



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

March 19, 2026

TO: Service List, dated January 8, 2026

FROM: Melanie Bachman, Executive Director *NAB*

RE: **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. **Draft Findings of Fact.**

As stated at the hearing held on February 3, 2026, after the Connecticut Siting Council (Council) issues its draft findings of fact, parties and intervenors may identify errors or inconsistencies between the Council's draft findings of fact and the record; however, no new information, evidence, argument, or reply briefs will be considered by the Council.

Parties and Intervenors may file written comments with the Council on the Draft Findings of Fact issued on this matter by the close of business on March 26, 2026.

MB/RDM/laf

Enclosure

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

March 13, 2026

DRAFT Findings of Fact

Introduction

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 28, 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, pp. 6 & 10)
2. Crown Castle Towers 06-2 LLC (Crown) is a Delaware limited liability company with an office located at 2000 Corporate Drive, Canonsburg, Pennsylvania. Crown currently owns and/or operates numerous tower facilities in Connecticut. Crown would construct, maintain and own the proposed facility and would be the Certificate Holder. (Applicants 1, p. 4)
3. New Cingular Wireless PCS, LLC (AT&T) is a Delaware limited liability company with an office at 1025 Lenox Park Blvd. NE, Atlanta, Georgia. 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 party in this proceeding is the Applicants. The Intervenor in this proceeding is Cellco Partnership d/b/a Verizon Wireless (Cellco). Cellco is licensed by the FCC to provide personal wireless communication service in the State of Connecticut. (Applicants 1, p. 4; Cellco 1; Record; Transcript 1, February 3, 2026, 2 p.m. (Tr. 1), p. 5)
5. There are no Connecticut Environmental Protection Act (CEPA) Intervenor 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 replace an existing 120-foot telecommunications facility owned by Crown located at 120 Universal Drive in North Haven, approximately 800 feet south of the proposed site (120 Universal Drive facility). The owner of the existing site is no longer interested in hosting the facility. The proposed replacement site would continue to provide reliable wireless service to the surrounding area after the existing facility is decommissioned. (Applicants 1, p. 1)
8. The proposed replacement site at 70 Universal Drive would maintain existing AT&T coverage to Interstate 91, Route 17, Quinnipiac Avenue, Montowese Avenue, McDermott Road and the surrounding area. The proposed coverage would replicate coverage provided by the existing facility. (Applicants 1, p. 12, Attachment 16)

9. Crown's lease with the host parcel owner for the 120 Universal Drive facility site expires on May 31, 2026. The owner is not interested in renewing the lease or hosting a tower in another location of the property. (Applicants 1, p. 1; Applicants 6, response 2)
10. Crown has discussed the option of negotiating a temporary agreement with the host parcel owner to continue the lease on a month-to-month basis until a replacement facility is sited and constructed. (Applicants 6, response 4; Tr. 1, pp. 17-18)
11. The 120 Universal Drive facility was approved by the Town of North Haven (Town) in November 2001. It currently supports AT&T antennas and T-Mobile antennas at 118 feet and 105 feet above ground level (agl), respectively. Each carrier executed a Letter Agreement and Confirmation of Commitment with Crown to collocate on the proposed facility if it is approved by the Council. (Applicants 1, p. 1; Applicants 6, response 23)
12. 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))
13. 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 tower sharing policy. (CGS §16-50p(b) (2025); CGS §16-50aa (2025))
14. Pursuant to CGS §16-50l (b), notice of the application was provided to all abutting property owners by certified mail on October 27, 2025. One certified mail receipt was not returned. Applicants re-sent notice to this abutting property owner by first class mail on November 20, 2025. (Applicants 1, p. 25, Attachment 24; Applicants 6, response 1)
15. On October 27, 2025, Applicants provided notice to all federal, state and local officials and agencies listed in CGS §16-50l (b). (Applicants 1, p. 25; Attachment 24)
16. Pursuant to CGS §16-50l (b), Applicants provided public notice of the filing of the application that was published in the New Haven Register on October 24 and 27, 2025. (Applicants 1, p. 6, Attachment 4; Applicants 2)

Administrative Procedures

17. 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))
18. CGS §1-225a allows public agencies to hold remote meetings provided that:
 - a) The public has the ability to view or listen to each meeting or proceeding in real-time, by telephone, video, or other technology;
 - b) 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;
 - c) 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

d) 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))

19. Upon receipt of the application, on October 28, 2025, the Council sent a letter to the Town, and the Town of Hamden, which is located within 2,500 feet of the proposed facility site (collectively Municipalities), as notification that the application was received and is being processed, in accordance with CGS §16-50gg. (Record)
20. 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))
21. During a regular Council meeting on November 14, 2025, the application was deemed complete pursuant to RCSA § 16-50/-1a and the public hearing schedule was approved by the Council. (Record)
22. 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)
23. Pursuant to CGS §16-50m, the Council published legal notice of the date and time of the public hearing via Zoom remote conferencing in The Advisor on November 25, 2025. (Record; Tr. 1, p. 5)
24. 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 an investigative tool to acquaint members of a reviewing commission with the subject property. (Record; *Manor Development Corp. v. Conservation Comm. of Simsbury*, 180 Conn. 692, 701 (1980); *Grimes v. Conservation Comm. of Litchfield*, 243 Conn. 266, 278 (1997))
25. On January 27, 2026, pursuant to CGS §16-50o, 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)
26. 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))
27. 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, et al v. Conn. Siting Council*, 2024 Conn. LEXIS 163 (2024); *Goldfisher v. Conn. Siting Council*, 95 Conn. App. 193 (2006))

28. 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)
29. 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 and Celco 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))
30. In compliance with RCSA §16-50j-21, on January 16, 2026, Applicants installed a six-foot by four-foot sign 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. (Applicants 5; Record)
31. 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 November 14, 2025; Tr. 1, p. 1; Transcript 2, February 3, 2026, 6:30 p.m. (Tr. 2), p. 1)
32. The 6:30 p.m. public comment session afforded interested persons the opportunity to provide oral limited 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, pp. 6-7; Tr. 2, p. 6; CGS §16-50n(f) (2025))
33. During the public comment session of the Council’s hearing held on November 6, 2025, no members of the public made an oral limited appearance statement. (Tr. 2, p. 6)
34. 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. (Tr. 1, pp. 7-9; Applicants 7)
35. 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 3, 2026, and February 10, 2026, respectively.
 - 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.(Hearing Notice dated November 14, 2025; Tr. 1; Tr. 2; Record)

36. 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))
37. Applicants' witnesses prepared, supervised or assisted in the preparation of exhibits. The Council cross-examined Applicants' witness panel on the exhibits. (Tr. 1; Record)
38. Cellco witnesses prepared, supervised or assisted in the preparation of exhibits. The Council cross-examined Cellco's witness panel on the exhibits. (Tr. 1, Record)
39. 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. Commissioner of Motor Vehicles*, 62 Conn. App. 604 (2001); RCSA §16-50j-25)
40. 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 No. 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)
41. On February 4, 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, Applicants consented to the extension of time for the Council to render a final decision. (Record)
42. On February 24, 2026, Applicants submitted a post-hearing brief and draft findings of fact. On February 26, 2026, Cellco submitted a post-hearing brief. (Record)
43. 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. Dept. of Public Health*, 228 Conn. 651 (1994); *FairwindCT, Inc. v. Conn. Siting Council*, 313 Conn. 669 (2014))

Municipal Consultation

44. Pursuant to CGS §16-50l(f), Applicants commenced the 90-day pre-application municipal consultation process on July 22, 2025, by submitting a Technical Report regarding the proposed facility to the chief elected officials of the Municipalities. (Applicants 1, p. 5)
45. On August 12, 2025, Applicants met with the Town Zoning Enforcement Officer and Town Engineer to discuss the proposed facility. No concerns were expressed. (Applicants 1, p. 5)
46. On September 26, 2025, the Town provided written comments in support of the proposed facility. (Applicants 1, Attachment 3)
47. The Town of Hamden did not comment on the proposed facility. (Record)

State Agency Comment

48. Pursuant to CGS §16-50j (i), on February 3, 2026, 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)
49. On November 19, 2025, the Council received comments from CEQ¹ related to potential site alternatives. This comment, among other concerns, are more specifically addressed in the Site Alternatives section of this document, pursuant to CGS §16- 50p. (Record; CGS §16-50p (2025))
50. 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)).

