



STATE OF CONNECTICUT  
*CONNECTICUT SITING COUNCIL*

Ten Franklin Square, New Britain, CT 06051

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**VIA ELECTRONIC MAIL**

May 24, 2021

Kenneth C. Baldwin, Esq.  
Robinson & Cole LLP  
280 Trumbull Street  
Hartford, CT 06103-3597

RE: **DOCKET NO. 494** - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located south of Chestnut Hill Road at the intersection with Grilley Road and Lyman Road (Parcel No. 101-1-5B), Wolcott, Connecticut.

Dear Attorney Baldwin:

By its Decision and Order dated May 20, 2021, the Connecticut Siting Council (Council) granted a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, maintenance, and operation of a telecommunications facility located south of Chestnut Hill Road at the intersection with Grilley Road and Lyman Road (Parcel No. 104-1-5B), Wolcott, Connecticut.

Enclosed are the Council's Certificate, Findings of Fact, Opinion, and Decision and Order.

**This final decision has been electronically issued pursuant to Governor Lamont's March 12, 2020 Executive Order No. 7, "Protection of Public Health and Safety During COVID-19 Pandemic and Response" as subsequently extended.**

Sincerely,

*s/Melanie A. Bachman*

Melanie A. Bachman  
Executive Director

MAB/MP/lm

Enclosures (4)

c: Service List dated November 19, 2020  
State Documents Librarian (via email)



## STATE OF CONNECTICUT

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**CERTIFICATE  
OF  
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED  
DOCKET NO. 494**

Pursuant to General Statutes § 16-50k, as amended, the Connecticut Siting Council hereby issues a Certificate of Environmental Compatibility and Public Need to Cellco Partnership d/b/a Verizon Wireless for the construction, maintenance, and operation of a telecommunications facility located south of Chestnut Hill Road at the intersection with Grilley Road and Lyman Road (Parcel No. 104-1-5B), Wolcott, Connecticut. This Certificate is issued in accordance with and subject to the terms and conditions set forth in the Decision and Order of the Council on May 20, 2021.

By order of the Council,

*s/Melanie A. Bachman*

Melanie A. Bachman, Executive Director

May 20, 2021

**This final decision has been electronically issued pursuant to Governor Lamont's March 12, 2020 Executive Order No. 7, "Protection of Public Health and Safety During COVID-19 Pandemic and Response" as subsequently extended.**



STATE OF CONNECTICUT )

: ss. Southington, Connecticut May 24, 2021

COUNTY OF HARTFORD )

I hereby certify that the foregoing is a true and correct copy of the Findings of Fact, Opinion, and Decision and Order issued by the Connecticut Siting Council, State of Connecticut.

ATTEST:

/s/ Melanie A. Bachman

Melanie A. Bachman  
Executive Director  
Connecticut Siting Council

STATE OF CONNECTICUT )

: ss. Berlin, Connecticut May 24, 2021

COUNTY OF HARTFORD )

I certify that a copy of the Findings of Fact, Opinion, and Decision and Order in Docket No. 494 has been forwarded by Certified First Class Return Receipt Requested mail, on May 24, 2021, to all parties and intervenors of record as listed on the attached service list, dated November 19, 2020.

ATTEST:

/s/ Lisa A. Mathews

Lisa A. Mathews  
Office Assistant  
Connecticut Siting Council

**LIST OF PARTIES AND INTERVENORS**  
**SERVICE LIST**

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
<b>Applicant</b>	<input checked="" type="checkbox"/> E-mail	Cellco Partnership d/b/a Verizon Wireless	Kenneth C. Baldwin, Esq. Robinson & Cole LLP 280 Trumbull Street Hartford, CT 06103-3597 Main (860) 275-8200 <a href="mailto:kbaldwin@rc.com">kbaldwin@rc.com</a>  Andrew Candiello Sr. Manager - Real Estate/Regulatory Cellco Partnership d/b/a Verizon Wireless 20 Alexander Drive Wallingford, CT 06492 <a href="mailto:andrew.candiello@verizonwireless.com">andrew.candiello@verizonwireless.com</a>
<b>Intervenor (granted 11/19/20)</b>		New Cingular Wireless PCS, LLC (AT&T)	Daniel Patrick, Esq. Lucia Chiochio, Esq. Cuddy & Feder LLP 445 Hamilton Avenue, 14th Floor White Plains, New York 10601 (914) 761-1300 <a href="mailto:lchiocchio@cuddyfeder.com">lchiocchio@cuddyfeder.com</a> <a href="mailto:dpatrick@cuddyfeder.com">dpatrick@cuddyfeder.com</a>

**DOCKET NO. 494** - Cellco Partnership d/b/a Verizon Wireless }  
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101-1-5B), Wolcott, Connecticut. }

Connecticut

Siting

Council

May 20, 2021

## **Findings of Fact**

### **Introduction**

1. Cellco Partnership d/b/a Verizon Wireless (Cellco or Applicant), in accordance with provisions of Connecticut General Statutes (C.G.S.) § 16-50g, et seq, applied to the Connecticut Siting Council (Council) on September 2, 2020 for a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, maintenance, and operation of a 120-foot monopole wireless telecommunications facility at Parcel No. 104-1-5B, south of Chestnut Hill Road in Wolcott, Connecticut. (Cellco 1, p. 1)
2. Cellco is a Delaware Partnership with an office located at 20 Alexander Drive, Wallingford, Connecticut. Cellco is licensed by the Federal Communications Commission (FCC) to provide personal wireless communication service in the State of Connecticut. (Cellco 1, p. 2)
3. The party in this proceeding is Cellco. The intervenor in the proceeding is AT&T. (Transcript 1, December 8, 2020, 2:00 p.m. [Tr. 1], p. 6)
4. New Cingular Wireless PCS, LLC (AT&T) is licensed by the FCC to provide personal wireless communication service in the State of Connecticut. (AT&T 1, p. 1)
5. The purpose of the proposed facility is to provide improved wireless voice and data services in the southwest portions of Wolcott and northeast portions of Waterbury. (Cellco 1, p. i)
6. Pursuant to C.G.S. § 16-50l (b), Cellco provided public notice of the filing of the application that was published in the Republican-American on August 27, 2020 and August 28, 2020. (Cellco 1, p. 3; Cellco 3, response 2)
7. Pursuant to C.G.S. § 16-50l (b), notice of the application was provided to all abutting property owners by certified mail. Cellco received certified mail receipts from four of the six abutting property owners. Cellco did not receive return receipts from Michael R. Van Geons and Executive Hill LLC, and Cellco sent second notice letters to these two property owners on November 11, 2020 by regular mail. (Cellco 1, p. 3 and Attachment 4; Cellco 3, response 1)
8. On September 2, 2020, Cellco provided notice to all federal, state and local officials and agencies listed in C.G.S. § 16-50l (b), including the City of Waterbury, which is located within 2,500 feet of the site. (Cellco 1, p. 3 and Attachment 2; Cellco 1, p. ii – Site Location Map)

### **Procedural Matters**

9. On March 10, 2020, Governor Lamont issued a Declaration of Public Health and Civil Preparedness Emergencies, proclaiming a state of emergency throughout the state as a result of the COVID-19 pandemic. (Council Administrative Notice Item No. 52)

10. On March 12, 2020, Governor Lamont issued Executive Order No. (EO) 7 ordering a prohibition of large gatherings, among other orders and directives. (Council Administrative Notice Item No. 52)
11. On March 14, 2020, Governor Lamont issued EO 7B ordering suspension of in-person open meeting requirements of all public agencies under CGS §1-225. The Freedom of Information Act defines “meeting” in relevant part as “any hearing or other proceeding of a public agency.” (Council Administrative Notice Item No. 52, CGS §1-200, *et seq.* (2019))
12. EO 7B 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;
  - d) 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
  - e) All speakers taking part in any such meeting shall clearly state their name and title before speaking on each occasion they speak.

(Council Administrative Notice Item No. 52)
13. On March 25, 2020 and as subsequently extended, Governor Lamont issued EO 7M allowing for an extension of all statutory and regulatory deadlines of administrative agencies for a period of no longer than 90 days. (Executive Order No. EO 7M)
14. Upon receipt of the application, the Council sent a letter to the Town of Wolcott and to the City of Waterbury on September 3, 2020, as notification that the application was received and is being processed, in accordance with C.G.S. § 16-50gg. (Record)
15. On September 10, 2020, the Council requested an extension of time for a completeness review of the Application due to the statewide effort to prevent the spread of the Coronavirus that disrupted Council meetings and other business. On September 10, 2020, Cellco granted the Council an extension of time to October 23, 2020. (Record)
16. On October 8, 2020, during a regular Council meeting, the application was deemed complete pursuant to Regulations of Connecticut State Agencies (R.C.S.A.) § 16-50l-1a, and the public hearing schedule was approved by the Council. (Record)
17. On October 8, 2020, the Council issued a Protective Order related to the disclosure of the monthly rent and financial terms contained within the lease agreement for the proposed site, pursuant to C.G.S. §1-210(b) and consistent with the Conclusions of Law adopted in Docket 366. (Record)
18. Pursuant to Governor Lamont’s EO 7B, as extended, and CGS § 16-50m, the Council published legal notice of the date and time of the remote public hearing via Zoom conferencing in the Republican-American on October 14, 2020. (Council’s Hearing Notice dated October 9, 2020; Record)

19. Pursuant to Governor Lamont's EO 7B, as extended, and C.G.S. § 16-50m, on October 9, 2020, the Council sent a letter to the Town of Wolcott and the City of Waterbury to provide notification of the scheduled remote public hearing via Zoom conferencing and to invite the municipalities to participate. (Record)
20. In compliance with Governor Lamont's EO 7 prohibition of large gatherings, the Council's Hearing Notice did not refer to a public field review of the proposed site. (Council's Hearing Notice dated October 9, 2020)
21. Field reviews are not an integral part of the public hearing process. The purpose of a site visit is an investigative tool to acquaint members of a reviewing commission with the subject property. (Council Administrative Notice Item Nos. 53 and 54)
22. On October 21, 2020, in lieu of an in-person field review of the proposed site, the Council requested that Cellco submit photographic documentation of site-specific features into the record intended to serve as a "virtual" field review of the site. On November 13, 2020, Cellco submitted such information in response to the Council's first set of interrogatories. (Record; Cellco 3, response 47)
23. On November 18, 2020, the Council held a pre-hearing teleconference 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. Procedures for the remote public hearing via Zoom conferencing were also discussed. (Council Pre-Hearing Conference Memoranda, dated November 12, 2020 and November 19, 2020)
24. On November 15, 2020, in compliance with R.C.S.A. §16-50j-21, Cellco installed a four-foot by six-foot sign at the proposed entrance to the subject property on Chestnut Hill Road. The sign presented information regarding the project and Council's public hearing. (Cellco 4; Council Pre-Remote Hearing Conference Memorandum, dated November 19, 2020)
25. Pursuant to C.G.S. § 16-50m, the Council gave due notice of a remote public hearing to be held on December 8, 2020, beginning with the evidentiary session at 2:00 p.m. and continuing with the public comment session at 6:30 p.m. via Zoom conferencing. The Council provided information for video/computer access or audio only telephone access. (Council's Hearing Notice dated October 9, 2020; Tr. 1, p. 1; Transcript 2 – 6:30 p.m. [Tr. 2], p. 112)
26. In compliance with Governor Lamont's EO 7B:
  - a) The public had the ability to view and listen to the remote public hearing in real-time, by computer, smartphone, let or telephone;
  - b) The remote public hearing was transcribed, and such transcript were posted on the Council's website on December 14, 2020;
  - c) The Hearing Notice, Hearing Program, Citizens Guide for Siting Council Procedures and Instructions for Public Access to the Remote Hearing were posted on the agency's website;
  - d) The record of the proceeding is available on the Council's website for public inspection prior to, during and after the remote public hearing; and
  - e) The Council, parties and intervenors provided their information for identification purposes during the remote public hearing.

(Hearing Notice dated October 9, 2020; Tr. 1; Tr. 2; Record)

### **State Agency Comment**

27. Pursuant to C.G.S. § 16-50j (g), on October 9, 2020, 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); and State Historic Preservation Office (SHPO). (Record)
28. On September 30, 2020, the Council received comments from the CEQ, which are attached hereto. (CEQ Comments dated September 30, 2020)
29. On November 3, 2020, the Council received comments from DOT Bureau of Engineering and Construction, which are attached hereto. (DOT Comments dated November 3, 2020)
30. The following agencies did not respond with comment on the application: DEEP, DPH, PURA, OPM, DECD, DOAg, CAA, DESPP, and SHPO. (Record)
31. 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. (*Corcoran v. Connecticut Siting Council*, 284 Conn. 455 (2007)).

### **Municipal Consultation**

32. Cellco commenced the 90-day pre-application municipal consultation process by attempting to contact Wolcott Mayor Thomas Dunn by telephone. Cellco also submitted an electronic copy of the Technical Report to Mayor Dunn on May 8, 2020. Cellco's representatives reached out to Mayor Dunn on three other occasions by telephone and email to solicit comments and/or feedback on the project. Cellco did not receive any comments from the Town of Wolcott. (Cellco 1, p. 20; Tr. 1, p. 16)
33. Cellco did not receive any comments from the City of Waterbury. (Tr. 1, p. 16)

### **Public Need for Service**

34. 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)
35. 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. Cellco and AT&T are licensed by the FCC to provide personal wireless communication service to Connecticut. (Council Administrative Notice Item No. 4 – Telecommunications Act of 1996; Cellco 1, p. 2; AT&T 1, p. 1)
36. 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)



37. 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)
38. 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)
39. 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)
40. 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)
41. 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 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)
42. 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. 23 – FCC Wireless Infrastructure Report and Order)
43. 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. An increase in height from the original, approved height of a tower of up to 10% or 20 feet; whichever is greater, does not constitute a substantial change in the physical dimensions of a tower. (Council Administrative Notice Item No. 8 – Middle Class Tax Relief and Job Creation Act of 2012; Council Administrative Notice Item No. 23 – FCC Wireless Infrastructure Report and Order)

44. 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. (Conn. Gen. Stat. §16-50aa)
45. On October 9, 2020, the Council sent correspondence to other telecommunications carriers requesting that carriers interested in locating on the proposed facility in the foreseeable future to notify the Council by December 1, 2020. (Record).
46. On October 30, 2020, AT&T requested intervenor status. No other carriers responded to the Council’s solicitation. (Record; AT&T 1; AT&T 2, response 4)
47. As of December 8, 2020, the Town of Wolcott had not expressed an interest in co-locating on the proposed tower. (Tr. 1, p. 16)

**Existing and Proposed Wireless Services**

*Cellco*

48. Cellco’s proposed facility would provide both coverage and capacity. (Cellco 1, pp. 6-7)
49. Cellco is experiencing gaps in reliable wireless service and signal level deficiencies along portions of Route 69 and to the north, east and west of the proposed facility. (Cellco 1, p. 6)
50. Cellco’s existing Waterbury facility (Alpha sector), Wolcott facility (Gamma sector) and Wolcott North facility (Beta sector) are currently operating at or near their current capacity limits which results in a significant reduction in reliable wireless service in the area. The proposed facility would improve Cellco’s level of reliable service in the area. (Cellco 1, p. 7)
51. Cellco’s proposed wireless service to the surrounding area is presented in the table below.

<b>Street Name</b>	<b>700 MHz Service</b>	<b>850 MHz Service</b>	<b>1900 MHz Service</b>	<b>2100 MHz Service</b>
Route 69	4 miles	4 miles	1 mile	1 mile
Coverage footprint	20 square miles	20 square miles	7 square miles	7 square miles

(Cellco 1, p. 8 and Attachment 6 – Coverage Maps; Cellco 3, response 24)

52. Cellco’s initial deployment plan for the facility does not include the installation of 5G technology; however, certain frequencies may be reused for 5G services in the future. (Cellco 3, response 16)
53. Cellco’s proposed facility would interact with the adjacent existing facilities identified in the following table.

<b>Cellco Site Designation</b>	<b>Site Address</b>	<b>Distance/direction from Proposed Site</b>	<b>Antenna Height (agl)</b>	<b>Structure Type</b>
Waterbury 4	150 East Aroura Street, Waterbury	2.7 miles SW	65 feet	Rooftop
Waterbury 5	835 Wolcott Street, Waterbury	1.7 miles S	31 feet	Rooftop

Waterbury	Garden Circle (Farmdale Drive), Waterbury	1.4 miles SSW	128 feet	Monopole
Wolcott	347 East Street, Wolcott	3.8 miles SE	177 feet	Self-supporting lattice tower
Waterbury Fulton	330 Bishop Street, Waterbury	2.2 miles SW	67 feet	Rooftop
Waterbury East	940 Meriden Road, Waterbury	2.7 miles S	87 feet	Self-supporting lattice tower
Wolcott N	1140 Wolcott Road, Wolcott	2.7 miles NE	135 feet	Self-supporting lattice tower
Thomaston S	170 Mount Tobe Road, Thomaston	3.7 miles NW	137 feet	Self-supporting lattice tower
Waterbury 3	299 Sheffield Street, Waterbury	2.2 miles W	147 feet	Monopole
Wolcott CTR SC	720 Wolcott Road, Wolcott	1.4 miles NE	37 feet	Utility pole

(Cellco 1, pp. 8-9; Cellco 3, responses 15 and 24; AT&T 2, response 10)

54. Cellco’s antennas are proposed to be installed at a centerline height of 116 feet agl, which is the lowest height that would meet its wireless service objectives in the area. (Cellco 3, response 18; Cellco 1, Attachment 1 – General Cell Site Description)
55. If Cellco were to reduce its antenna centerline height to 106 feet agl, it would experience a reduction in coverage which would result in a reduced offload to neighboring sites. (Cellco 3, response 18; Tr. 1, p. 18)

*AT&T*

56. AT&T’s proposed facility would provide both coverage and capacity. (AT&T 2 response 12)
57. AT&T is experiencing a coverage deficiency along Lyman Road and Woodgaite Drive and the neighboring and business/retail areas in Wolcott. (AT&T 2, response 9 – Radio Frequency Analysis Report, p. 2)
58. AT&T’s neighboring site CT1005 to the south-southwest is currently fully loaded and exhausted with respect to capacity. AT&T’s proposed facility would off-load capacity from this site. (AT&T 2, response 21)
59. AT&T’s proposed wireless service to primary roads in the surrounding area is presented in the table below.

