
 Map Scale: 1 inch = 150 feet  
 Map Date: February 2025



**Figure 9 – Viewshed Analysis**



(Applicants 1, Attachment 11)

**Figure 10 – Nearby Visibility**

**Photo Locations**

Photo	Location	Orientation	Distance	Visibility
1	UNIVERSAL DRIVE	NNE	+/- 0.39 MILE	YEAR ROUND
2	UNIVERSAL DRIVE	SSE	+/- 0.13 MILE	YEAR ROUND
3	UNIVERSAL DRIVE NORTH	S	+/- 0.44 MILE	YEAR ROUND
4	TIDAL MARSH TRAIL - ENTRANCE	SE	+/- 0.25 MILE	SEASONAL
5	HOME DEPOT PLAZA	S	+/- 0.66 MILE	YEAR ROUND
6	INTERSECTION OF SACKETT POINT ROAD AND UNIVERSAL DRIVE	S	+/- 1.48 MILES	NOT VISIBLE
7	STATE STREET	SE	+/- 1.53 MILES	NOT VISIBLE
8	HAMDEN FARMS	SE	+/- 1.46 MILE	YEAR ROUND
9	INTERSECTION OF DESSA DRIVE AT RIDGE ROAD	ESE	+/- 1.78 MILES	NOT VISIBLE
10	EDGEComb STREET	ESE	+/- 1.33 MILES	YEAR ROUND
11	RIVER RIDGE APARTMENTS	E	+/- 1.32 MILES	YEAR ROUND
12	LONDON DRIVE	E	+/- 1.59 MILES	NOT VISIBLE
13	FARNAM DRIVE	ENE	+/- 1.92 MILES	YEAR ROUND
14	EDMUND STREET	ENE	+/- 1.49 MILES	YEAR ROUND
15	WELTON STREET	NE	+/- 1.86 MILES	NOT VISIBLE
16	BARNES AVENUE AT MIDDLETOWN AVENUE	NNE	+/- 1.45 MILES	NOT VISIBLE
17	QUINNIPIAC AVENUE AT GLEN HAVEN ROAD	N	+/- 0.96 MILE	NOT VISIBLE
18	GLEN HAVEN ROAD	NNE	+/- 0.87 MILE	OBSCURED
19	BATT LANE	NW	+/- 1.22 MILES	NOT VISIBLE
20	HERMITAGE LANE	W	+/- 0.87 MILE	NOT VISIBLE
21	SUGAR HILL ROAD AT GAIL DRIVE	W	+/- 1.21 MILES	NOT VISIBLE
22	NORTH HILL ROAD	WSW	+/- 1.80 MILES	NOT VISIBLE
23	MONTOWESE ELEMENTARY SCHOOL	WSW	+/- 1.13 MILES	NOT VISIBLE
24	CLARK AVENUE	SSW	+/- 0.54 MILE	OBSCURED
25	MOUTHROP STREET AT CLARK AVENUE	SSW	+/- 0.42 MILE	SEASONAL
26	MONTOWESE AVENUE	SW	+/- 0.40 MILE	NOT VISIBLE
27	NORTH FRONTAGE ROAD	SSW	+/- 0.39 MILE	SEASONAL
28	QUINNIPIAC AVENUE - MONTOWESE CENTER FOR HEALTH & REHABILITATION	W	+/- 0.32 MILE	OBSCURED
29	NETTLETON AVENUE*	WNW	+/- 450 FEET	YEAR ROUND
30	QUINNIPIAC AVENUE	WNW	+/- 0.30 MILE	YEAR ROUND
31	McDERMOTT ROAD	NW	+/- 0.39 MILE	YEAR ROUND
32	McDERMOTT ROAD	N	+/- 0.39 MILE	YEAR ROUND

\*Photograph was taken at 35 mm focal length.

(Applicants 1, Attachment 11)