Public Need for Service

51. 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)
52. 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)
53. 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)
54. 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)
55. 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)

¹ [do546_ceq-commentsrecd_a.pdf](#)

56. 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)
57. 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)
58. 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)
59. 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)
60. 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)
61. 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 – FCC Declaratory Ruling 20-75)
62. 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- FCC Declaratory Ruling 20-153)

63. 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))
64. The Town's 2017 Plan of Conservation and Development does not discuss telecommunications or wireless infrastructure. (Applicants 1, p. 22)
65. On November 14, 2025, the Council sent correspondence to other telecommunications carriers not intervening in the proceeding requesting that carriers interested in locating on the proposed facility in the foreseeable future to notify the Council by January 27, 2026. On December 4, 2025, Cellco requested Intervenor status. No other carriers responded to the Council's solicitation. (Record)
66. On January 9, 2026, the Council approved Cellco's request for intervenor status. (Record)
67. The facility would be designed to accommodate a minimum of three wireless carriers. A final tower design would be engineered if the proposed facility is approved. (Applicants 1, Attachment 1; Tr. 1, p. 24)
68. The Municipalities utilize AT&T's FirstNet emergency response subscriber services. (Applicants 1, p. 15; Tr. 1, p. 32)
69. The tower and foundation would be designed to support a 20-foot extension. (Applicants 3; Tr. 1, p. 55)

AT&T's Existing and Proposed Wireless Services

70. AT&T is located at a centerline height of 118 feet agl on the 120 Universal Drive facility. (Applicants 1, p. 12; Applicants 6, response 3)
71. AT&T would install 9 antennas at a centerline height of 120 feet on the proposed replacement facility to replicate its existing coverage footprint to the extent possible. The site is not designed to increase coverage or capacity within the area. (Applicants 1, Attachment 7, Attachment 16; Applicants 6, response 27)
72. AT&T's installation would provide wireless service in the 700 MHz, 850 MHz, 1900 MHz, 2100 MHz, and 2300 MHz, frequencies at the site. Select frequencies within the 850 MHz, 1900 MHz, 2100 MHz and 2300 MHz bands would provide 5G services. (Applicants 1, Attachment 16; Applicants 6, response 26)
73. AT&T designs its network using a -83 dBm in-building and -93 dBm in-vehicle threshold for the 700 MHz frequency and -86 dBm and -96 dBm threshold for the 1900 MHz frequency. The in-building thresholds (-83 dBm and -86 dBm) have stronger throughputs whereas the in-vehicle thresholds (-93 dBm and -96 dBm) are the minimum acceptable levels required to meet customer service expectations. (Applicants 1, Attachment 16)

74. The 700 MHz frequency provides the largest area of service and therefore defines the coverage footprint of the AT&T wireless network. Other higher frequencies (850 MHz, 1900 MHz, 2100 MHz) used in AT&T's network provide smaller coverage footprints and are used to provide additional capacity to the system and increased data speeds. All of AT&T's licensed frequencies transmit digital voice and data services. (Applicants 1, Attachment 16; Applicants 6, response 25)
75. AT&T's proposed installation would continue to provide service to a heavily urbanized area that includes commercial, industrial, and residential development as well as major transportation corridors including Interstate 91, Route 17, Montowese Avenue, Quinnipiac Avenue (Route 103), and a railroad (refer to Figure 4). (Applicants 1, p. 7, Attachment 16; Applicants 6, response 27)
76. AT&T's proposed installation would maintain reliable wireless service to the North Haven area as follows:

Area (mi²):	(≥ -83 dBm)	1.12
	(≥ -93 dBm)	1.62
Roadway (mi):	Main (93 dBm):	5.06
	Secondary (93 dBm):	12.7
	Total (93 dBm):	17.76

(Applicants 1, Attachment 16)

77. Main roads that would be served by the proposed facility include the following:

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

(Applicants 6, response 24)

78. AT&T would maintain operational equipment on the existing tower until the proposed site is operational. There would be no interruption in AT&T's telecommunications service to the surrounding area. (Applicants 6, responses 4 & 5, Tr. 1, pp. 17-18)

Cellco's Existing and Proposed Wireless Services

79. Cellco currently provides wireless service to the North Haven area from an existing 80-foot lattice tower located at 100 Universal Drive in North Haven. Its antennas are located at a centerline height of 82 feet agl. The property and tower are owned by CSX Corporation (CSX). (Cellco 2, response 3)
80. The existing CSX tower, a former railroad signal tower, cannot support Cellco's proposed 5G equipment upgrades due to its age and design. (Cellco 2, response 3)

81. The existing CSX tower is approximately 769 feet southwest of the proposed replacement facility site (Refer to Figure 3). (Cellco 2, response 6)
82. Cellco would install 9 antennas at a centerline height of 82 feet on the proposed replacement facility to replicate its existing coverage footprint to the extent possible. Cellco’s installation would also include additional equipment to provide capacity relief to the surrounding area. (Cellco 2, responses 17 & 18)
83. Cellco’s installation would provide wireless service in the 700 MHz, 850 MHz, 1900 MHz, 2100 MHz and 3700 MHz frequencies at the site. (Cellco 2, response 15)
84. The 850 MHz, 1900 MHz, and 3700 MHz frequencies would provide 5G services. (Cellco 2, response 14)
85. The 700 MHz frequency provides the largest area of service and therefore defines the coverage footprint of Cellco’s wireless network. Other frequencies (850 MHz, 1900 MHz, 2100 MHz, 3700 MHz) used in Cellco’s network provide smaller coverage footprints and are used to provide additional capacity to the system, reducing the customer load on the 700 MHz system. (Cellco 2, response 13)
86. Cellco designs its network using a -95 dB Reference Signal Received Power (RSRP) standard for reliable in-vehicle service and -85 dB RSRP standard for reliable in-building service. (Cellco 3)
87. Cellco’s installation would interact with the following existing Cellco facilities:

<u>Site Name</u>	<u>Address</u>	<u>Antenna Height</u>	<u>Structure Type</u>	<u>Distance/Direction</u>
Hamden 5	2895 State St	143’	Self-Support	1.3 miles Northwest
New Haven N	315 Peck St	74.5’	Smokestack	2.6 miles Southwest
New Haven NE	339 Eastern St	186’/192’	Rooftop	2.2 miles South

(Cellco 2, response 16)

88. Cellco’s proposed installation would continue to provide service to major transportation corridors including Interstate 91, Route 17 and Route 103 and to the surrounding the commercial and industrial use of the area. (Cellco 2, response 12; Cellco 3)
89. Cellco’s proposed installation would maintain reliable wireless service to the North Haven area as follows:

Street Name	700 MHz	850 MHz	1900 MHz	2100 MHz	3700 MHz
Interstate 91	2.2	2.3	2.0	1.7	1.7
Route 103 (Quinnipiac Ave)	2.5	2.5	2.1	2.1	0.6
Route 17 (Middletown Ave)	2.5	2.1	1.5	1.4	0.2
Route 5 (State St)	1.1	1.1	1.2	1.3	0.4
Road Total (mi):	8.4	8.0	6.9	6.6	2.9
Overall Coverage Footprint (Square Miles)	3.4	3.9	2.7	2.9	1.1

Refer to Figure 5 for proposed 700 MHz coverage model. (Cellco 2, response 15, Cellco 3)

90. Cellco does not own the existing CSX tower. Cellco would maintain operational equipment on the CSX tower until the replacement facility is approved. There would be no interruption in Cellco's telecommunications service to the surrounding area. (Cellco 2, responses 4 & 5)