Street Name	700 MHz Service	850 MHz Service	PCS Service	AWS Service	WCS Service
Interstate 84	0.002 mile	N/A	N/A	N/A	N/A
Route 262	0.010 mile	N/A	N/A	N/A	N/A

Spindle Hill Road	0.033 mile	0.104 mile	0.272 mile	0.281 mile	0.277 mile
North Main Street	0.068 mile	0.136 mile	0.217 mile	0.225 mile	0.201 mile
Beach Road	0.102 mile	0.117 mile	N/A	N/A	N/A
South Street	0.055 mile	0.037 mile	N/A	N/A	N/A
Straits Turnpike	0.054 mile	N/A	N/A	N/A	N/A
Echo Lake Road	0.005 mile	N/A	N/A	0.015 mile	0.004 mile
Chase Avenue	N/A	N/A	0.128 mile	0.126 mile	0.127 mile
Hill Street	N/A	N/A	0.036 mile	0.050 mile	0.043 mile

(Cellco 1, p. 8 and Attachment 6 – Coverage Maps; Cellco 3, response 24)

- 60. AT&T’s proposed co-location would provide approximately 0.74 square miles and 1.28 square miles of incremental coverage at 700 MHz based on its in-building and in-vehicle signal strength thresholds, respectively. (AT&T 2, response 9 – Radio Frequency Analysis Report, p. 4)
- 61. AT&T’s proposed co-location would be provisioned to provide 5G service at 850 MHz. (AT&T 2, response 14)
- 62. AT&T’s proposed co-location would interact with the adjacent existing facilities identified in the following table.

<b>AT&amp;T Site Designation</b>	<b>Site Address</b>	<b>Distance/direction from Proposed Site</b>	<b>Antenna Height (agl)</b>	<b>Structure Type</b>
CT1005	Garden Circle, Waterbury	1.4 miles SSW	154 feet	Monopole
CT1111	1233 Wolcott Road, Wolcott	2.8 miles NE	185 feet	Self-supporting lattice tower
CT1125	299 Sheffield Street, Waterbury	2.2 miles W	137 feet	Monopole
CT1359	120 Hillside Avenue, Waterbury	2.7 miles SW	100 feet	Rooftop

(AT&T 2, response 10)

- 63. AT&T’s antennas are proposed to be installed at a centerline height of 105 feet agl, which is the lowest height that would meet its wireless service objectives in the area. (AT&T 2, response 15)
- 64. If AT&T were to reduce its antenna centerline height to 95 feet agl, the loss in coverage would not be substantial. However, reducing AT&T’s antenna centerline height to 85 feet would result substantial losses. (AT&T 2, response 15)

**Site Selection**

- 65. Cellco’s search ring for the target area was initiated in 2015; it has an approximately 1,000-foot radius; and it is centered close to the proposed site. (Cellco 1, Attachment 9 – Site Search Summary; Cellco 3, response 25)

66. There are no existing towers or other sufficiently tall structures within a 4-mile radius of the proposed site that would satisfy Cellco's need for service and reliability improvements. (Cellco 1, Attachment 8 – Site Search Summary, pp. 1 and 2)
67. After determining there were no suitable structures within the search area, Cellco searched for properties suitable for tower development. Cellco investigated 4 parcels/areas, one of which was selected for site development. The 3 rejected parcels/areas and reasons for their rejection are as follows:
- a) **Chestnut Hill Road, Wolcott (Parcel ID 104-1-5A) (Van Geons property)** – This parcel was rejected because of lack of owner interest in leasing space for a tower;
  - b) **124 Grilley Road, Wolcott (Parcel ID 108A-3-341E) (Fekete property)** – This parcel was rejected because of lack of owner interest in leasing space for a tower; and
  - c) **Grilley Road (Executive Hill LLC)** – This parcel was rejected after the landowner and Cellco could not reach a mutual agreement on the terms for a land lease.
- (Cellco 1, Attachment 8 – Site Search Summary, pp. 2-3; Cellco 3, response 26; Tr. 1, p. 23)
68. Although it may be technically possible to provide wireless service to the target area using a number of small cells or Distributed Antenna System (DAS) nodes, the actual number of small cells necessary would be significant due to the size of the area to be covered. Typically, small cell facilities or DAS nodes would utilize existing infrastructure, e.g. electric distribution poles. These existing utility poles are often encumbered by other equipment (e.g. transformers, street lights and risers) that limit Cellco's ability to use the pole and deploy all of the equipment necessary to provide service in all of its operating frequencies. (Cellco 3, response 19)
69. Small cells and DAS are best suited for specifically defined areas where capacity is necessary such as urban environments, shopping malls, stadiums, and other densely populated areas. AT&T is seeking to address a significant coverage gap in the Wolcott area, and AT&T's proposed facility would be part of its FirstNet public safety network where wide area coverage is of importance. Thus, DAS systems or small cells would not be a practical or feasible means to address AT&T's service needs in Wolcott. (AT&T 2, response 16)

#### **Facility Description**

70. The proposed site is located in the eastern-central portion of an approximately 10.17-acre parcel located south of Chestnut Hill Road in Wolcott. The parcel is owned by PAL Properties LLC. The proposed site location is depicted on Figure 1. (Cellco 1, p. i)
71. The subject property is zoned Industrial District, and it is vacant and undeveloped with the remnants of an old stone structure located in the northeast corner of the property. (Cellco 1, p. i and 18; Cellco 1a – Town Zoning Regulations)
72. Land use in the immediate vicinity of the site consists of primarily residentially-developed properties and wooded land. (Cellco 1, Attachment 9 – Visual Assessment Report, p. 1)
73. The proposed tower site is located approximately 638 feet south of Chestnut Hill Road, at an elevation of approximately 786 feet above mean sea level (amsl). (Cellco 1, Attachment 1 – Sheet C-1)

74. The proposed facility would consist of a 120-foot monopole\* within a 75-foot by 75-foot leased area. The tower would be approximately 50 inches wide at the base tapering to 24 inches wide at the top. The tower would be designed to support three levels of wireless carrier antennas as well as municipal emergency services antennas if such a need exists. The tower and foundation could be designed to accommodate an increase in tower height of up to 20 feet.
- \*A lightning rod on top of the monopole would reach a maximum height 125 feet agl.
- (Cellco 1, Attachment 1 – Site Evaluation Report, Facilities and Equipment Specification, General Site Description, and Sheet Z-1; Cellco 1, p. 12; Cellco 3, response 8; Tr. 1, pp. 26-28, 69)
75. Cellco would install 12 panel antennas and 12 remote radio heads (RRHs) on a low-profile platform antenna mount at a centerline height of 116 feet agl.
- (Cellco 1, Attachment 1 – General Cell Site Description and Sheet Z-1; Cellco 3, response 7)
76. AT&T would install six panel antennas and 12 RRHs on a sector frame antenna mount (or its equivalent) at a centerline height of 105 feet agl. (AT&T 2, responses 4 and 5)
77. A 50-foot by 50-foot fenced equipment compound would be established at the base of the tower. (Cellco 1, Attachment 1 – General Cell Site Description and Sheet Z-1)
78. Cellco would install its equipment cabinet and 25-kilowatt (kW) propane-fueled backup generator under an ice canopy within the northeast portion of the compound. (Cellco 1, p. 2 and Attachment 1, Sheet Z-1)
79. AT&T would install a 6-foot 8-inch long by 6-foot 8-inch wide by 8-foot high walk-in equipment cabinet and a 15-kW propane-fueled backup generator on a steel platform within the southwest portion of the compound. (AT&T 2, response 6 – Drawing LE-2; Tr. 1, p. 102)
80. Two 500-gallon propane tanks (i.e. one for Cellco and one for AT&T) would be installed on concrete pads within the southeast portion of the compound. (Cellco 1, Attachment 1, Sheet Z-1; AT&T 2, response 6 – Drawing LE-2)
81. The proposed equipment compound will be surrounded by a six-foot high chain-link fence with barbed wire on top and would include an access gate. (Cellco 1, Attachment 1 – General Cell Site Description and Sheet Z-1)
82. Access to the proposed site compound would be via a new 12-foot wide curved gravel drive extending approximately south-southwest from Chestnut Hill Road for a distance of about 850 feet. (Cellco 1, Attachment 1, Sheets OS-1 and SP-1; Cellco 3, response 5)
83. Utilities would extend underground to the site from Chestnut Hill Road following the proposed access road. (Cellco 1, p. i)
84. The nearest property boundary from the proposed tower is approximately 106 feet to the east-southeast. (Cellco 1, Attachment 1, Sheet C-1)
85. There are approximately 27 residences within 1,000 feet of the proposed tower site. The nearest residence is located approximately 490 feet northwest of the tower site. (Cellco 1, p. 14)
86. Site preparation and engineering would commence following Council approval of Cellco's Development and Management Plan (D&M Plan) and are expected to be completed within two to four weeks. Equipment installation is expected to take an additional four weeks after tower installation. After the equipment installation, cell site integration and system testing is expected to require about two additional weeks. (Cellco 1, p. 22)

87. The estimated cost of the proposed facility is:

Tower	50,000
Site Development and Utility Installation	340,000
Generator	25,000
Antennas and Equipment	150,000
<b>Subtotal: Cellco Costs</b>	<b>\$565,000</b>
Antennas, Equipment and Materials	114,000
Construction	179,000
Integration & Optimization	15,300
<b>Subtotal: AT&amp;T Costs</b>	<b>\$308,300</b>
<b>Total Estimated Costs</b>	<b>\$873,300</b>

(Cellco 1, p. 22; AT&T 2, response 1)

88. Cellco would recover the costs of the proposed facility via the customers that purchase Cellco's service. (Cellco 3, response 3)

89. AT&T's costs would be recovered as part of its business operations for its customers. (AT&T 2, response 2)

#### **Public Safety**

90. 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)

91. The proposed facility would be in compliance with the requirements of the 911 Act and would provide Enhanced 911 services. (Cellco 1, pp. 4-5; Cellco 3, response 36; AT&T 2, response 25; Tr. 1, p. 106)

92. 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. 22 – FCC Text-to-911: Quick Facts & FAQs)

93. Cellco's and AT&T's wireless installations would support text-to-911 service. No additional equipment would be required. (Cellco 3, response 15; AT&T 2, response 24)

94. 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. Cellco's and AT&T's wireless installations would comply with the Warning, Alert and Response Network Act of 2006. (Council Administrative Notice No. 5 – FCC WARN Act; Cellco 3, response 37; AT&T 2, response 26)

95. FirstNet is a federal agency with a mandate to create a nationwide, interoperable public safety broadband network for first responders. FirstNet selected AT&T to build, manage and operate the Public Safety Broadband Network using FirstNet's Band 14 spectrum, together with AT&T's own wireless network. AT&T would deploy FirstNet services at this facility. (AT&T 2, response 9 – Radio Frequency Analysis Report, p. 1; AT&T 2, response 28; Tr. 1, p. 106)
96. 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. (Cellco 3, response 10)
97. The proposed tower would not require notice to the Federal Aviation Administration, and it would not constitute an obstruction or hazard to air navigation. No obstruction marking or lighting would be required. (Cellco 1, pp. 20-21 and Attachment 16)
98. Cellco's equipment cabinet would be equipped with a silent intrusion alarm. The alarm would be remotely monitored by Cellco's mobile telephone switching office. Unauthorized entry into AT&T's walk-in equipment cabinet would trigger an alarm at AT&T's network operations center which remotely monitors AT&T's facility. (Cellco 3, response 9; AT&T 2, response 7)
99. The tower setback radius extends beyond the property boundary approximately 14 feet to the east-southeast. The tower could be designed with a yield point to ensure that the tower setback radius remains within the boundaries of the subject property. (Cellco 1, Attachment 1, Sheet C-1; Cellco 3, response 2)
100. Cellco's and AT&T's equipment would comply with DEEP Noise Control Regulations at the property boundaries. (Cellco 3, response 45; AT&T 2, response 27)
101. 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." (R.C.S.A. §22a-69-1.8(g))
102. The cumulative worst-case maximum power density from the radio frequency emissions from the operation of Cellco's and AT&T's proposed antennas is 20.2% of the standard\* for the General Public/Uncontrolled Maximum Permissible Exposure, as adopted by the FCC, at the base of the proposed tower. This calculation was based on methodology prescribed by the FCC Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997) that assumes all antennas in a sector would be pointed at the base of the tower and all channels would be operating simultaneously, which creates the highest possible power density levels. Under normal operation, the antennas would be oriented outward, directing radio frequency emissions away from the tower, thus resulting in significantly lower power density levels in areas around the tower.

\*This includes a 10 dB off-beam pattern loss to account for the lower relative gain below the antennas.

(Cellco 1, Attachment 14, Cumulative Power Density; AT&T 2, response 11, Attachment 4, Calculated Radio Frequency Exposure; Council Administrative Notice Item No. 2 – FCC OET Bulletin No. 65)



**Emergency Backup Power**

103. 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. 48)
104. Consistent with the findings and recommendations of the Panel, and in accordance with C.G.S. §16-50*ll*, 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. 31 – Council Docket No. 432)
105. 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. Every year since 2006, Cellco, Sprint, T-Mobile, and Verizon have certified their compliance with the CTIA Business Continuity/Disaster Recovery Program and the Communications Security, Reliability and Interoperability Council standards and best practices to ensure network reliability during power outages. (Council Administrative Notice Item No. 31 – Council Docket No. 432)
106. For backup power, Cellco proposes a 25-kilowatt propane-fueled generator for its own use. Cellco would also install an approximately 500-gallon propane tank to provide approximately 3.5 days of run time before it requires refueling. (Cellco 1, Attachment 1 – Sheet Z-1; Cellco 3, responses 31 and 33)
107. Cellco would also have a battery backup system that would provide uninterrupted power to the facility and prevent a “reboot” condition. The battery backup system alone could provide about eight hours of backup power in the event that the generator fails to start. (Cellco 1, p. 7; Cellco 3, response 34)
108. AT&T would install a 15-kW propane-fueled generator for its own use. AT&T would utilize its own 500-gallon propane tank to provide approximately 5.9 days of run time before it requires refueling. (AT&T 2, responses 22a and 22d; AT&T 2, response 6 – Drawing LE-2)
109. AT&T would also have a battery backup system that would provide uninterrupted power to the facility and prevent a “reboot” condition. The battery backup system alone could provide about 4 to 6 hours of backup power in the event that the generator fails to start. (AT&T 2, response 23)
110. The backup generators would be tested periodically for maintenance purposes. Cellco would perform maintenance testing of its generator for approximately 30 minutes once every two weeks, and it would occur during daytime hours. AT&T would perform its generator testing for 30 minutes per week during daytime hours. (Cellco 1, p. 8; AT&T 2, response 22e)
111. Propane-fueled generators would not require fuel containment. (Cellco 3, response 30; AT&T 2, response 22c)
112. Cellco would not have secondary containment measures for its generator unit for the engine and cooling system fluids beyond any containment measures provided by the generator manufacturer. (Cellco 3, response 30; Tr. 1, p. 82)

113. Cellco would consider a shared generator (to serve both Cellco and AT&T) if AT&T requested it. AT&T prefers not to share a generator so it can be responsible for its own generator maintenance, and AT&T is concerned about having one shared generator as a single point of failure. (Tr. 1, pp. 18-19, 97)
114. According to R.C.S.A. §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 State Noise Control Regulations. (R.C.S.A. §22a-69-1.8)
115. Pursuant to R.C.S.A. §22a-174-3b, the backup generators would be managed to comply with DEEP's "permit by rule" criteria. Therefore, the generators would be exempt from general air permit requirements. (Cellco 1, Attachment 1, Environmental Assessment Statement; AT&T 2, response 22f; R.C.S.A. §22a-174-3b)

### **Environmental Considerations**

116. The subject property is located within part of an existing approximately 305-acre forest block consisting of 152 acres of core forest and 153 acres of edge forest. The facility compound and a portion of the access drive near the compound would be located within the core forest block. Another portion of the access drive would be located within edge forest. The total tree clearing areas within core and edge forests associated with the project would be 0.35-acre and 0.59-acre, respectively. (Cellco 3, response 14)
117. The proposed facility's location in the northern outer edge of the contiguous small core forest block lessens its impact on this habitat. Because the facility would be located at the periphery of the small core forest, it would not bisect or otherwise separate the forest block. The project development would represent a de minimis habitat reduction to core forest, and it would not be expected to adversely impact forest interior species. (Cellco 3, response 14)
118. The facility compound would not be located on Prime Farmland Soils. The access drive and utility route would impact approximately 0.30-acre of Prime Farmland Soils in the northern portion of the subject property. The total acreage of Prime Farmland Soils on the subject property is approximately 0.95-acre. (Cellco 1, p. 17 and Attachment 13; Cellco 3, response 12)
119. No sites located on the National or State Register of Historic Places are located within a 0.5-mile radius of the proposed site. As of December 8, 2020, Cellco had not yet submitted its project information to the State Historic Preservation Office. (Cellco 3, response 46; Tr. 1, pp 20-21)
120. 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.*)
121. 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)
122. 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)

123. Wetland 1 is a narrow forested hillside seep wetland system in the northern portion of the subject property. Wetland 1 extends from the eastern property boundary northward towards Chestnut Hill Road in the northwest corner of the property. (Cellco 1, Attachment 11 – Wetland and Vernal Pool Impact Analysis, p. 1)
124. The access drive would cross Wetland 1 and result in direct impacts. Specifically, the proposed crossing and a stormwater management area that would control and treat stormwater runoff from the access drive would impact approximately 2,797 square feet of Wetland 1. The proposed wetland crossing is not avoidable because the access drive could only reach the compound from the street by crossing Wetland 1. The access road crossing has been designed to minimize impacts by locating the crossing at a narrow portion of Wetland 1. (Cellco 1, Attachment 11, Wetland and Vernal Pool Impact Analysis, pp. 2-3)
125. With the proposed permanent wetland impact area of approximately 2,797 square feet, the project is eligible under the U.S. Army Corps of Engineers (ACOE) Connecticut General Permit Program as a self-verification notification form process. (Tr. 1, p. 28)
126. Cellco considered crossing Wetland 1 at a location farther to the south where Wetland 1 is narrower than at the proposed crossing. However, due to the existing topography on the west side of Wetland 1, the proximity of the eastern boundary of the property, and ledge outcropping along the edge of Wetland 1, a crossing at this narrower location would result in greater permanent impacts (or about 5,000 square feet) to accommodate grading requirements. (Cellco 1, response 40)
127. The wetland crossing design would convey flows under the gravel access road via three 24-inch diameter high density polyethylene (HDPE) pipes. The use of three pipes would avoid hydraulic impacts to either the upstream or downstream side of the wetland crossing by eliminating focused flows and fully conveying large storm events without the risk of overtopping or washing out the road or creating an erosive force within the wetland system. (Cellco 1, Attachment 1 – Wetland and Vernal Pool Impact Analysis, pp. 2-3)
128. The three culverts would comply with the natural stream crossing design standards recommended by DEEP and ACOE. (Tr. 1, p. 29)
129. Within the southern portion of Wetland 1, on an off-site parcel directly to the east, there is a small vernal pool contained within an abandoned well that supports permanent inundation. No work would be performed within the 100-foot Vernal Pool Envelope. The pre-construction and post-construction percent development areas of the 100-foot to 750-foot Critical Terrestrial Habitat are 11.4 percent and 13.9 percent, respectively. The project would be consistent with the 2015 U.S. Army Corps of Engineers Vernal Pool Best Management Practices. (Cellco 1, p. 16; Cellco 1, Attachment 11 – Wetland and Vernal Pool Impact Analysis, p. 1 and Vernal Pool Analysis Map; Cellco 3, response 42)
130. The proposed project would be constructed consistent with the *2002 Connecticut Guidelines for Soil Erosion and Sedimentation Control* and the *2004 Connecticut Stormwater Quality Manual*. (Cellco 3, response 39)
131. Cellco would implement a Wetland and Vernal Pool Protection Plan (WVPP) to protect wetland resources and vernal pool habitat. The WVPP would include, but not be limited to, an on-site environmental monitor; contractor education regarding herpetofauna; erosion and sedimentation control measures; petroleum storage and spill prevention measures; and reporting requirements. (Cellco 1, Attachment 11 – WVPP, pp. 1-5)
132. The site is located in the Federal Emergency Management Agency unshaded Zone X, an area outside of the 100-year and 500-year flood zones. (Cellco 1, Attachment 15)

133. The proposed facility is not located within a DEEP Natural Diversity Database buffer area. (Cellco 1, Attachment 10)
134. Connecticut is within the range of the northern long-eared bat (NLEB), a federally-listed threatened species and state-listed endangered species. There are no known NLEB hibernacula or known maternity roost trees within 0.25 mile and 150 feet, respectively, of the proposed site. By letter dated November 21, 2019, Cellco consulted with the U.S. Fish and Wildlife Service (USFWS). USFWS did not respond within 30 days of the date of the Cellco's letter; therefore, Cellco has satisfied its responsibilities under Section 7(a)(2) of the Endangered Species Act. (Cellco 1, Attachment 10; Council Administrative Notice Item No. 38 – Connecticut's Endangered, Threatened and Special Concern Species 2015)
135. The site is not located within a state-designated aquifer protection area. (Council Administrative Notice Item No. 71, DEEP Statewide Aquifer Protection Area Map)
136. The total tree clearing area to develop the project would be approximately 1.11 acres. (Cellco 3, response 38)
137. The proposed facility is not located near an Important Bird Area (IBA), as designated by the National Audubon Society. The nearest IBA to the proposed tower site is Naugatuck State Forest, located approximately 9 miles to the south. (Council Administrative Notice Item No. 75, Connecticut Important Bird Areas)
138. The proposed facility would comply with the United States Fish and Wildlife Service guidelines for minimizing the potential for telecommunications towers to impact bird species. (Cellco 1, p. 15 and Attachment 10)
139. Cellco does not anticipate the need for blasting in order to construct the project. Notwithstanding, if the project is approved, Cellco would prepare a geotechnical survey to verify the nature of the subsurface conditions. (Cellco 3, response 6)

#### Visibility

140. Cellco used a combination of a predictive computer model, in-field analysis, and review of various data sources to evaluate the visibility of the proposed facility on both a quantitative and qualitative basis. (Cellco 1, Attachment 9 – Visual Assessment Report, p. 2)
141. On January 14, 2020, Cellco conducted an in-field visibility analysis via a balloon float. Cellco utilized an approximately 4-foot diameter brightly-colored helium-filled balloon. The bottom of the balloon was raised to the proposed tower height of 120 feet agl\*. Weather conditions were favorable for the balloon float with calm winds and overcast skies.  
  
\*The top of the balloon reached approximately 124 feet agl or comparable to the 125-foot agl height to the top of the lightning rod on the tower.  
  
(Cellco 1, Attachment 9 – Visual Assessment Report, p. 1 and 3)
142. Information obtained during the field reconnaissance was incorporated into mapping data layers, including the observations of the field reconnaissance, photo-simulation locations, areas that experienced recent land use changes, and places where the initial modeling was found to over or under-predict visibility to produce a final predictive viewshed map for areas within a two-mile radius of the site. (Cellco 1, Attachment 9 – Visual Assessment Report, p. 6; Cellco 3, response 44, Viewshed Analysis Map)

143. Based on the final viewshed analysis, the proposed tower would be visible year-round from approximately 93 acres\* within a two-mile radius of the site (refer to Figure 25). This would be about 1.2 percent of the study area. The tower would be seasonally visible (leaf-off conditions) from an additional approximately 44 acres within a two-mile radius of the site or about 0.55 percent of the study area.

\*Approximately 60 of the 93 acres of year-round visibility would be located over Chestnut Hill Reservoir

(Cellco 3, response 44, Viewshed Analysis Map)

144. Year-round views of the tower may be experienced intermittently at distances ranging from 0.5-mile to 1.5-miles away, typically in areas of higher elevations. Direct lines of view from areas south of the site are limited due to the presence of Chestnut Hill and large tracts of wooded, undeveloped land. Spot views of the facility would extend to the west into Waterbury at distances ranging from approximately 0.38-mile to 1.44-miles from the site. (Cellco 1, Attachment 9 – Visual Assessment Report, p. 7)

145. During leaf-off conditions, additional visibility would extend approximately 0.50-mile to the north of the site. (Cellco 1, Attachment 9 – Visual Assessment Report, p. 7)

146. The tower compound is not expected to be visible from the access drive entrance due to the length and curvature of the access drive and existing tree cover. (Tr. 1, p. 22)

147. The access drive's limit of disturbance extends to within 11 feet of the eastern property line and to within 16 feet of the western property line. An existing vegetative buffer would remain between the access road and the abutting properties. The access drive would be visible from the abutting property to the east; however, the visibility is not expected to be substantial. An old well or building foundation is located immediately east of the access drive. Cellco would be willing to include vegetative screening between the access drive and well/foundation. (Cellco 3, response 41; Tr. 1, pp. 21-22)

148. Pursuant to CGS §16-50p(a)(3)(F), no public schools or commercial child day care facilities are located within 250 feet of the site. The nearest school is the Frank G. Regan Elementary School located approximately 4,400 feet west of the site. (Cellco 1, Attachment 9 – Visual Assessment Report, p. 7)

149. There are no state or locally-designated scenic roads located within the two-mile study area. (Cellco 3, response 44, Attachment 5 – Viewshed Analysis Map)

150. There are no "blue-blazed" hiking trails maintained by the Connecticut Forest and Park Association within the two-mile study area. (Cellco 3, response 44, Attachment 5 – Viewshed Analysis Map; Council Administrative Notice Item No. 74)

151. No landscaping around the compound is proposed. Existing vegetation would remain around all sides of the compound. (Cellco 1, Attachment 1, Sheet SP-1)

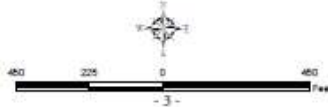
152. Installing Cellco's antennas in a side by side arrangement results in a feature called beamforming which improves capacity. Installing Cellco's antennas in a flush-mount configuration on the tower would decrease capacity because such configuration prevents the use of beamforming. (Cellco 3, response 29)

**Figure 1 – Site Location on Aerial Image**



- Legend**
- Site
  - Subject Property
  - Approximate Parcel Boundary (CTDEEP GIS)
  - Municipal Boundary

**Map Notes**  
Base Map Source: 2016 CT EDD Imagery  
Map Scale: 1 inch = 400 feet  
Map Date: September 2019

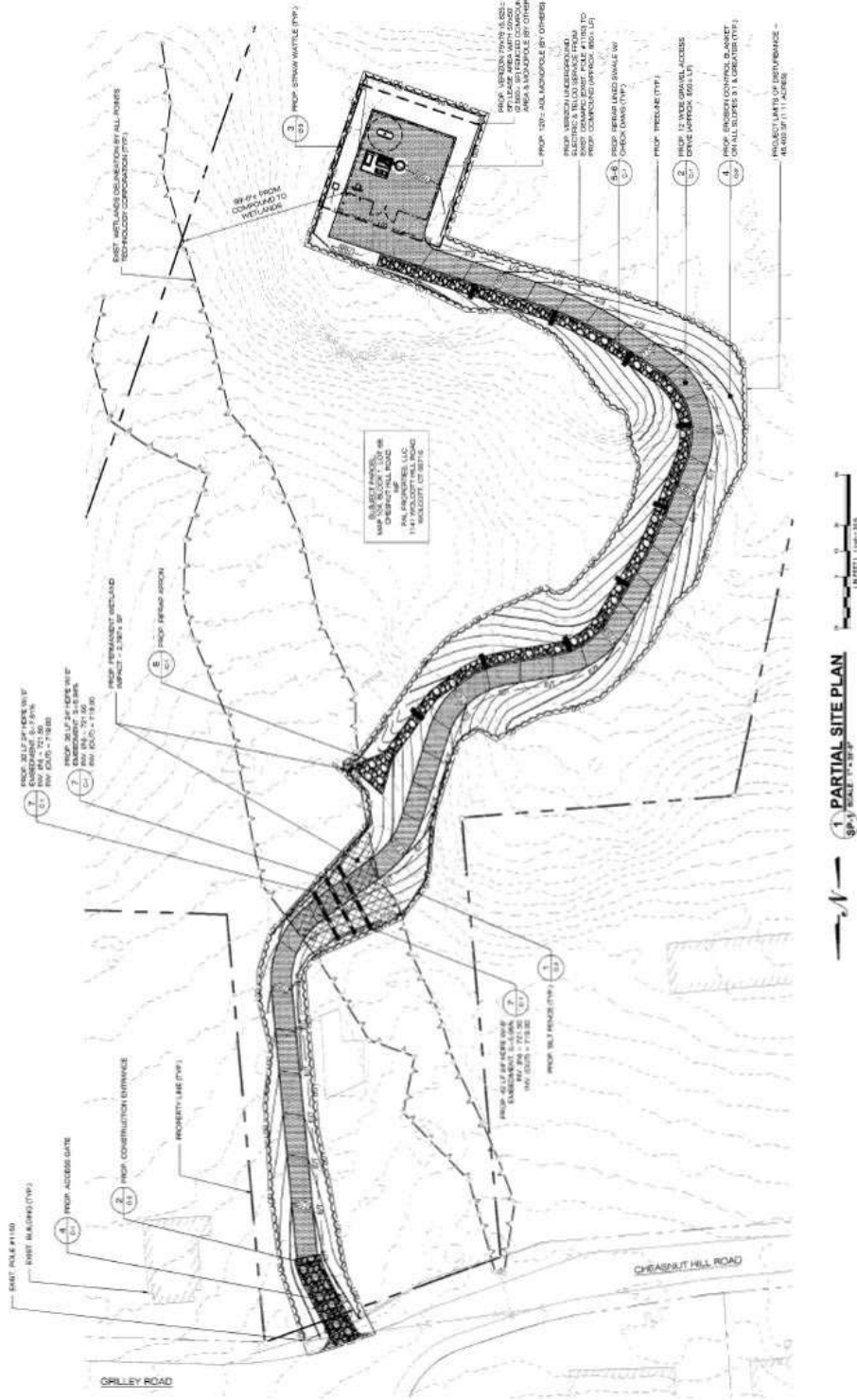


**Site Location Map**  
Proposed Wireless  
Telecommunications Facility  
Wolcott South CT  
Chestnut Hill Road  
Wolcott, Connecticut