Site Selection

91. Crown initiated a site search in September of 2022. The search area focused on abutting properties to maintain continuity of service for AT&T and T-Mobile. (Applicant 6, responses 6 & 7)
92. There are no existing towers, buildings, utility poles or other structures within the search area that are of sufficient height and proximity to the existing tower that would be able to replicate AT&T's existing coverage to the area. (Applicants 6, response 9)
93. Crown investigated 8 additional sites as listed below:
- a) **130 Universal Drive:** property owner not interested.
 - b) **150 Universal Drive:** property owner was interested but the potential location was too small to host a facility.
 - c) **222 Universal Drive:** property owner not interested.
 - d) **78 Rebesch Drive:** no response to outreach efforts.
 - e) **170 McDermott Road:** property owner not interested.
 - f) **37 Nettleton Avenue:** no response to outreach efforts.
 - g) **250 Universal Drive:** property owner not interested.
 - h) **100 Universal Drive:** hosts existing CSX tower. Tower cannot be structurally modified and limited ground space to host a multi-carrier tower.
- (Applicants 6, responses 7 & 8)
94. Cellco did not conduct a separate site search. It had discussions with Crown and determined the proposed site would be feasible. (Applicants 6, response 8e; Cellco 2, response 1)
95. A lease agreement between Crown and the host parcel owner was signed in November 2023. (Applicants 1, Attachment 2)
96. 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 Applicants 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))
97. 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

98. 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, primary power lines 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; Cellco 2, response 2)

99. Small cell limitations include a reduction in the number of frequencies deployed, the lack of structure sharing with other carriers, and the lack of space for emergency backup power. (Applicants 6, response 10; Cellco 2, response 2)
100. 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 deployment is \$50,000- 80,000 depending on the specific characteristics of each location. (Applicants 6, response 10; Cellco 2, response 2)

Proposed Site

101. 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))
102. The proposed site is located on an approximate 6.0-acre host parcel owned by North Haven Property LLC at 70 Universal Drive, North Haven. The parcel contains a building used for retail and a restaurant. (Applicants 1, pp. 3 & 7)
103. The host parcel is zoned Light Industrial (IL30). (Applicants 1, p. 21)
104. The surrounding area consists of commercial properties to the north and south, residential, Interstate 91 and commercial to the east, and a railroad, industrial, and marsh to the west. (Applicants 1; pp. 21-22)
105. The proposed tower site is in the southern portion of the host parcel, in a lawn area adjacent to a parking lot. (Applicants 1, Attachment 7)
106. The proposed tower site is at an approximate ground elevation of 19 feet above mean sea level (amsl). (Applicants 1, pp. 7-8)
107. The tower site would be within an 85-foot by 70-foot lease area. (Applicants 1, Attachment 7)
108. Development of the site would disturb less than one acre of land (approximately 0.2 acres). (Applicants 1, p. 8)

Proposed Facility and Associated Equipment

109. The proposed facility would consist of a 138-foot monopole within a 70-foot by 70-foot equipment compound. (Refer to Figures 6 & 7). (Applicants 1, Attachment 7)
110. The proposed facility and compound are designed to accommodate a minimum of three wireless carriers. (Applicants 1, Attachment 7; Tr. 1, p. 24)
111. AT&T would install 9 panel antennas and 9 remote radio heads on an antenna platform at a centerline height of 120 feet agl. (Applicants 1, Attachment 7)

112. Cellco would install 9 panel antennas and 6 remote radio heads on an antenna platform at a centerline height of 82 feet agl. (Cellco 2, response 9)
113. T-Mobile provided a letter agreement to Crown indicating it would locate at the 108-foot level of the tower. T-Mobile is currently located at the 105-foot level of the 120 Universal Drive facility. (Applicants 6, response 23)
114. The proposed 138-foot tower height was based Cellco's initial proposal to locate at the 132-foot level. Cellco now proposes to locate at the 82-foot level in order to retain existing network parameters. (Applicants 1, Attachment 7; Cellco 2, response 9; Tr. 1, pp. 21-23, 50-51)
115. Neither AT&T nor Cellco are interested in locating at a higher position on the tower. (Tr. 1, pp. 23-24, 50-51)
116. Crown would be willing to lower the tower height to 126 feet agl which would align with the top of AT&T's proposed antennas. (Applicants 1, Attachment 7; Tr. 1, pp. 21-23)
117. Within the compound, AT&T would install one equipment cabinet, two H-frames to support small cabinets, and a 20-kilowatt propane-fueled emergency backup generator. Cellco would install one equipment cabinet, and a 50-kilowatt diesel fueled emergency backup generator. (Applicants 1, Attachment 7; Cellco 2, response 8)
118. The proposed equipment compound would be enclosed by an eight-foot high chain link fence, accessible by a 12-foot-wide chain-link access gate. (Applicants 1, Attachment 7)
119. Access to the tower site would be from the existing parking lot on the host parcel. The compound swing gate would open facing the parking lot. (Applicants 1, Attachment 7; Tr. 1, pp. 70-71)
120. Power and telecommunications utilities would extend underground eastward through a lawn area to a new guyed riser pole, then extend over Universal Drive to a new utility pole to facilitate interconnection to existing United Illuminating utilities. Both of the new poles would be approximately 35 feet in height. (Applicants 1, Attachment 7; Applicants 6, response 22; Tr. 1, pp. 27, 38-39)
121. The nearest property line from the tower is approximately 69 feet to the east. It is the Universal Drive right-of-way. (Applicants 1, Attachment 7)
122. The proposed tower is approximately 250 feet south of the existing commercial building on the host parcel. (Applicants 1, p. 10)
123. The proposed tower is approximately 130 feet east of the nearest active railroad track. (Applicants 6, response 16)
124. There are 6 residential structures within 1,000 feet of the site. (Applicants 1, p. 12) *reordered*
125. The nearest residential structure from the proposed tower is approximately 635 feet to the east, across Interstate 91 at 32 Nettleton Avenue. (Applicants 1, p. 8)

126. 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. Historic District Comm'n of Town of Groton*, 325 Conn. 765 (2017); CGS §47-25 (2025))
127. Based on a viewshed analysis (refer to Figure 9), the proposed tower at a height of 138 feet would be visible year-round from approximately 600 acres within two miles of the site. A majority of these views (70 percent) are from over the Quinnipiac River and tidal marshes with the remaining 30 percent of views from undeveloped land, industrial areas, and highway and rail corridors. Seasonal visibility would occur over the same landscapes from approximately 954 acres. (Applicants 1, Attachment 11)
128. Seasonal views within a half-mile of the site would occur from the Nettleton Avenue area approximately 0.12 mile east of the site and from the Clark Avenue area approximately 0.4 mile northeast of the site. (Applicants 1, Attachment 11)
129. The estimated cost of the proposed facility is:

Aquisition	\$ 12,000
Site development	\$196,000
Construction	\$492,000
Crown total	\$680,000
Equipment	\$114,000
Construction	\$179,000
Network intergration	\$15,300
AT&T total	\$308,300
<u>Total Estimated Costs</u>	<u>\$908,300</u>

(Applicants 1, pp. 10 & 12)

130. Crown would recover the costs associated with the facility construction by leasing space on the facility to wireless telecommunication carriers. AT&T would recover the costs of its equipment as part of its business operations and services. (Applicants 6, response 18)
131. The estimated cost of Cellco's installation is approximately \$335,000 which would be recovered as part of its business operations and services. (Cellco 2, response 11)
132. Crown would conduct annual or biannual ground-based inspections and a climbed tower inspection every five years. Annual maintenance costs are anticipated to be approximately \$5,000. (Applicants 6, response 19)
133. Although not proposed, an alternative unipole tower design would require a taller tower to include all of the antennas to meet the needs of AT&T, T-Mobile and Cellco. (Applicants 6, response 28)
134. Neither the facility, 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. Crown, AT&T and Cellco are a private entities. (Applicants 6, response 17; CGS §22a-1, *et seq.* (2025))