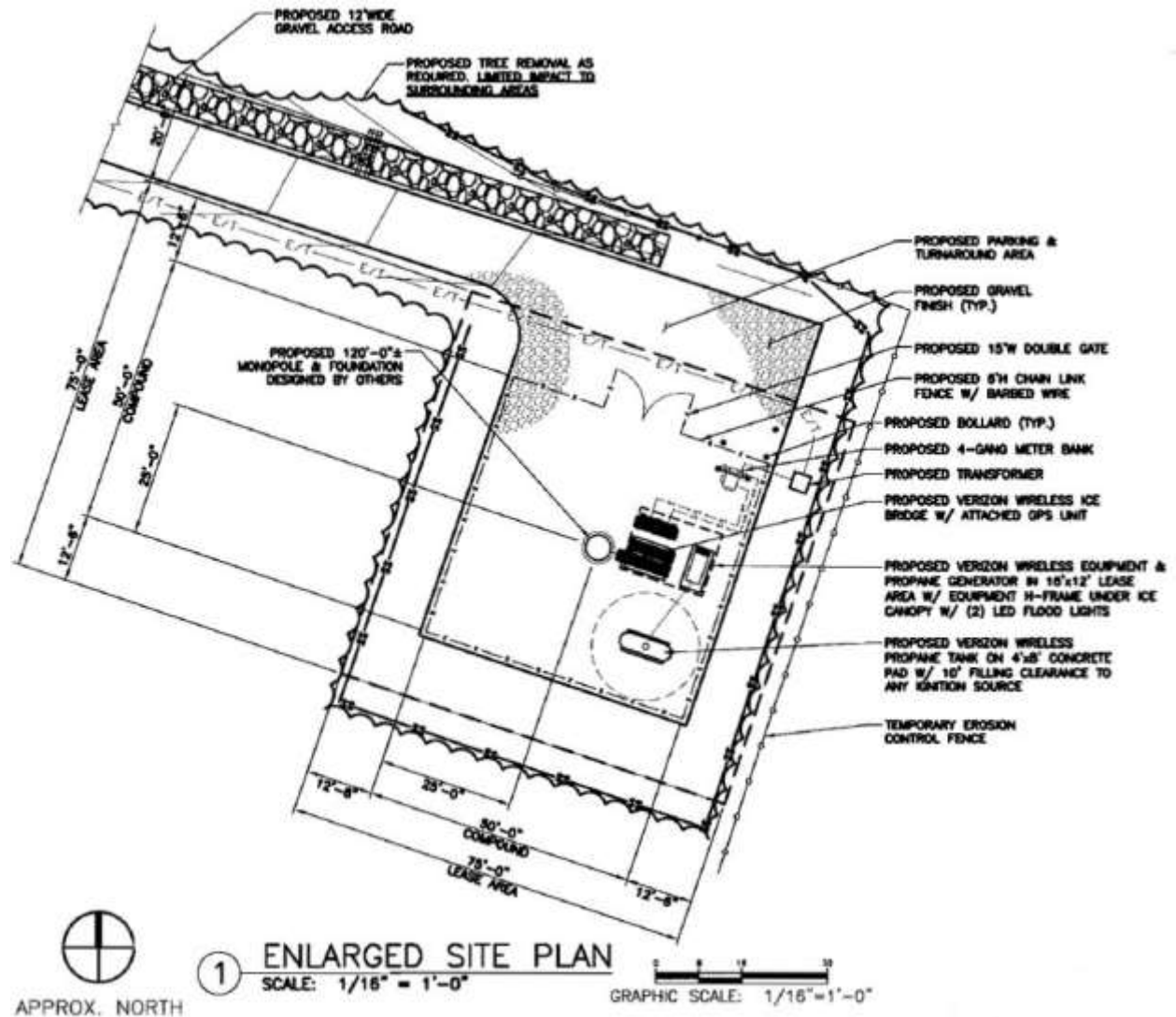




**Figure 2 – Site Plan**



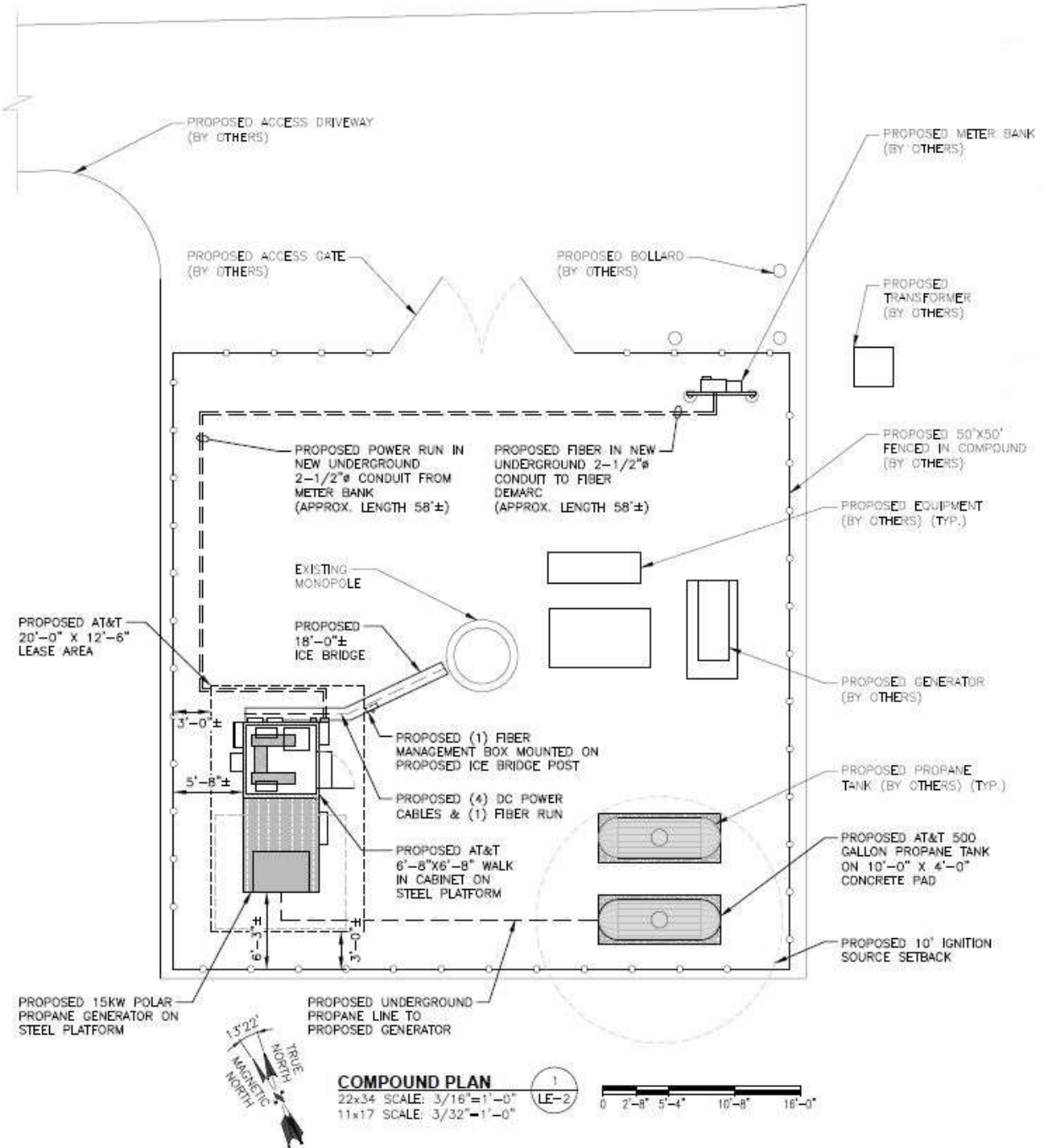
**Figure 3 – Compound Plan**



(Cellco 1, Attachment 1, Sheet Z-1)

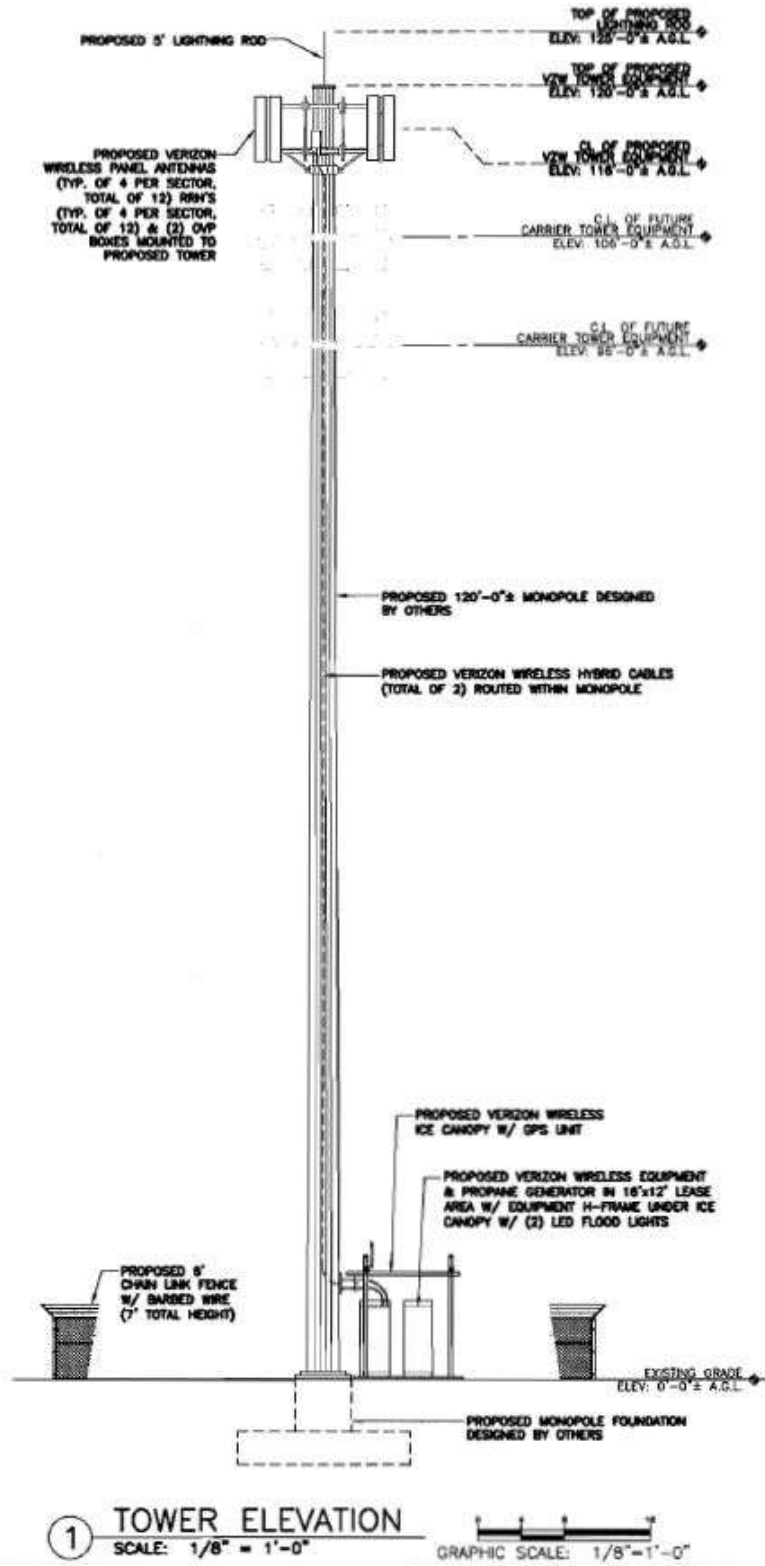


**Figure 4 – Compound Plan w/AT&T**

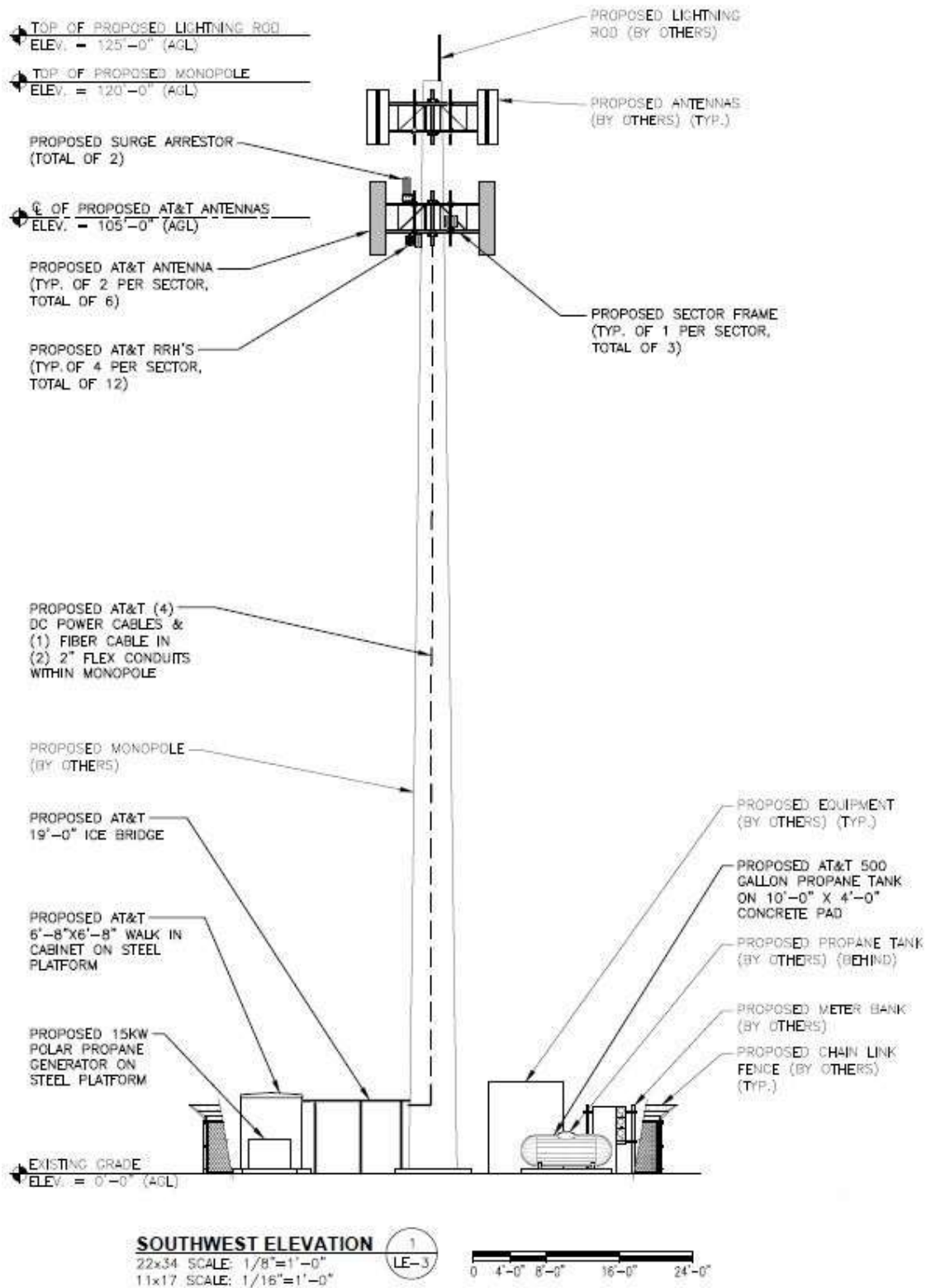


(AT&T 2, response 6 – Drawing LE-2)

**Figure 5 – Tower Profile Drawing**

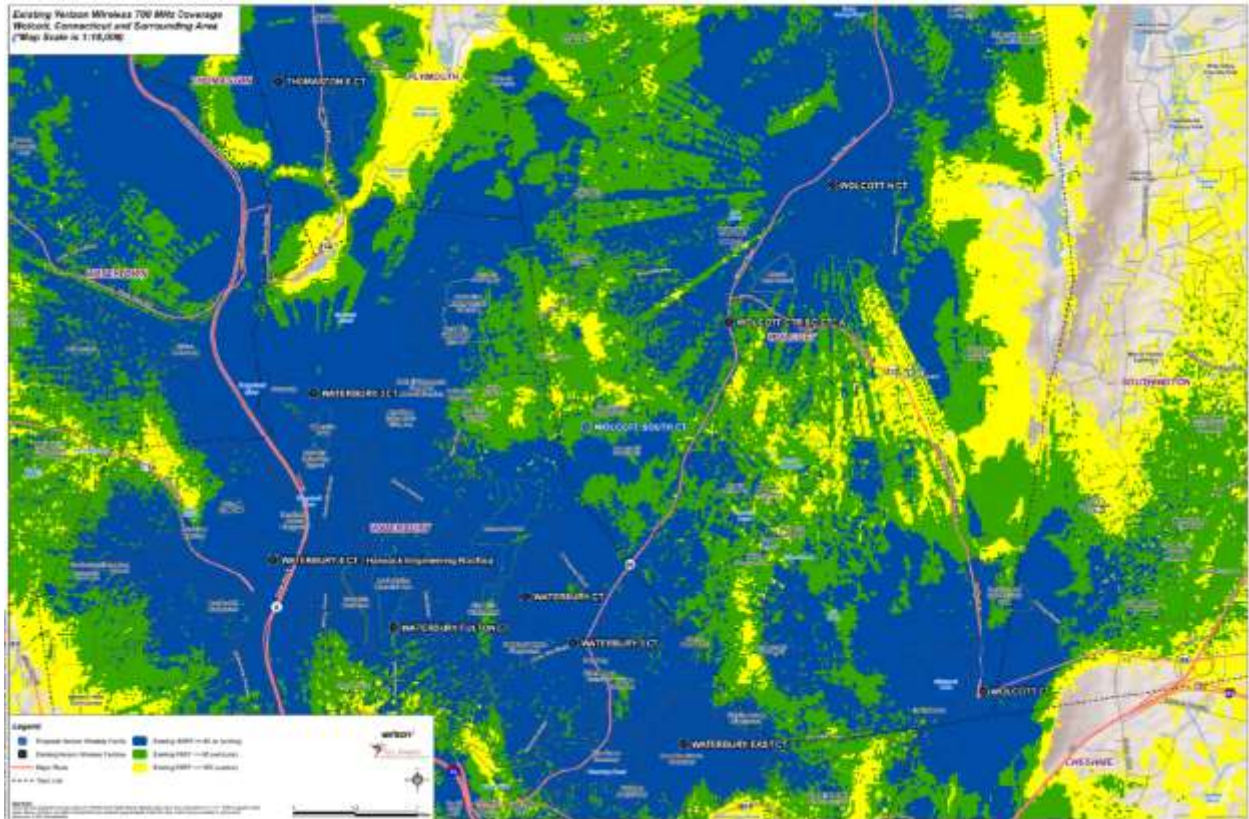


**Figure 6 – Tower Profile Drawing w/AT&T**



(AT&T 2, response 6 – Drawing LE-3)

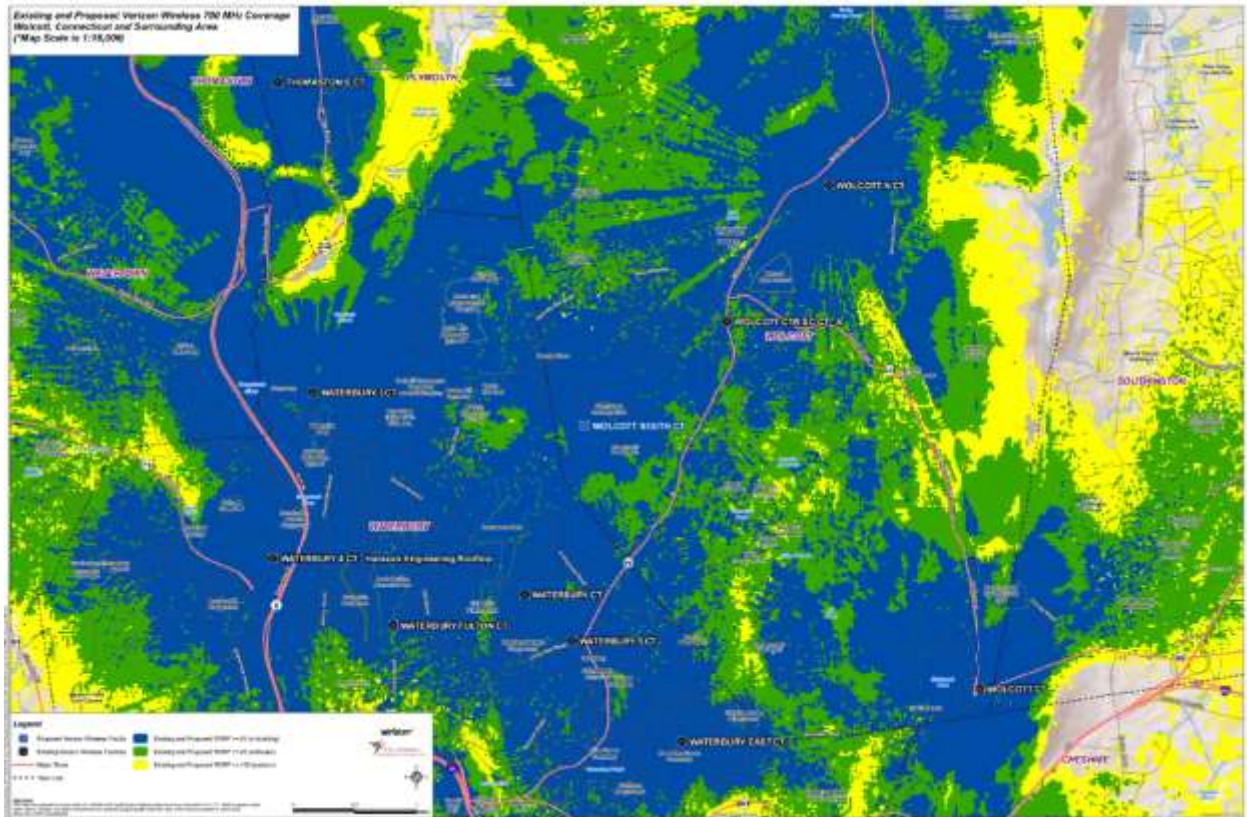
**Figure 7 – Existing Cellco 700 MHz Coverage**



(Cellco 1, Attachment 6)

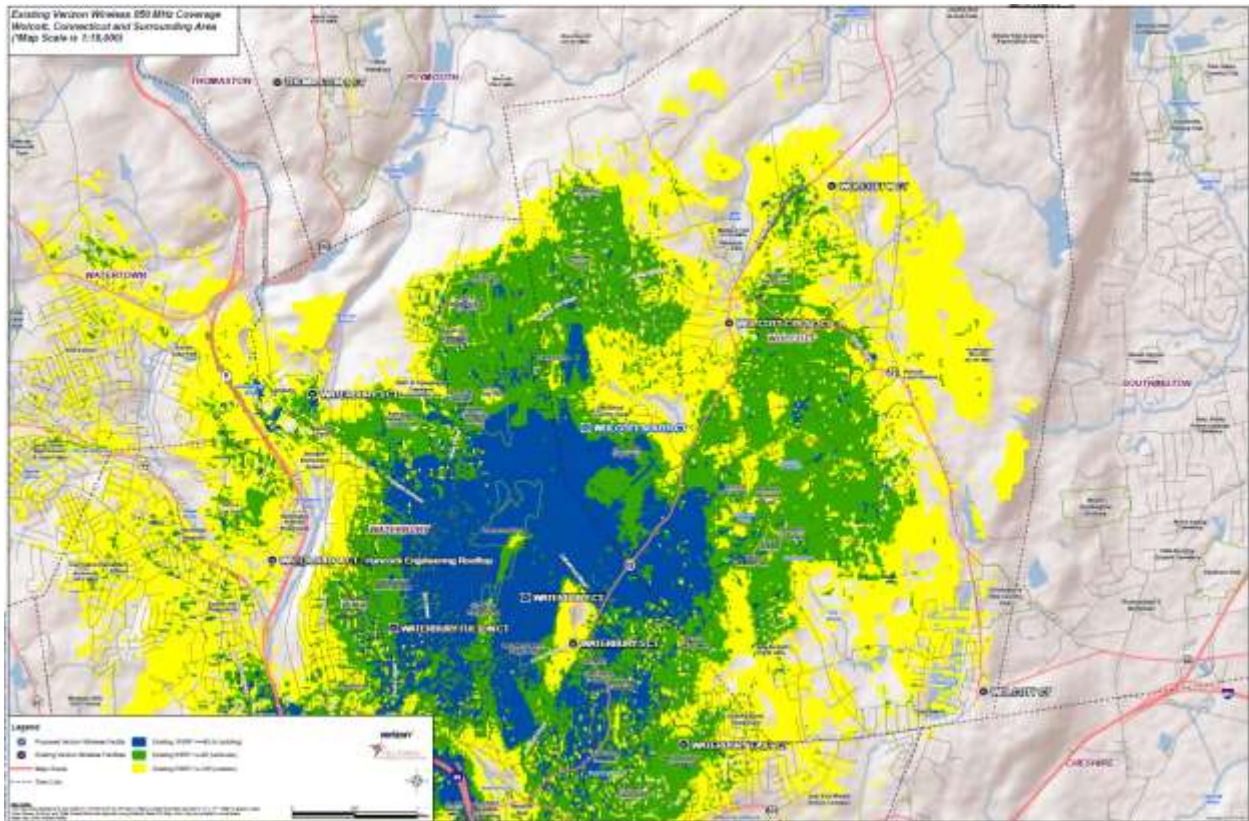


**Figure 8 – Proposed Cellco 700 MHz Coverage at 116 feet**



(Cellco 1, Attachment 6)

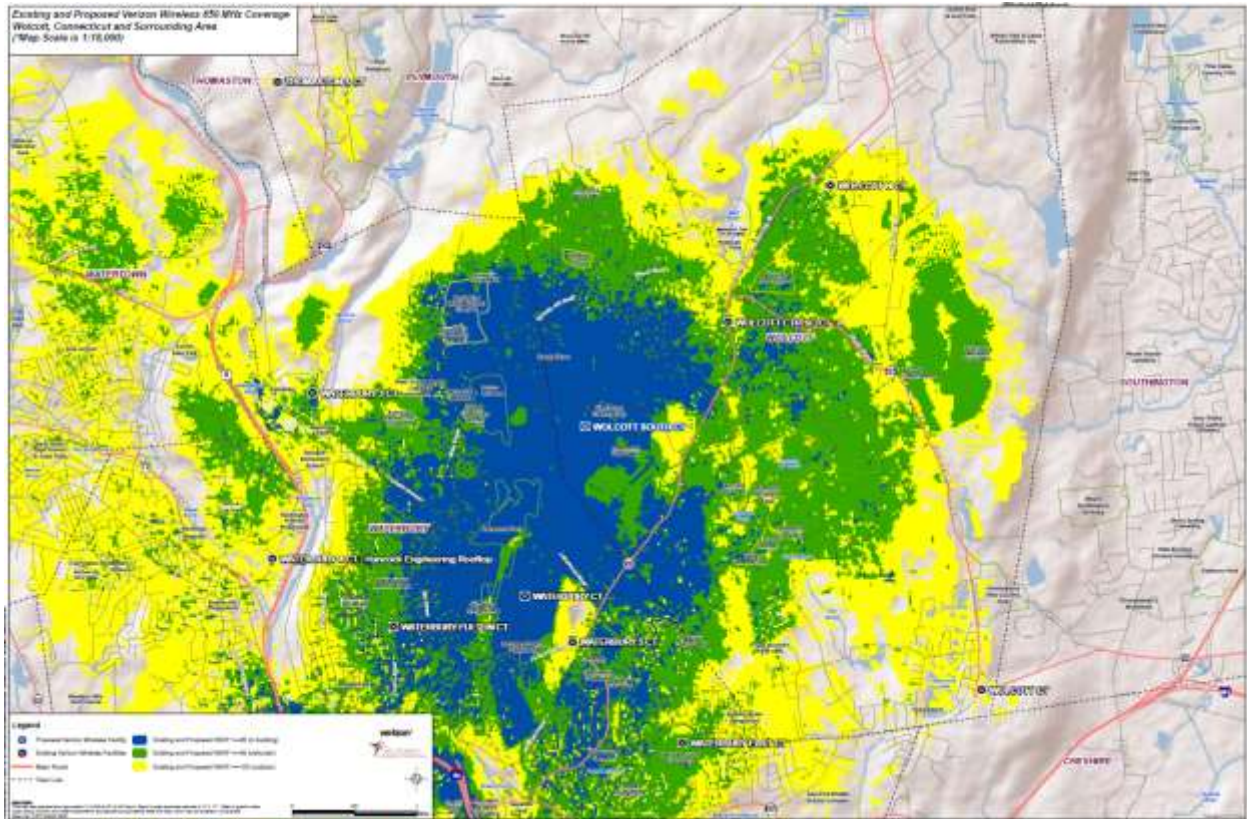
**Figure 9 – Existing Cellco 850 MHz Coverage**



(Cellco 3, response 24, Attachment 4)

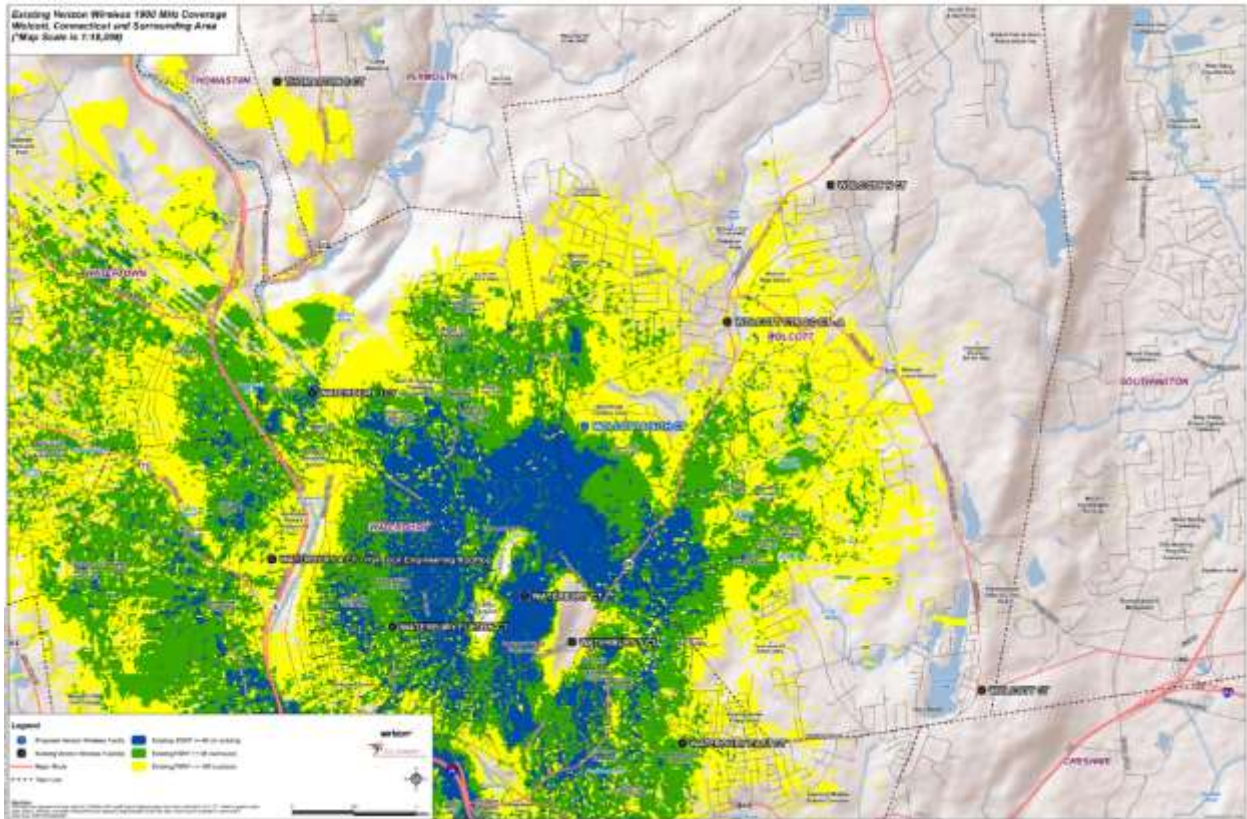


**Figure 10 – Proposed Cellco 850 MHz Coverage at 116 feet**



(Cellco 3, response 24, Attachment 4)

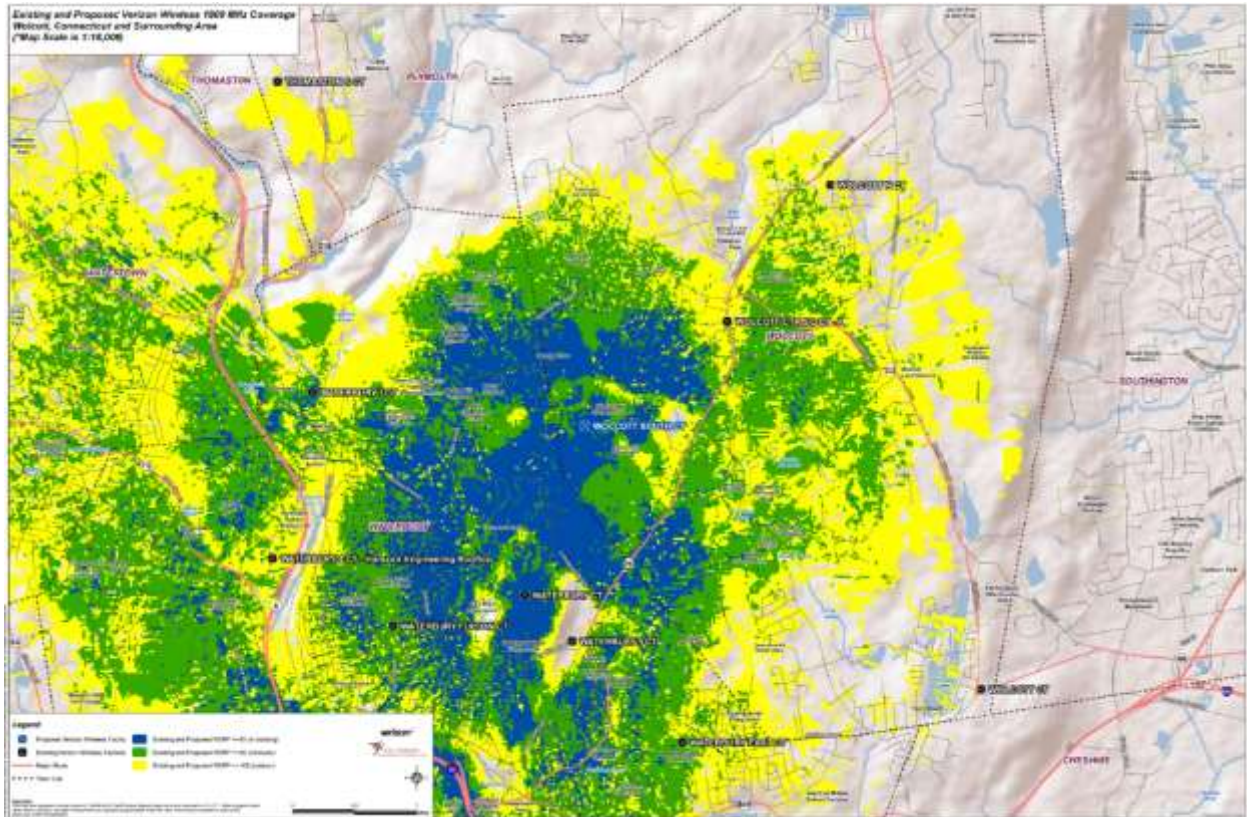
**Figure 11 – Existing Cellco 1900 MHz Coverage**



(Cellco 1, Attachment 6)

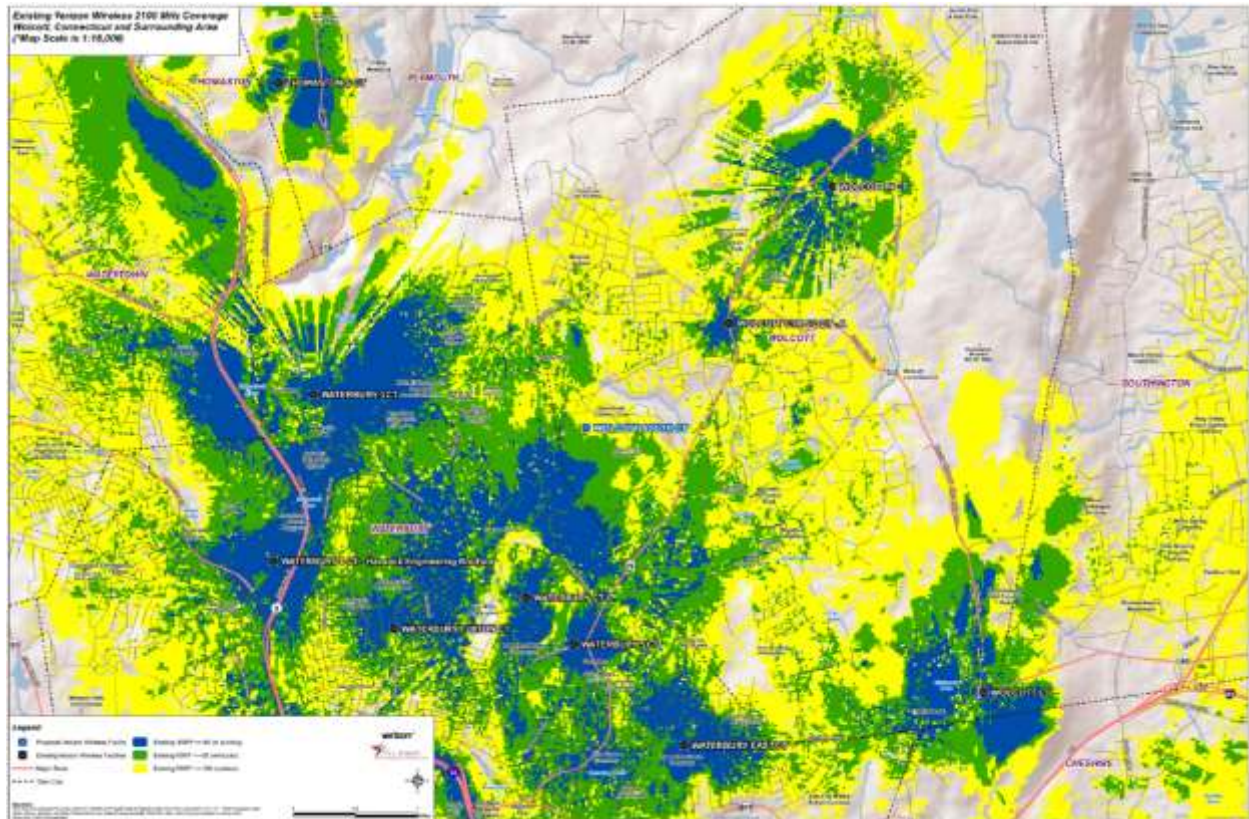


**Figure 12 – Proposed Cellco 1900 MHz Coverage at 116 feet**



(Cellco 1, Attachment 6)