Public Health and Safety

135. 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)
136. The proposed facility would be in compliance with the requirements of the 911 Act and would provide Enhanced 911 services. (Applicants 1, p. 14; Cellco 2, response 26)
137. 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)
138. AT&T's and Cellco's proposed equipment would be capable of supporting text-to-911 service. (Applicants 1, p. 16; Cellco 2, response 24)
139. 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)
140. AT&T's and Cellco's proposed equipment would provide WEA services. (Applicants 1, p. 16, Cellco 2, response 27)
141. FirstNet is a subscriber service available to local emergency response entities that would allow preferred wireless service on AT&T's 700 MHz system during emergencies. No additional antennas or base station cabinets are required. (Applicants 1, pp. 1 & 15; Tr. 1, p. 34)
142. 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 and in accordance with the currently adopted International Building Code. (Applicants 6, response 34)
143. The tower would be designed to the Telecommunications Industry Association 222-H Structural Standards for Antenna Supporting Structures and Antennas and Small Wind Turbine Support Structures, designed per manufacturer recommendations to withstand 125 miles per hour wind speeds. (Applicants 6, responses 20 & 34)
144. The proposed facility would not require Federal Aviation Administration (FAA) marking or lighting. (Applicants 1, p. 10; Attachment 12; Applicants 2 and 3)

145. Security measures at the site would include, but are not limited to, a perimeter compound fence, locked access gate, remote monitoring, and motion sensor lighting. (Applicants 6, responses 32 & 35)
146. The design of the facility would comply with the 2022 Connecticut Fire Safety Code. (Applicants 6, response 34)
147. When necessary, facility power can be shut off manually at the compound utility board. AT&T's radio equipment can be shut off remotely. (Applicants 6, response 37)
148. Bollards would be installed to protect electrical meter and transformer equipment located outside of the compound perimeter fence. (Applicants 1, Attachment 1)
149. The tower would be designed with a yield point at 69 feet to ensure the tower setback radius* remains within the boundaries of the host parcel. The nearest property line from the tower is approximately 69 feet to the east.
*The horizontal distance equal to the tower height that extends radially from the center of the tower.
(Applicants 1, Attachment 7; Applicants 6, response 36)
150. Operational noise from the facility would comply with state standards at the property boundaries. 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)
151. Construction noise is exempt from the DEEP Noise Control Regulations §22a-69-1.8(g), which 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-69-1.8(g))
152. The proposed facility is not within a Federal Emergency Management Agency 100-year and 500-year flood zone. (Applicants 1, Attachment 8)
153. The proposed site is not located within a state-designated aquifer protection area or a public water supply watershed area. (Applicants 1, p. 8, Town Plan of Conservation and Development, p. 99)
154. The cumulative worst-case maximum power density from the radio frequency emissions from the operation of AT&T's and Cellco's antennas is 14.1 percent of the standard for the General Public/Uncontrolled Maximum Permissible Exposure, as adopted by the FCC, at a horizontal distance of approximately 480 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. (Cellco 2, Attachment 6; Council Administrative Notice Item No. 2 – FCC OET Bulletin No. 65)

Emergency Backup Power

155. 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. (Council Administrative Notice Item No. 56- Final Report of the Two Storm Panel)

156. Consistent with the findings and recommendations of the Panel, and in accordance with CGS §16-507, 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 the public health and safety. (Council Administrative Notice Item No. 35 – Council Docket No. 432)
157. 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)
158. AT&T proposes to install a 20-kilowatt propane-fueled generator with an associated 500-gallon fuel tank for backup power. The generator could provide 4.5 days of backup power before the tank would need refueling. AT&T would also install an emergency power battery that could provide 3 hours of backup power, if necessary. (Applicants 1, p. 11)
159. Cellco proposes to install a 50-kilowatt diesel-fueled generator with a built-in 229-gallon fuel tank for backup power. Cellco's proposed generator would provide approximately 50 hours of run time before it requires refilling. Cellco would also install an emergency power battery that could provide 8 hours of backup power, if necessary. (Cellco 2, responses 20 & 21)
160. Cellco proposed a diesel-fueled generator over a propane-fueled generator as it does not require a separate fuel tank. (Tr. 1, pp. 52-53)
161. Cellco's generator features a double walled fuel tank with leak detection. (Applicants 6, responses 32 & 33; Tr. 1, p. 52)
162. Natural gas is available on Universal Drive, approximately 75 feet east of the compound. The Applicants would consider discussing extending a gas line from Universal Drive to the compound with Southern Connecticut Gas, operator of the natural gas system in the North Haven area, if there is sufficient capacity to power emergency backup generators. (Applicants 6, response 30; Tr. 1, pp. 28-31)
163. The cost to install natural gas is higher than independently fueled backup power generators due to required excavation, obtaining easements, road repairs, and connection fees. The installation of a natural gas generator can range from \$30,000 to \$100,000 more than the cost to install a diesel generator. (Applicants 6, response 30; Cellco 2, response 23; Tr. 1, pp. 53-54)
164. Cellco experienced construction delays and costs in excess of \$100,000 related to a natural gas connection for its 180 School Road, Wilton facility (Docket 515) caused by easement issues, inspection requirements and scheduling, and material shortages. (Tr. 1, pp. 53-54)
165. AT&T and Cellco are willing to have discussions with Southern Connecticut Gas Company about the use of natural gas. (Applicants 6, response 30; Cellco response 23; Tr. 1, pp. 30, 41-43, 55, 60)
166. 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. (Applicants 1, p. 11; RCSA §22a-69-1.8)

Environmental Effects and Mitigation Measures

Air and Water Quality

167. Operation of the proposed facility would not produce air emissions, excluding operation of the emergency backup generator. (Applicants 1, Attachment 7)
168. The site does not require water supply or wastewater utilities. There would be no water connection to the site. (Applicants 1, Attachment 7)
169. 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. (Applicants 6, response 31; RCSA §22a-174-3b)
170. 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))
171. 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))
172. 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))
173. A wetland inspection was conducted in February 2025. It identified two wetlands in the wooded, southern portion of the host parcel that included features indicating past disturbance (refer to Figure 8). (Applicants 1, Attachment 17)
174. No potential vernal pools were identified. (Applicants 1, Attachment 17)
175. The proposed compound would be 51 feet northeast of the nearest wetland. Due to the disturbed nature of both the wetland and the site development area, no significant impact to wetlands is expected. (Applicants 1, p. 23, Attachment 17)
176. The Applicants would install appropriate erosion and sedimentation (E&S) controls such as silt fence, or other controls in compliance with the applicable *Connecticut Guidelines for Soil Erosion and Sediment Control*. (Applicants 1, Attachment 7)
177. 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 0.2-acre; therefore, the project would not require a DEEP Stormwater Permit (CGS §22a-430b; DEEP General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities. (Applicants 1, p. 8; DEEP-WPED-GP-015)
178. The site is outside of the coastal boundary (310 feet to the west), as defined by the Connecticut Coastal Management Act. (Applicants 1, Attachment 10)

Forests and Parks

179. Peters Rock Park, a Town park, is approximately 0.7 mile east of the site. The facility would not impact park activities. (Applicants 1, Attachment 11)
180. No trees would be removed to construct the facility. (Applicants 1, Attachment 7)

Scenic, Historic and Recreational Values

181. The Applicants performed a cultural resource screening for potential resources listed on the National Register of Historic Places or State Register of Historic Places within 0.5-mile of the proposed site. No such resources were identified. In accordance with NEPA requirements, the Applicants would submit a cultural resource study to SHPO for review if the proposed facility is approved. (Applicants 1, p. 14, Attachment 12; Tr. 1, p. 53)
182. There are no state-designated scenic roads within two-miles of the site. (Applicants 1, Attachment 11)
183. Several hiking trails are located within Peters Rock Park, and East Rock Park, approximately 1.7 miles southwest of the site. The tower would not be visible from trails within either park. (Applicants 1, Attachment 11)
184. Pursuant to CGS §16-50p(a)(3)(F), for a telecommunications 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))
185. No schools or commercial child day care facilities are located within 250 feet of the site. The nearest building containing a school or commercial day care is Ferrara Elementary School located approximately 1.1 miles to the southeast in East Haven. (Applicants 1, Attachment 11)
186. 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))
187. No comments were received from the Town, OPM or DEEP regarding any impacts to scenic quality or resources. (Record)