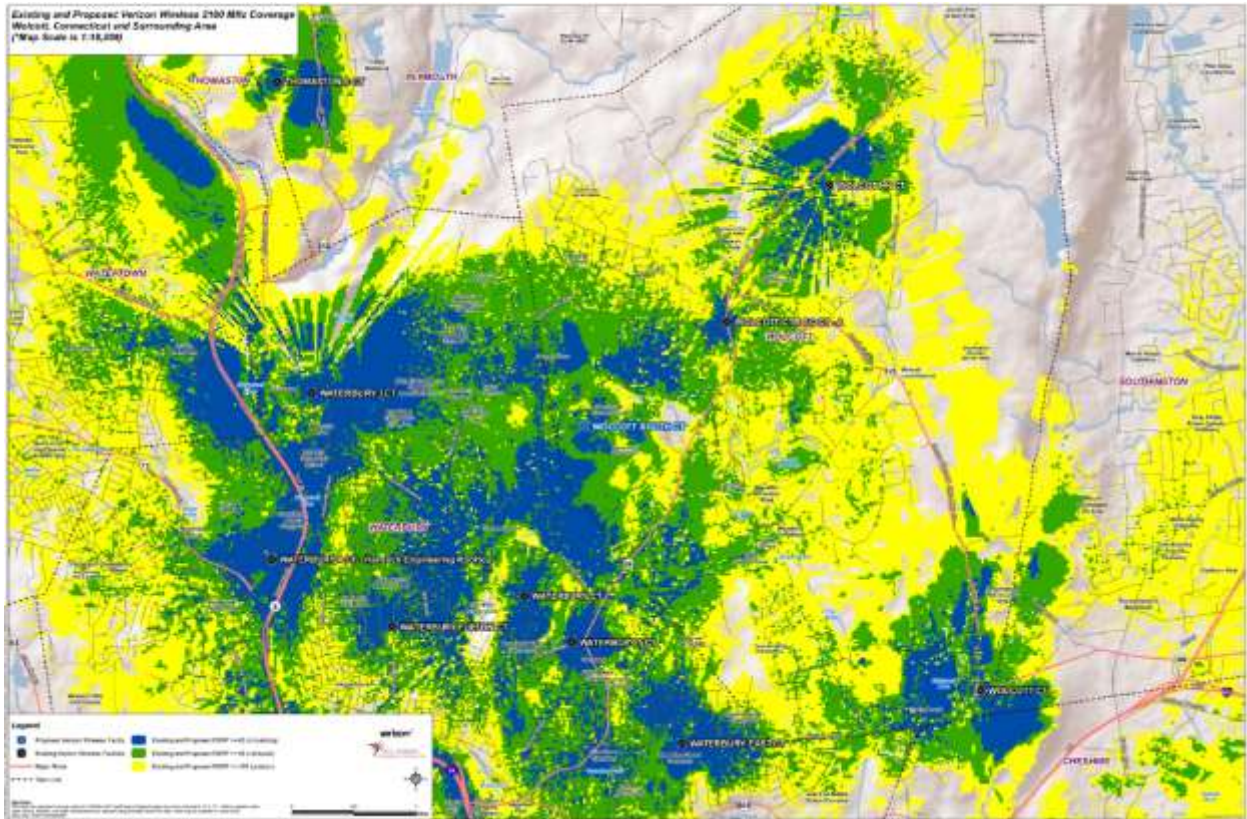
**Figure 13 – Existing Cellco 2100 MHz Coverage**



(Cellco 1, Attachment 6)

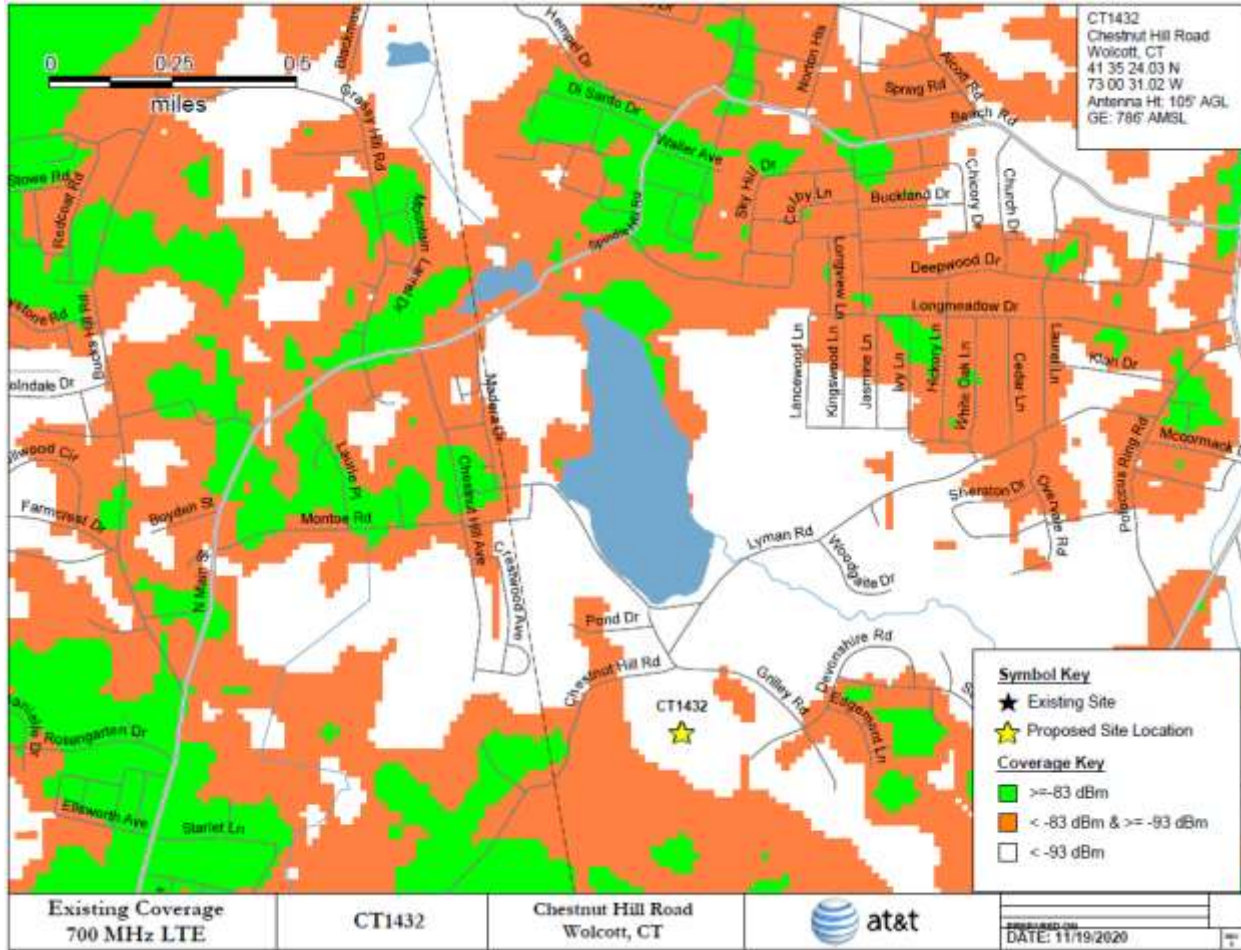


**Figure 14 – Proposed Cellco 2100 MHz Coverage at 116 feet**



(Cellco 1, Attachment 6)

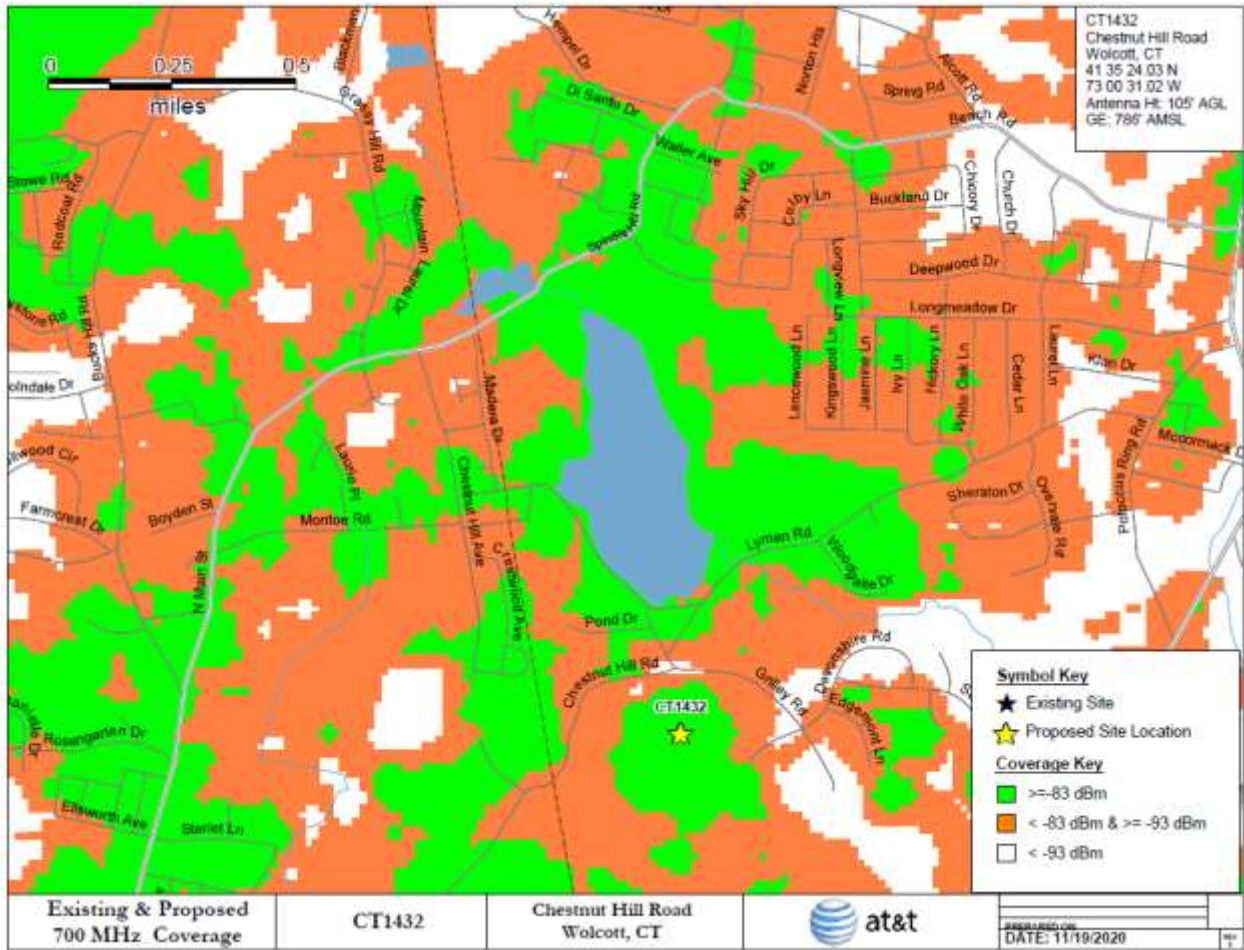
**Figure 15 – Existing AT&T 700 MHz Coverage**



(AT&T 2, response 9, Attachment 2)

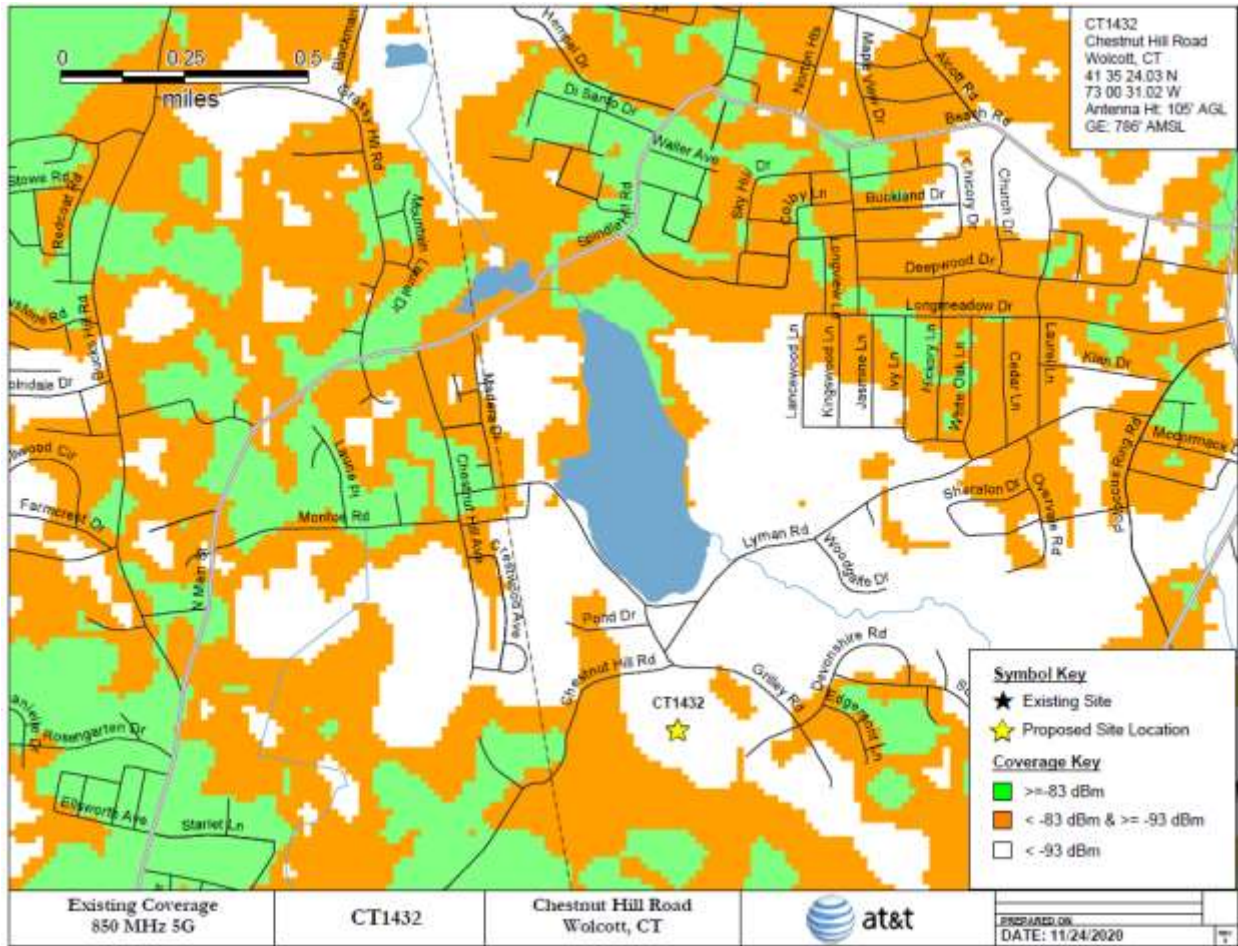


**Figure 16 – Proposed AT&T 700 MHz Coverage at 105 feet**



(AT&T 2, response 9, Attachment 2)

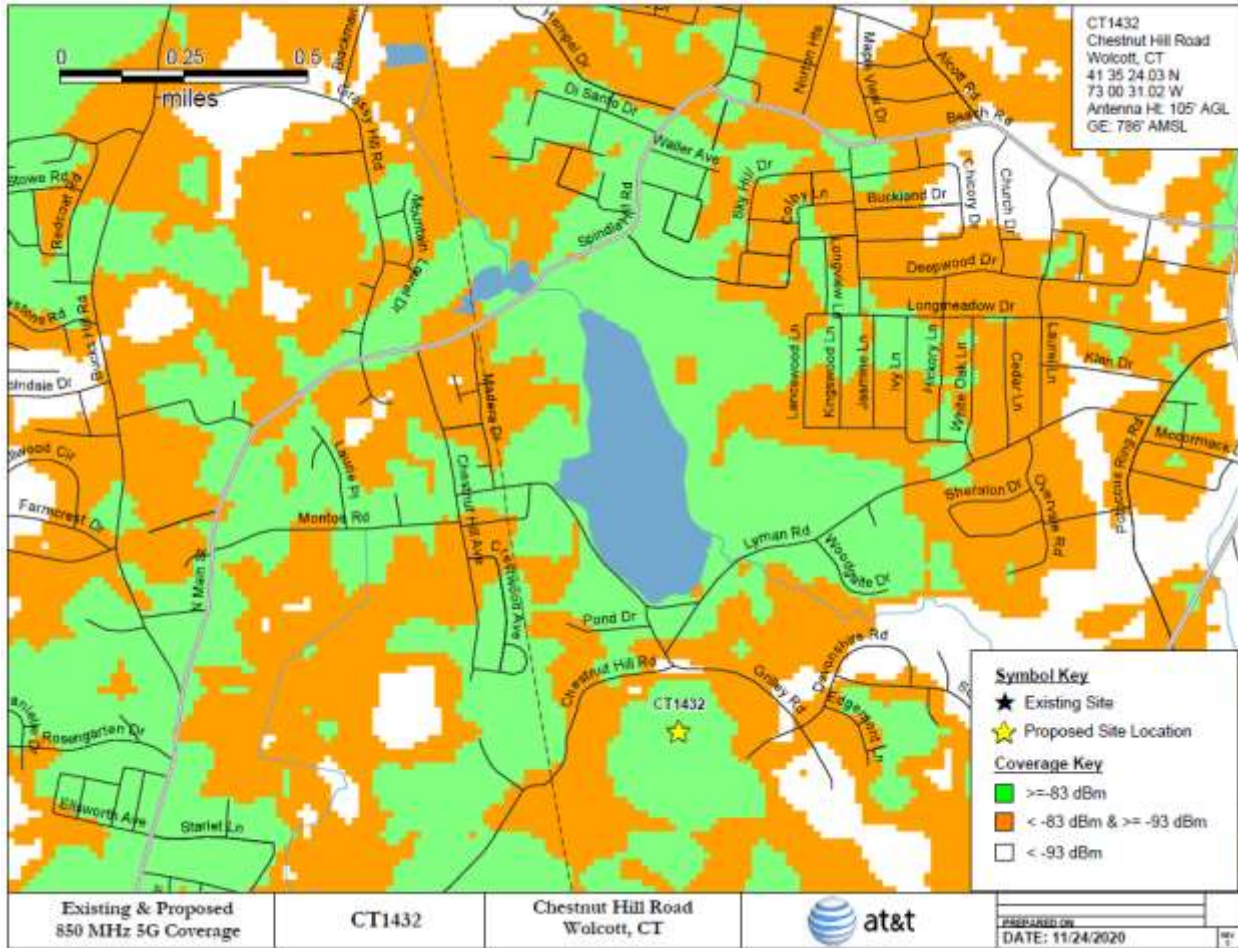
**Figure 17 – Existing AT&T 850 MHz Coverage**