Fish, Aquaculture and Wildlife

188. The proposed site is not within 100 feet of DEEP-designated Cold Water Stream Habitat. (Council Administrative Notice Item No. 49)
189. Development of the site would not affect fish passage. (Applicants 1, Attachment 17)

190. DEEP Natural Diversity Database (NDDB) 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)
191. The proposed site is located within a NDDB buffer area. On May 13, 2025, DEEP provided correspondence indicating the proposed facility would not impact any state-listed species. (Applicants 1, Attachment 19)
192. The site is within the range of the northern long-eared bat (NLEB), a federally-listed and state-listed endangered species. There are no known NLEB hibernacula or known maternity roost trees within 0.25 miles and 150-feet, respectively, of the proposed site. By letter dated May 21, 2025, the U.S. Fish and Wildlife Service (USFWS) determined that construction of the facility would not likely have an adverse effect on NLEB. (Applicants 1, Attachment 19)
193. The proposed facility is approximately 0.3 miles east of the Quinnipiac River Tidal Marsh, an Important Bird Area (IBA) designated by the National Audubon Society. (Council Administrative Notice Item No. 83)
194. The proposed facility would comply with the USFWS telecommunications tower guidelines for minimizing the potential for impact to bird species. (Applicants 1, p. 21)
195. The Applicants complied with National Environmental Policy Act (NEPA) requirements for telecommunications facilities. (Applicants 1, p. 20)

Agriculture

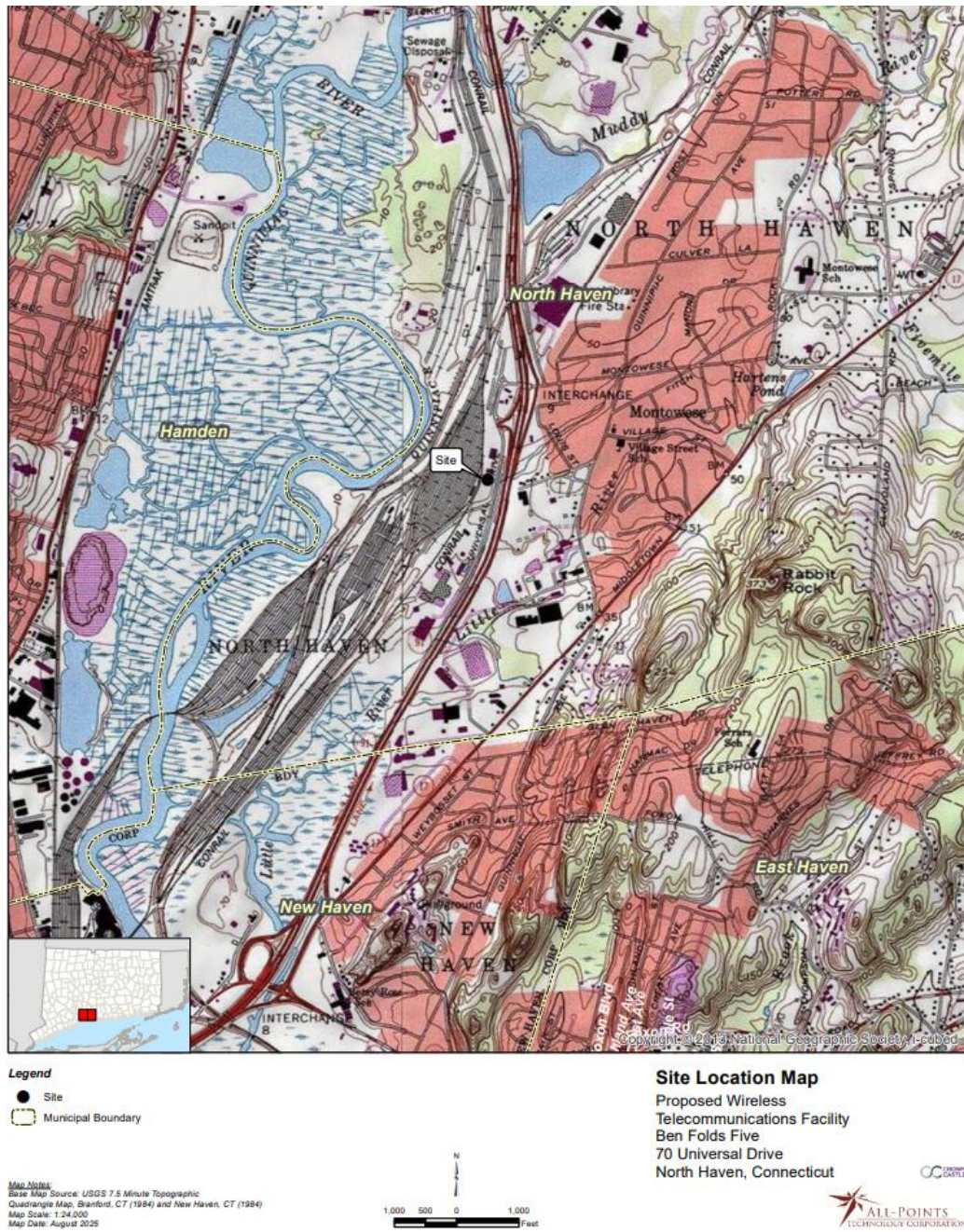
196. Agricultural land is an economic resource. The terms “agriculture” and “farming” are defined under CGS §1-1q. Agriculture and farming activities are exempt from certain statutes and regulations, including, but not limited to, provisions related to wetlands and nuisance. (CGS §1-1q (2025); CGS §19a-341(2025)(commonly known as “the Right to Farm Law”); CGS §22a-19 (2025); CGS §22a40 (2025); CGS §7-131d (2025); *Red Hill Coalition, Inc. v. Town Plan & Zoning Comm’n*, 212 Conn. 727 (1989); *Indian Spring Land Co. v. Inland Wetlands & Watercourse Agency of Greenwich*, 322 Conn. 1 (2016))
197. The host parcel does not contain prime or statewide important farmland soils. (Applicants 1, Attachment 10)

Facility Construction

198. A geotechnical survey would be conducted prior to construction to evaluate existing subsurface conditions for the design of the tower foundation. The foundation design would be included within the Development & Management (D&M) Plan for the facility. (Applicants 1, Attachment 7; Tr. 1, pp. 18-19)
199. 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, et al v. Conn. Siting Council*, 2024 Conn. LEXIS 163 (2024))
200. Site construction would not require blasting. (Tr 1. pp. 18-19)

201. Construction would require approximately 124 cubic yards of excavation and approximately 100 cubic yards of fill. (Applicants 1, Attachment 7)
202. Crown conducted environmental site assessments of the construction area which determined soils at the site do not exhibit environmental conditions requiring remediation. Groundwater at the site may include contaminants. Crown would implement a Health and Safety Plan and Groundwater Management Plan for groundwater and saturated soils that may be encountered during excavation. (Applicants 6, responses 13 & 14)
203. Site construction would commence following Council approval of the D&M Plan for the facility. Once the tower and compound are constructed, both AT&T and Cellco would begin installing their equipment. (Applicants 1, p. 25; Cellco 2, response 10)
204. Construction hours would be from 7:00 am to 7:00 pm, Monday through Saturday. (Applicants 6, response 21)
205. 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))
206. 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).
207. A temporary tower is not anticipated. (Tr. 1, pp. 17-18)

Figure 1 – Site Location – Topographic Map



(Applicants 1, Attachment 1)

Figure 2 – Site Location – Aerial Image



- Legend**
- Site
 - Subject Property
 - Approximate Parcel Boundary
 - Municipal Boundary

Map Notes:
Base Map Source: CT ECO 2023 Imagery
Map Scale: 1 inch = 500 feet
Map Date: August 2025



Site Location Map
Proposed Wireless
Telecommunications Facility
Ben Folds Five
70 Universal Drive
North Haven, Connecticut