(AT&T 2, response 9, Attachment 2)

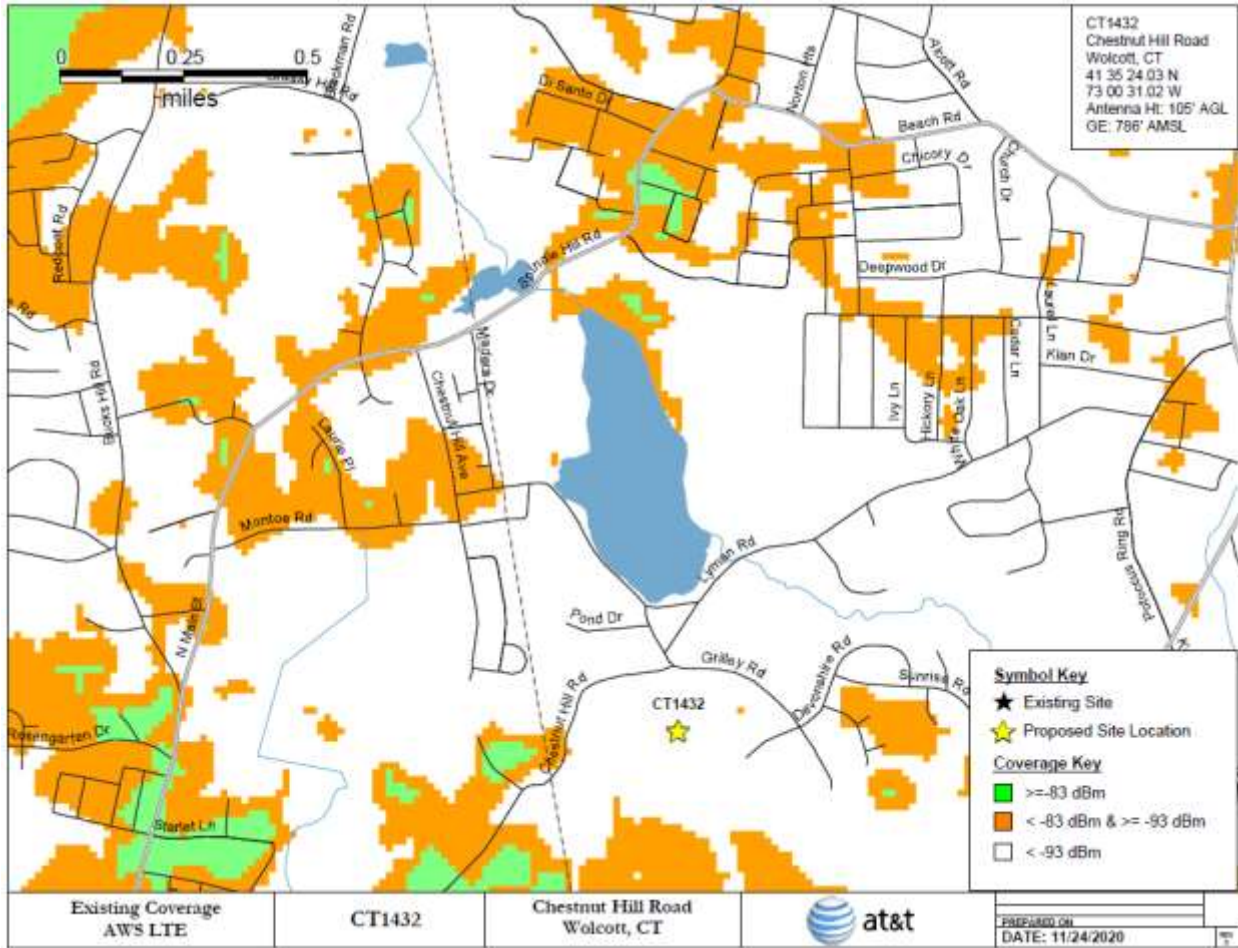


**Figure 18 – Proposed AT&T 850 MHz Coverage at 105 feet**



(AT&T 2, response 9, Attachment 2)

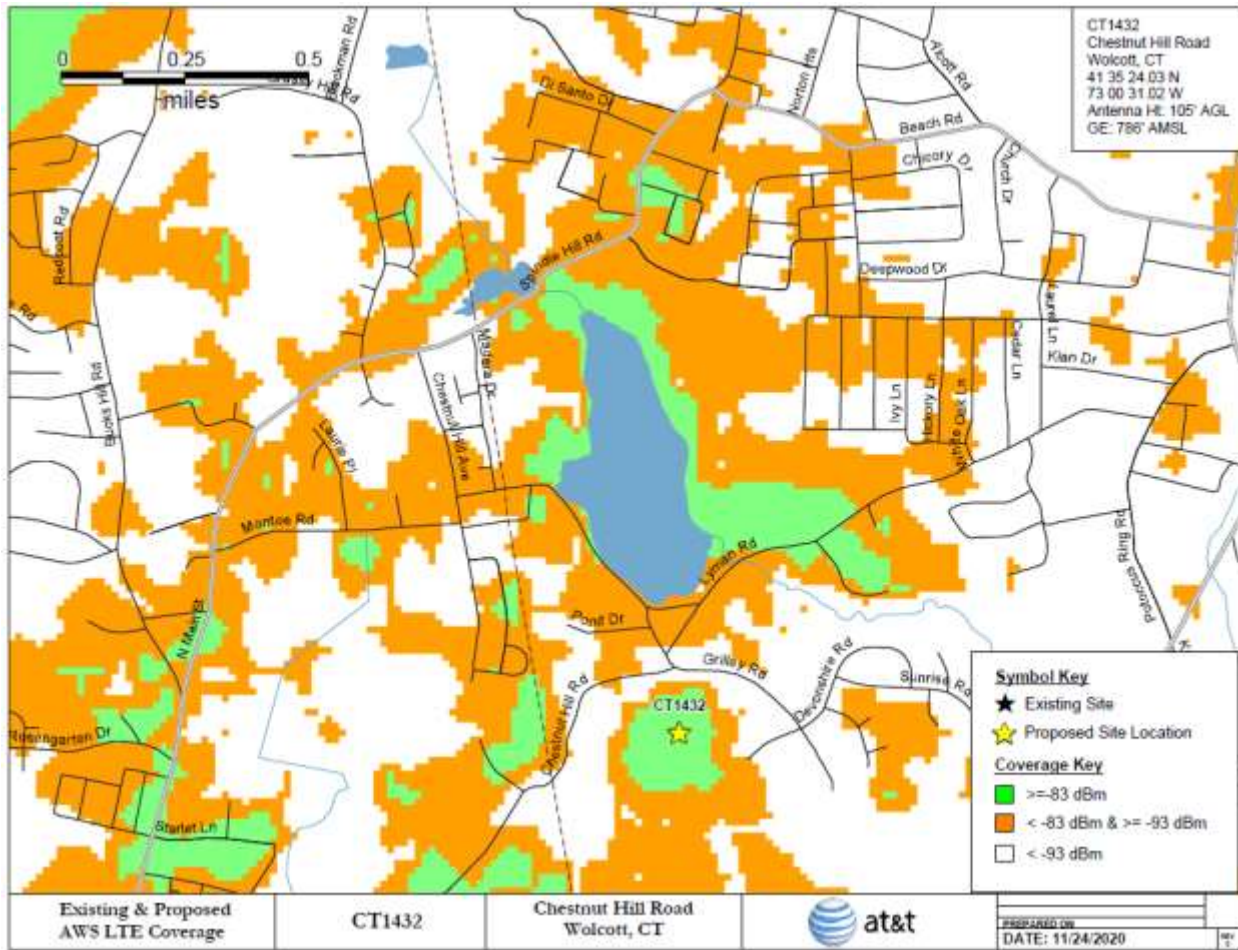
**Figure 19 – Existing AT&T AWS LTE Coverage**



(AT&T 2, response 9, Attachment 2)

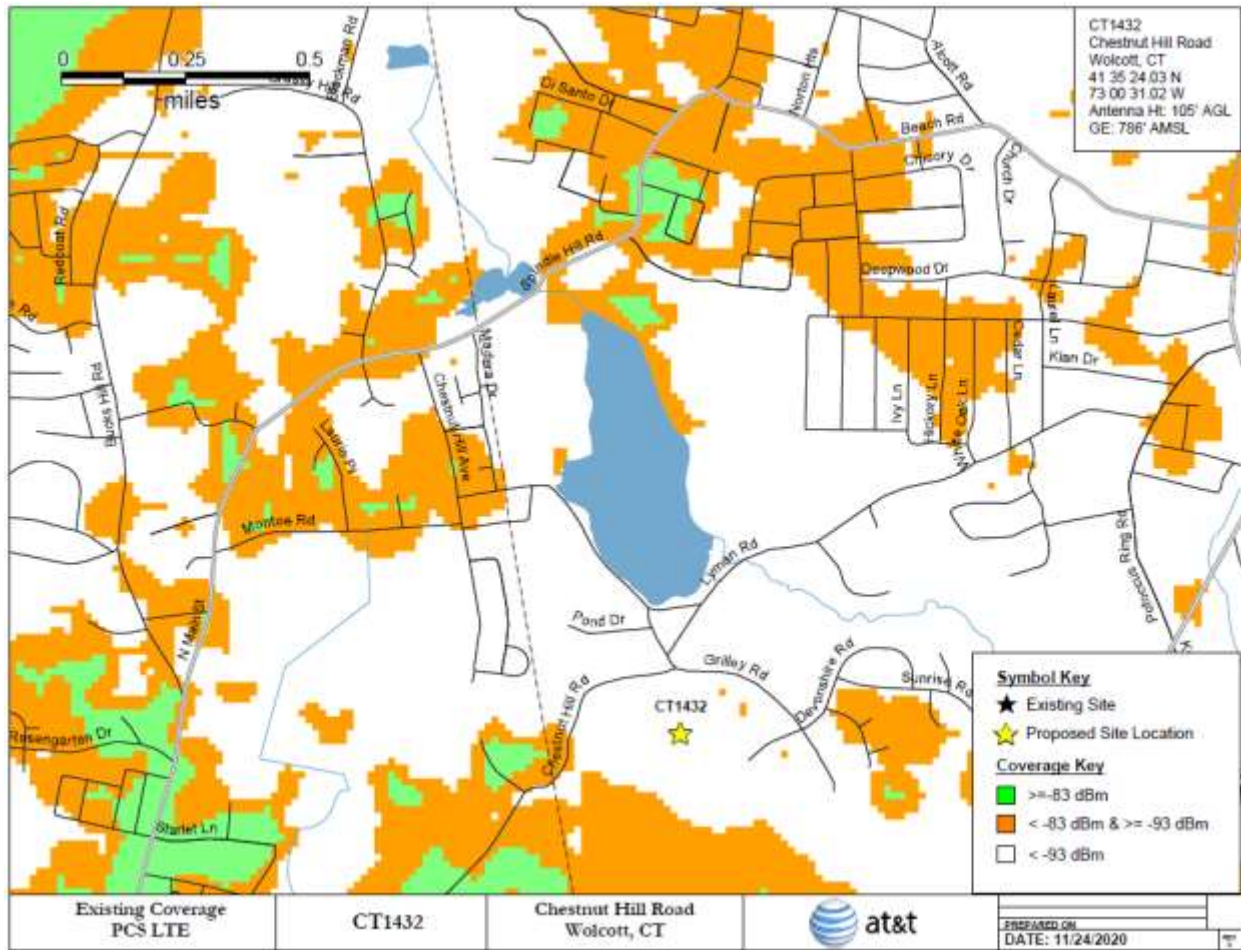


**Figure 20 – Proposed AT&T AWS LTE Coverage at 105 feet**



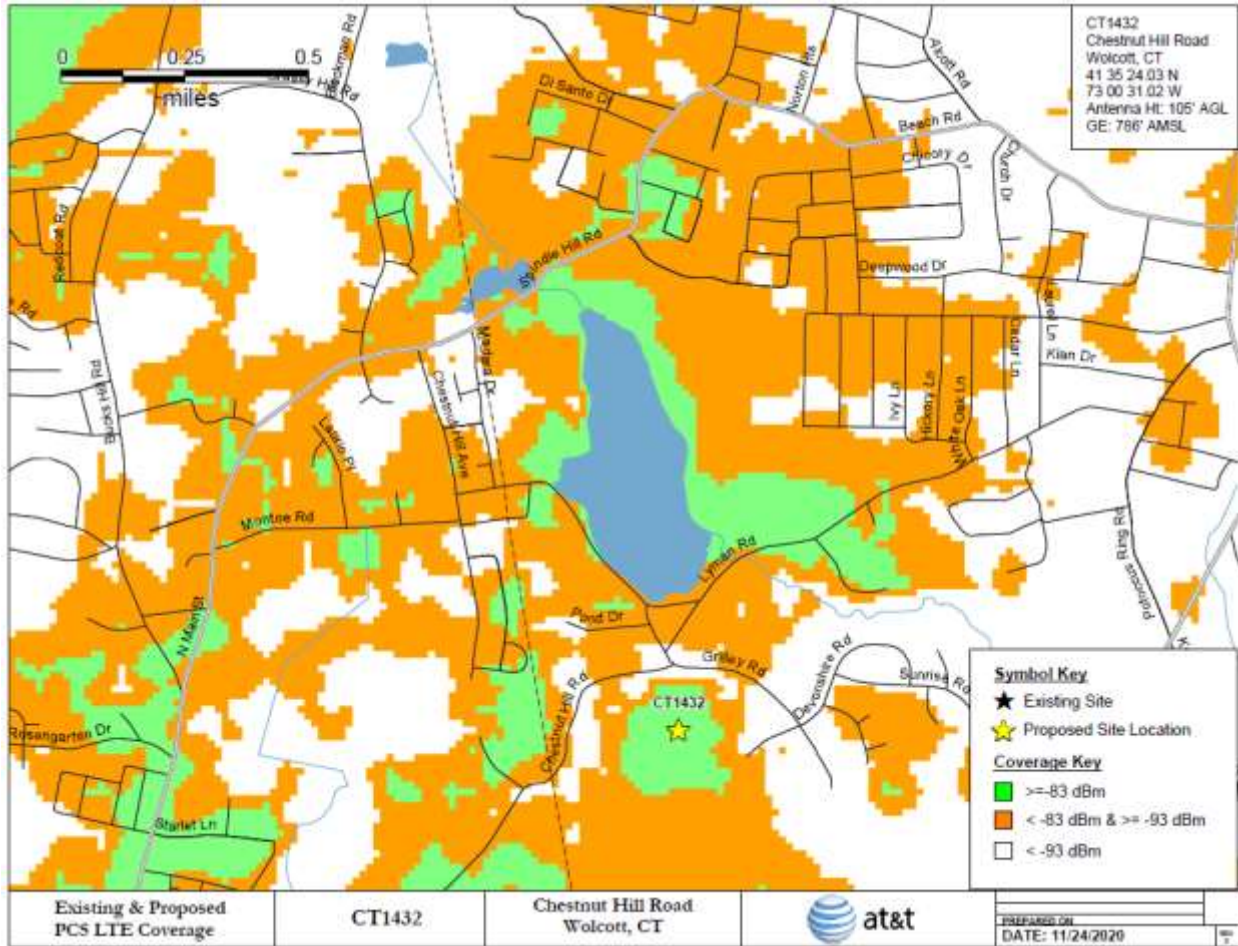
(AT&T 2, response 9, Attachment 2)

**Figure 21 – Existing AT&T PCS LTE Coverage**



(AT&T 2, response 9, Attachment 2)