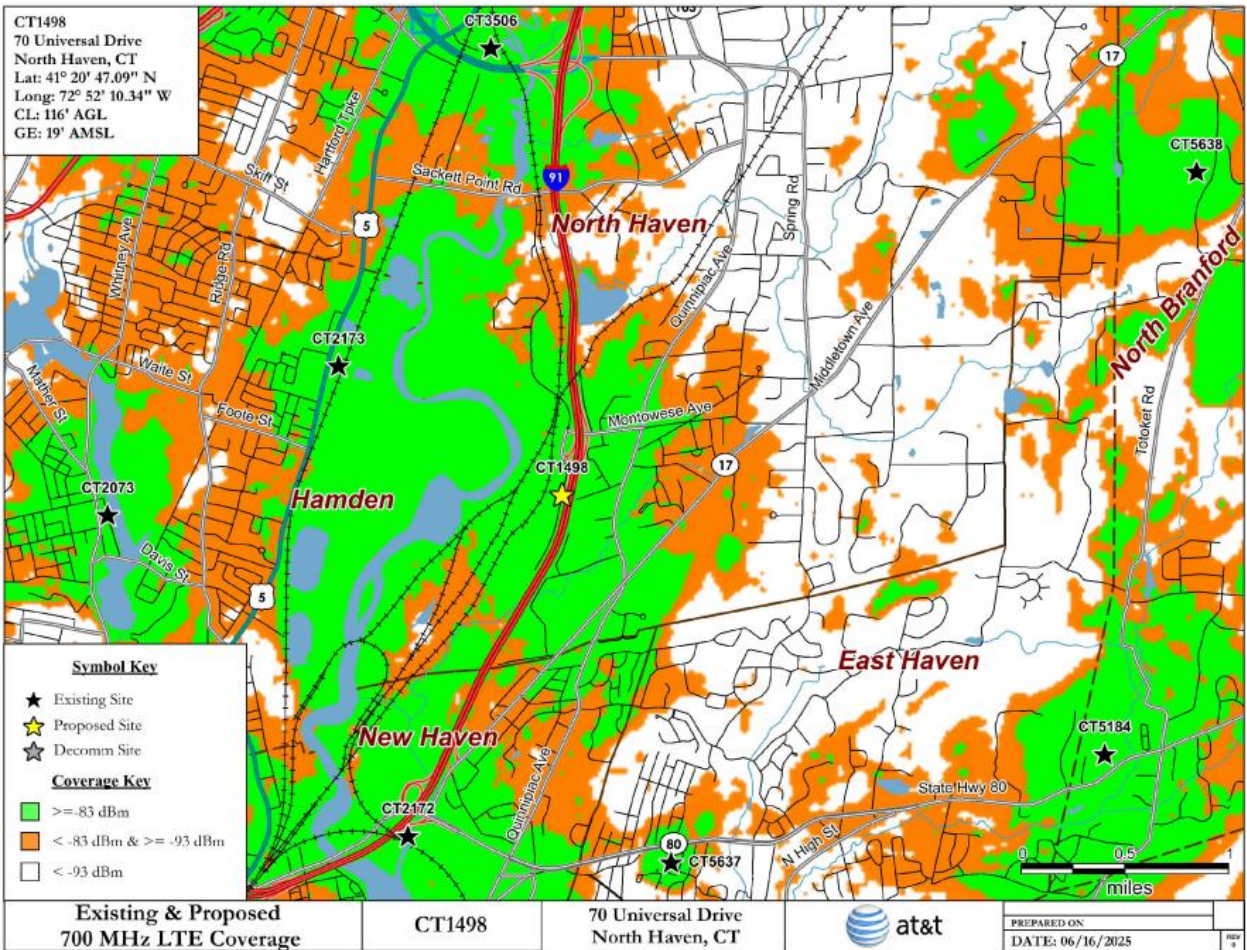
(Applicants 1, Attachment 1)

Figure 3 – Site Location with Existing Crown and Cellco Facilities



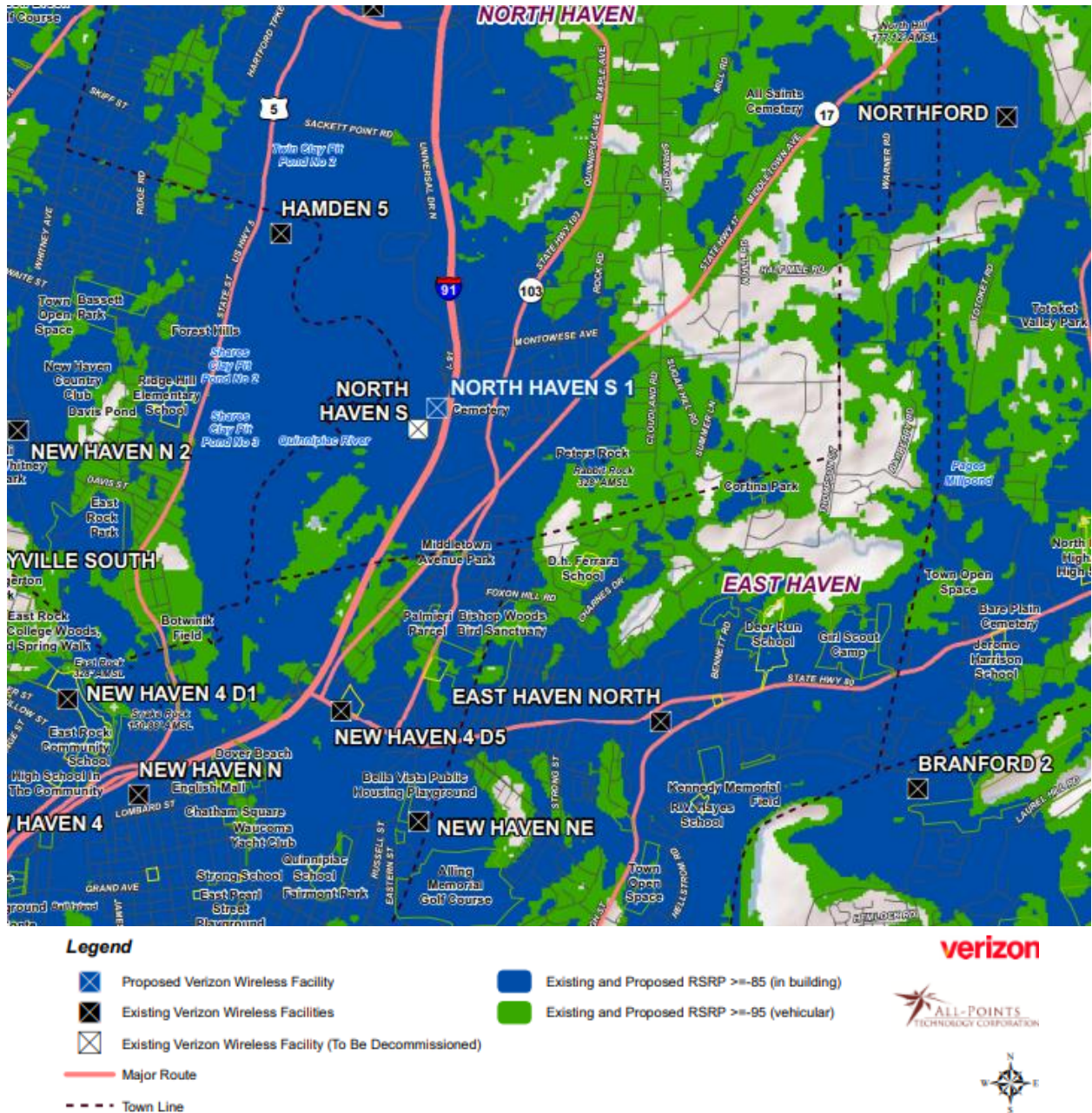
(Cellco 2, Attachment 2)

Figure 4 – AT&T Proposed 700 MHz Coverage



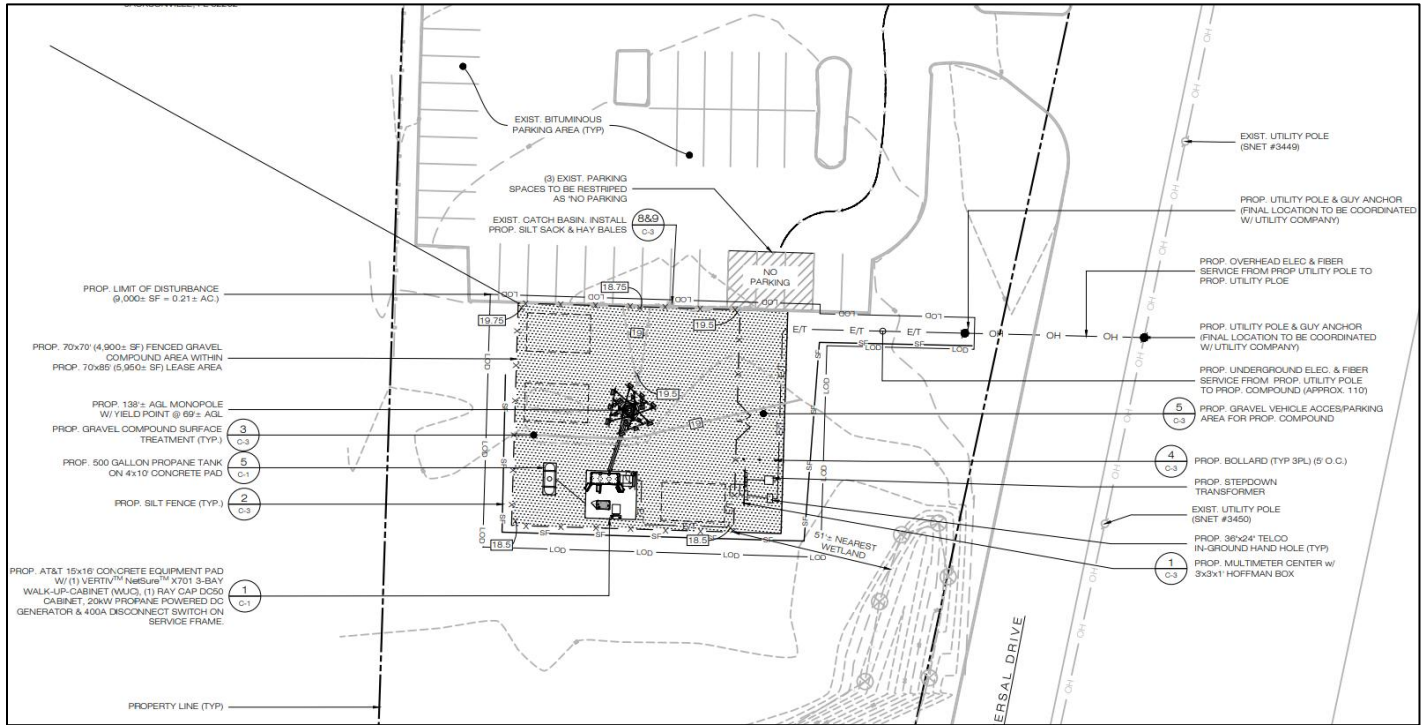
There is no significant difference between existing and proposed coverage.
 (Applicants 1, Attachment 16)

Figure 5 – Cellco Existing and Proposed 700 MHz Coverage



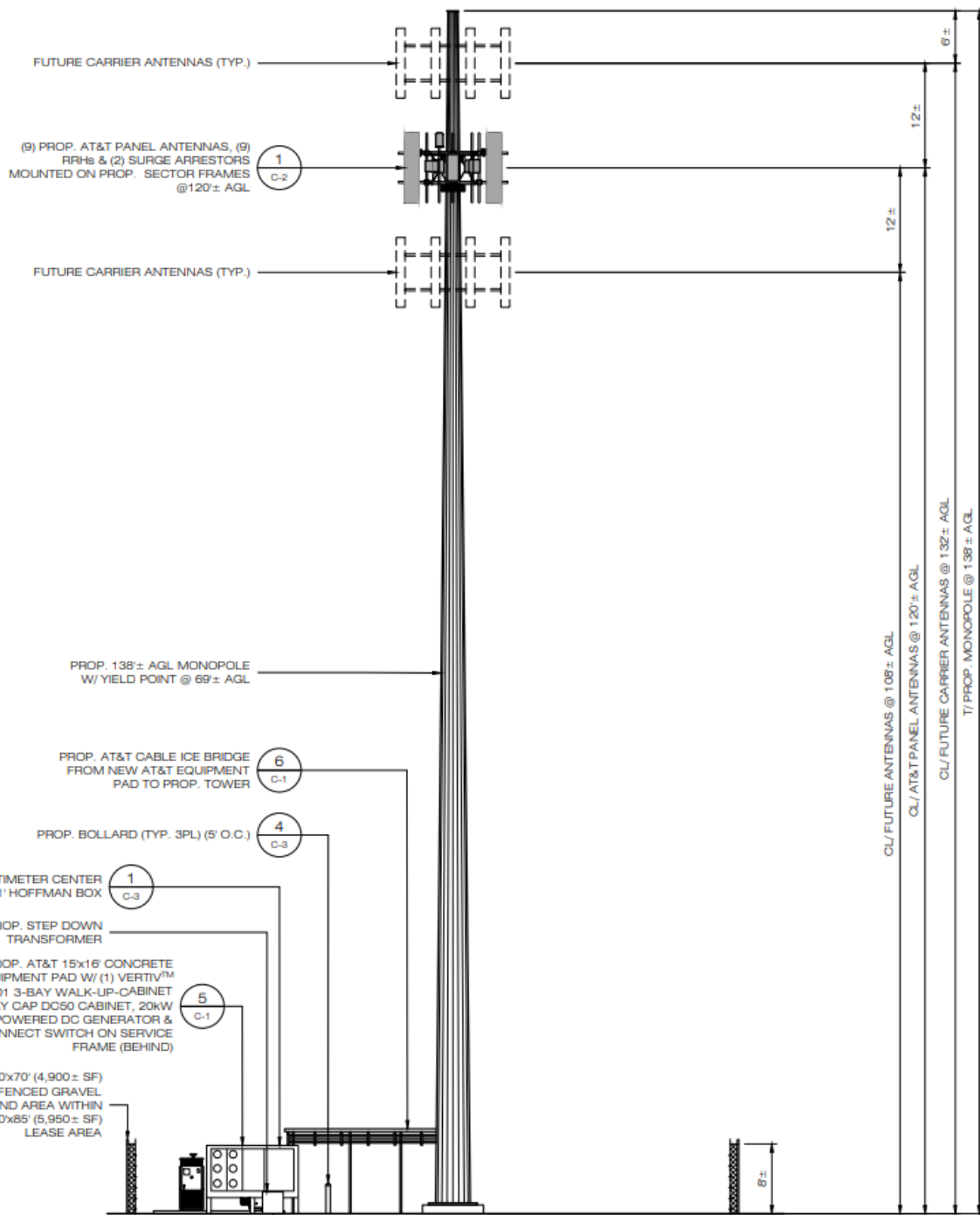
(Cellco 3)

Figure 6 – Site Plan Overview



(Applicants 1, Attachment 7)

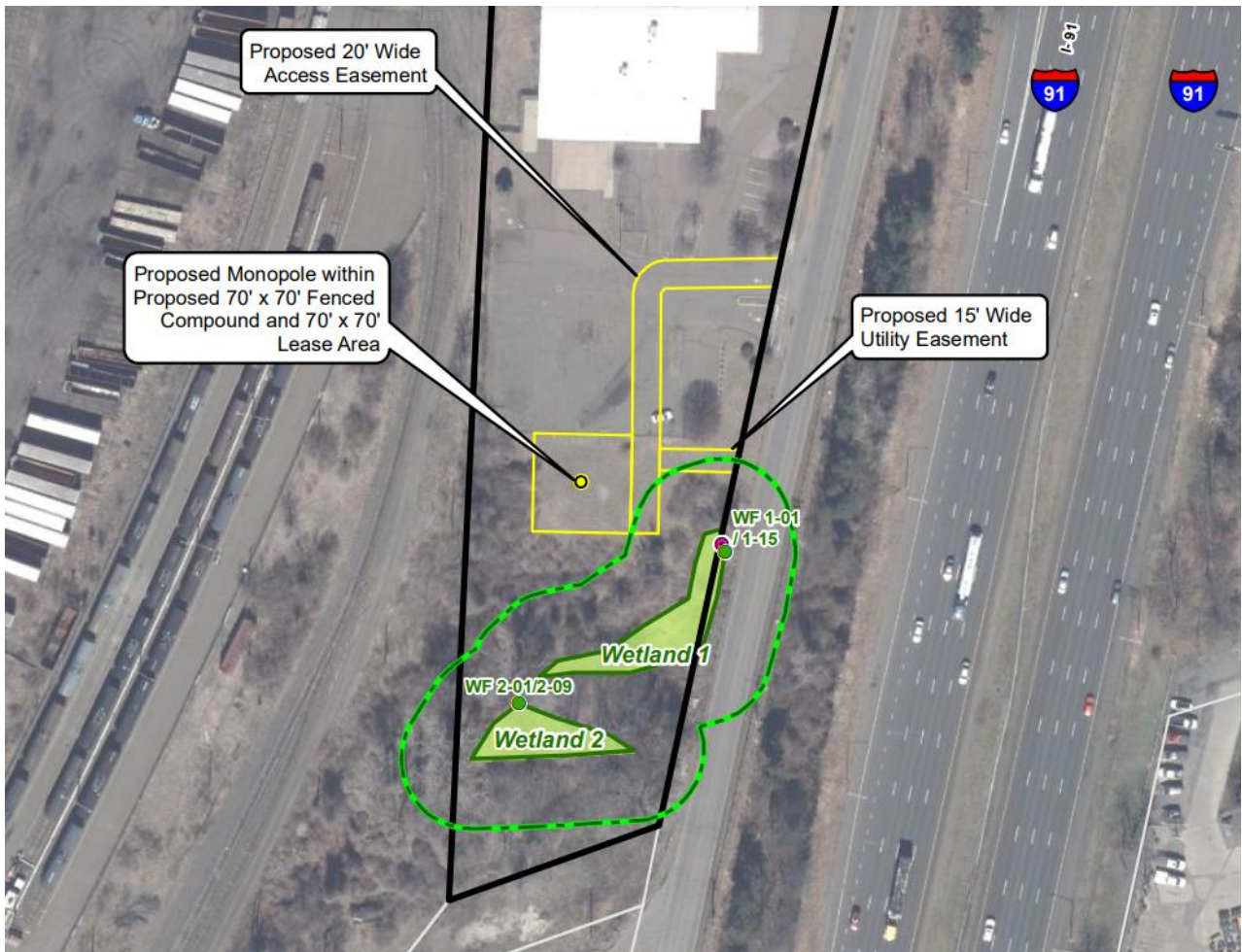
Figure 7 – Tower Elevation



Proposed tower is 138 feet agl.
 AT&T' proposed equipment – 120 feet agl.
 Cellco's proposed equipment – 82 feet agl.

(Applicants 1, Attachment 7)

Figure 8 – Wetland and Watercourse Map



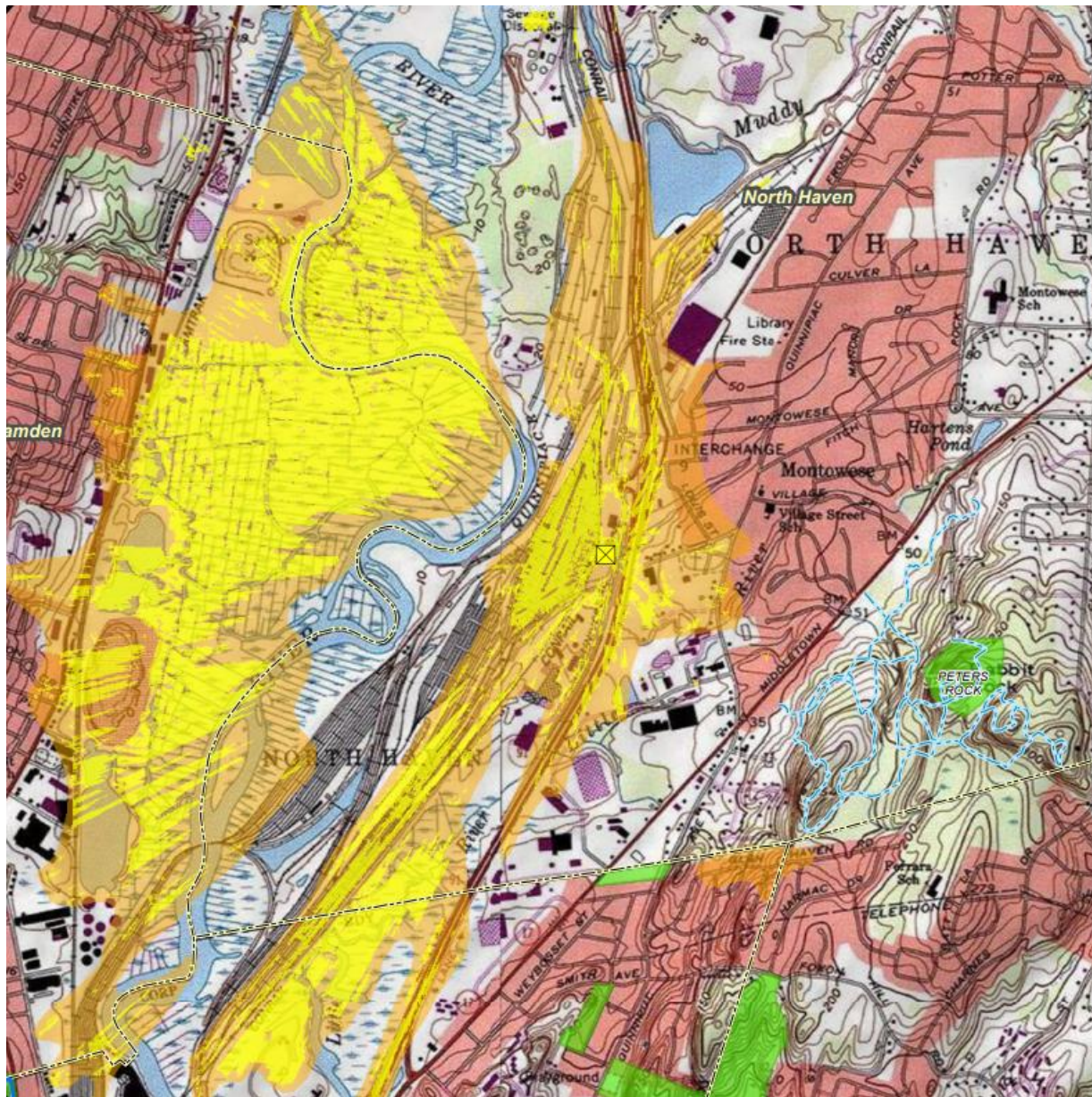
Legend

- | | |
|-------------------------------|-------------------------------|
| ● Proposed Monopole | ● Culvert |
| □ Proposed Site Layout | ▭ Subject Property |
| — 50' Upland Review | ▭ Approximate Parcel Boundary |
| — Delineated Wetland Boundary | ▭ Municipal Boundary |
| ■ Approximate Wetland | |



(Applicants 1, Attachment 17)

Figure 9 –Visibility Analysis



Legend

- Proposed Site
 - Study Area (2-Mile Radius)
 - Areas of Potential Seasonal Visibility (954 Acres)
 - Predicted Year-Round Visibility (599 Acres)
 - National Register District
 - Municipal Boundary
 - Scenic Highway*
 - Locally Designated Scenic Road*
 - Trail
 - DEEP Boat Launches*
 - Municipal and Private Open Space Property
 - State Forest/Park*
- Protected Open Space Property**
- Federal*
 - Land Trust*
 - Municipal*
 - Private*
 - State*

(Applicants 1, Attachment 11)