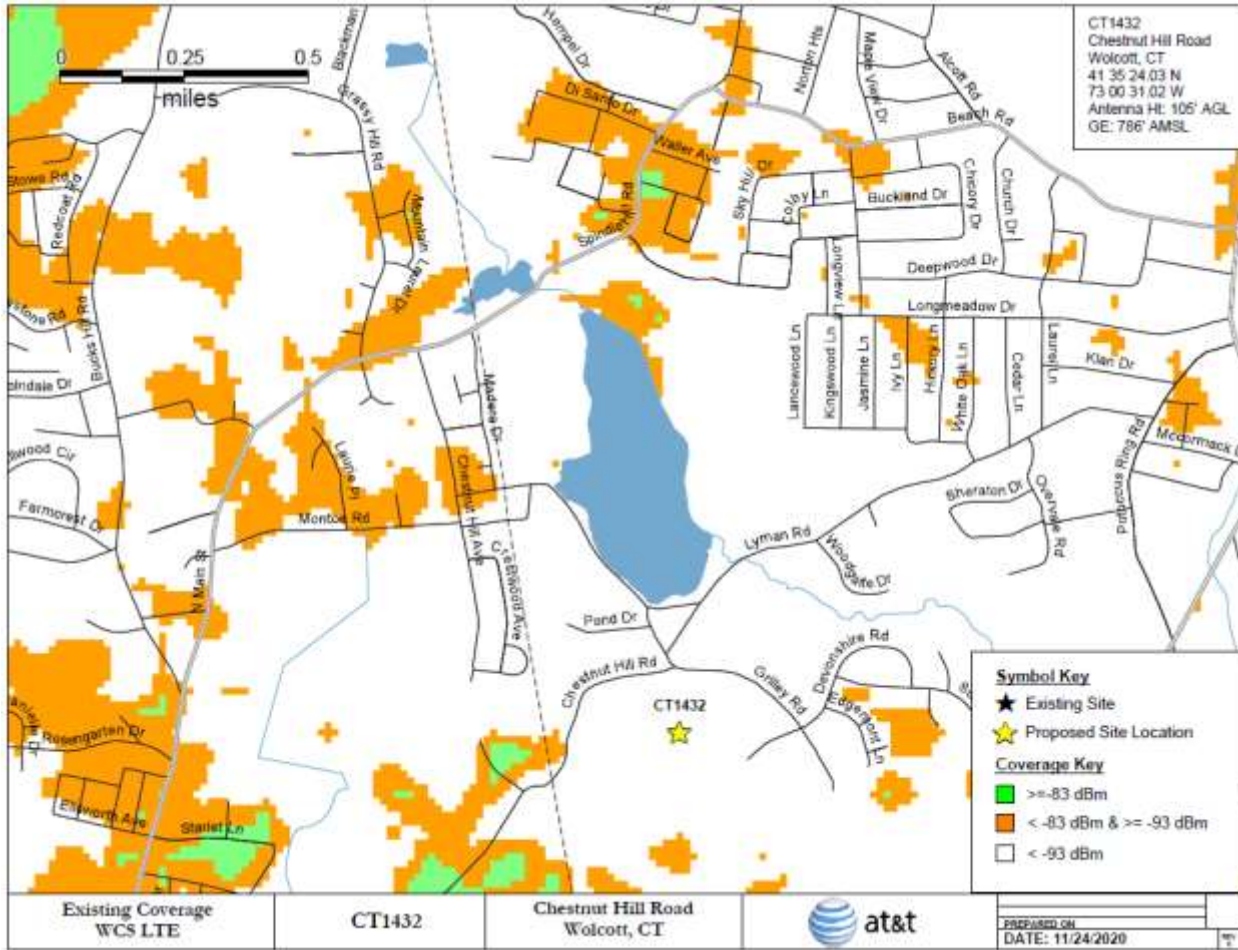
**Figure 22 – Proposed AT&T PCS LTE Coverage at 105 feet**



(AT&T 2, response 9, Attachment 2)

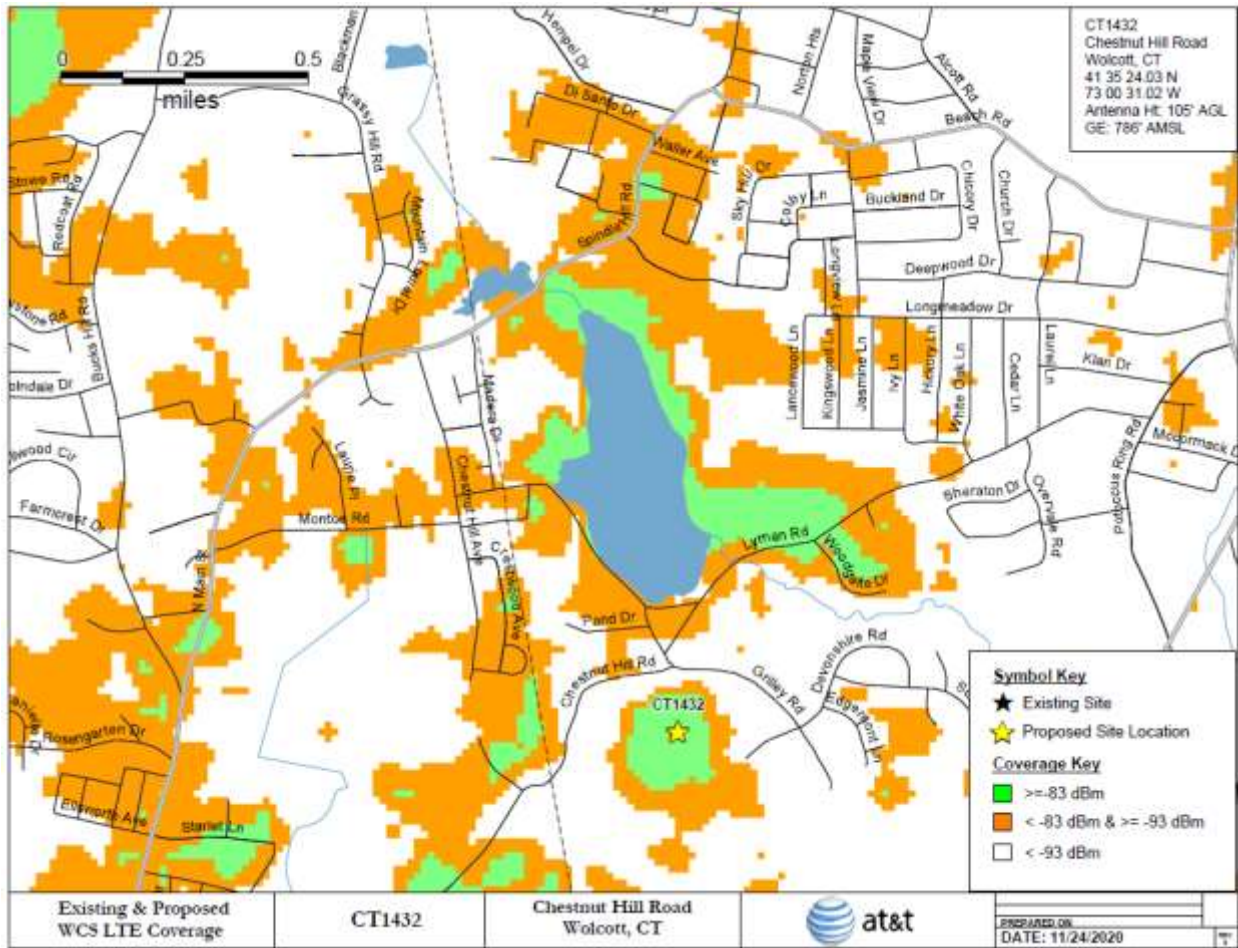


**Figure 23 – Existing AT&T WCS LTE Coverage**



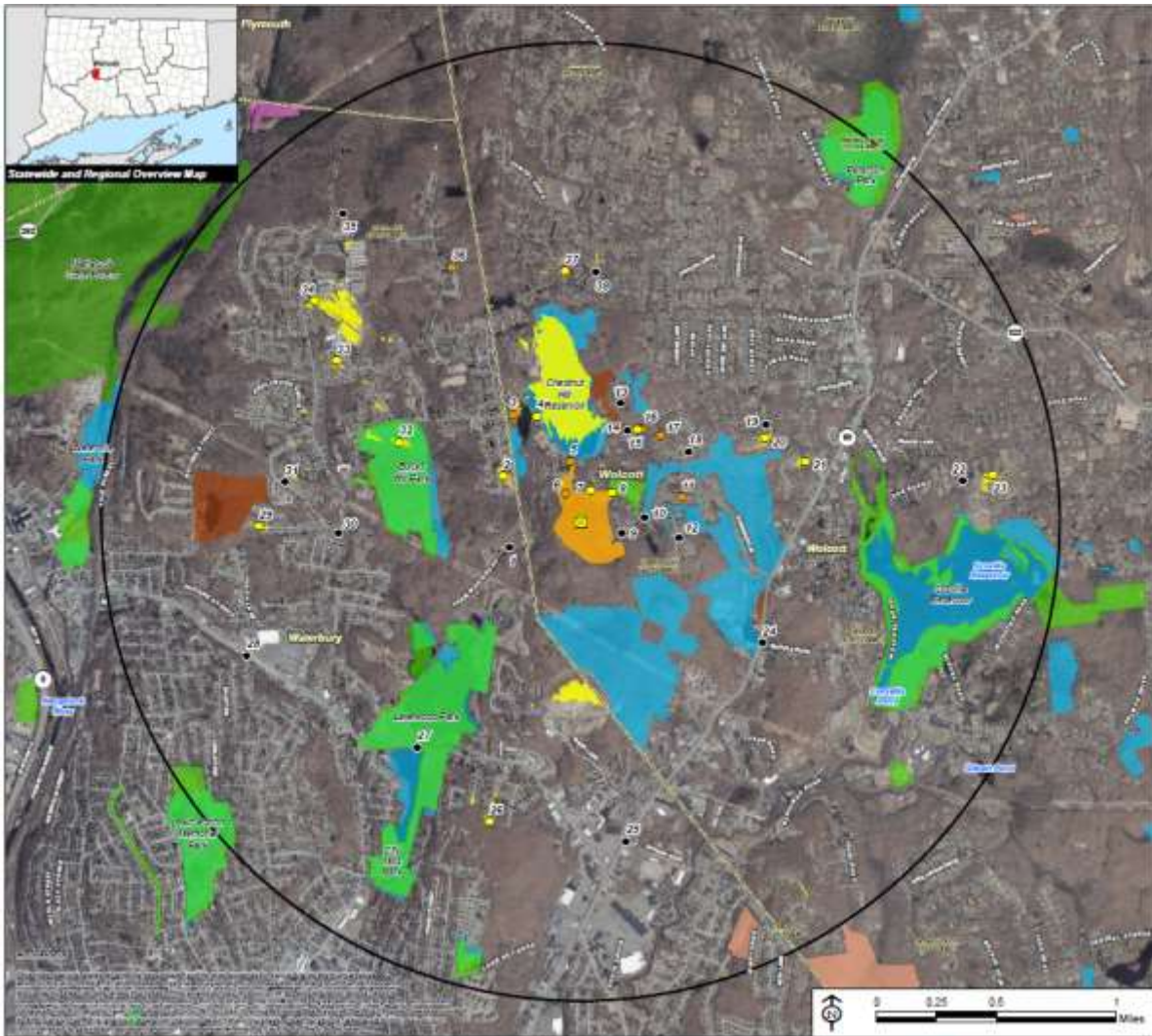
(AT&T 2, response 9, Attachment 2)

**Figure 24 – Proposed AT&T WCS LTE Coverage at 105 feet**



(AT&T 2, response 9, Attachment 2)

**Figure 25 – Visibility Map**



**Legend**

- |   |   |
|---|---|
| Proposed Site   | Trail                                     |
| Study Area (2-Mile Radius)  | Scenic Highway                            |
| Predicited Year-Round Visibility (93 Acres; +/- 60 occurs over open water on the Chestnut Hill Reservoir) | DEEP Boat Launches                        |
| Areas of Potential Seasonal Visibility (44 Acres)   | Municipal and Private Open Space Property |
| <b>Photo Locations (January 14, 2020)</b>   | State Forest/Park                         |
| Year-Round  | <b>Protected Open Space Property</b>      |
| Seasonal  | Federal                                   |
| Not Visible   | Land Trust                                |
| Municipal Boundary  | Municipal                                 |
|   | Private                                   |
|   | State                                     |

(Cellco 3, response 44, Attachment 5 – Viewshed Analysis Map)



**Figure 26 – Visibility Map Photolog**

<b>Photo</b>	<b>Location</b>	<b>Orientation</b>	<b>Distance to Site</b>	<b>Visibility</b>
1	Steep Hill Road at Chestnut Hill Road, Waterbury	Northeast	± 0.32 Mile	Not Visible
2	Crestwood Avenue, Waterbury	Southeast	± 0.38 Mile	Year Round
3	Meadow Lake Drive	Southeast	± 0.53 Mile	Seasonal
4	Lyman Road	Southeast	± 0.48 Mile	Year Round
5	Lyman Road	South	± 0.26 Mile	Seasonal
6	Chestnut Hill Road	Southeast	± 0.13 Mile	Seasonal
7	Grilley Road	Southwest	± 0.14 Mile	Year Round
8	Grilley Road	Southwest	± 0.18 Mile	Year Round
9	Executive Hill Road	Northwest	± 0.18 Mile	Not Visible
10	Grilley Road	West	± 0.27 Mile	Not Visible
11	Sunrise Road	Southwest	± 0.43 Mile	Seasonal
12	Edgemont Lane	West	± 0.41 Mile	Not Visible
13	Pembroke Road*	Southwest	± 0.52 Mile	Not Visible
14	Lyman Road	Southwest	± 0.43 Mile	Not Visible
15	Lyman Road	Southwest	± 0.45 Mile	Year Round
16	Lyman Road	Southwest	± 0.46 Mile	Seasonal
17	Woodgaite Drive	Southwest	± 0.49 Mile	Seasonal
18	Woodgaite Drive	Southwest	± 0.53 Mile	Not Visible
19	Overvale Road	Southwest	± 0.87 Mile	Not Visible
20	Overvale Road	Southwest	± 0.85 Mile	Year Round
21	Hampshire Drive	Southwest	± 0.97 Mile	Year Round
22	Coe Road	West	± 1.60 Miles	Not Visible
23	Coe Road	West	± 1.73 Miles	Year Round

(Cellco 1, Attachment 9 – Visual Assessment Report, p. 5)

**ATTACHMENTS**

Council on Environmental Quality comments, dated September 30, 2020

Connecticut Department of Transportation comments, dated November 3, 2020





Keith Ainsworth

Alicea Charamut

David Kalafa

Lee E. Dunbar

Alison Hilding

Kip Kolesinskas

Matthew Reiser

Charles Vidich

\_\_\_\_\_  
Peter Hearn  
*Executive Director*

STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

September 30, 2020

Melanie Bachman, Executive Director  
Connecticut Siting Council  
Ten Franklin Square  
New Britain, CT 06051

RE: DOCKET NO. 494 - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located south of Chestnut Hill Road at the intersection with Grilley Road and Lyman Road (Parcel No. 101-1-5B), Wolcott, Connecticut.

Dear Ms. Bachman:

The Council on Environmental Quality (Council) has reviewed the application submitted in Docket 494 for a Certificate of Environmental Compatibility and Public Need. The Council offers the following comments for consideration by the Applicant and Siting Council.

**1. Wetlands**

The Applicant states that the proposed access drive would cross Wetland 1 at its narrowest point. However, Partial Site Plan (SP-1) depicts the narrowest point of Wetland 1 to be located approximately 200 feet south of the proposed wetland crossing, which makes the access drive longer and would require the removal of much more vegetation resulting in more ground disturbance. The Council recommends that the Applicant assess the possibility of relocating the proposed wetlands crossing and access road if the relocation would minimize impacts on wetlands and adjacent terrestrial habitat.

**2. Wildlife**

The Applicant states that they would "consider" voluntary conservation measures to reduce the potential impacts on northern long-eared bat (NLEB). The Council recommends that the Applicant commit to undertake the voluntary measures to reduce the potential impacts of activities for the NLEB as detailed in the "USFWS & NDDB Compliance Determination", page 2. Furthermore, a review of the US Fish and Wildlife Service (USFWS), Information for Planning and Conservation (IPac) tool indicates that there is the possibility that seven bird species, which are either on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention, may be present at or near the proposed project location. The Council recommends

that the Applicant conduct a site specific survey for suitable habitat for each of the seven bird species, and if present, propose conservation/mitigation measures<sup>1</sup> to minimize the impact on those species.

### 3. Visual Impact

The Council concurs with the Applicant that the visual impact is perhaps the most significant environmental issue associated with the construction of the proposed facility. The Council suggests that the Applicant maintain a vegetative buffer between the proposed access road and the neighboring properties located to the east and west of the access road entrance, which would require the removal of less trees while reducing visibility of the proposed access road.

### 4. Historic and Cultural Resources

The Applicant provided a "Cultural Resources Screening Map" but failed to provide any information on whether the proposed site has a moderate to high potential for intact archaeological deposits given that the remains of an old stone structure on the proposed site, the fact that the parcel is undeveloped and gently sloping, and it is proximate to fresh water (Chestnut Hill Reservoir). The Council recommends that the Applicant confer with the State Historic Preservation Office, and if appropriate, conduct a cultural resource reconnaissance survey for the proposed access driveway and tower compound that meets the standards set forth in the Environmental Review Primer for Connecticut's Archaeological Resources.

Thank you for your consideration of these comments. Please do not hesitate to contact the Council if you have any questions.

Sincerely,



Peter Hearn, Executive Director

---

<sup>1</sup> Nationwide Standard Conservation Measures: <https://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>



STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546  
NEWINGTON, CONNECTICUT 06131-7546

Phone:

November 3, 2020

Ms. Melanie Bachman  
Acting Executive Director  
Connecticut Siting Council  
10 Franklin Square  
New Britain, CT 06051

Dear Ms. Bachman:

Subject: Docket 494  
Wireless Telecommunications Facility  
Chestnut Hill Road  
Town of Wolcott

The Department of Transportation (CTDOT) has reviewed the above-mentioned Docket and offers the following comments.

- It is recommended that the 500-gallon propane fuel tank have double containment and that a spill prevention kit be on site at all times.
- The docket did not specify Best Management Practices for erosion and sedimentation control.
  - It is recommended that appropriate BMP's of the *2002 Connecticut Guidelines for Soil Erosion and Sediment Control* be followed throughout the project's life cycle with special attention to environmentally sensitive areas.
- The docket did not discuss stormwater management nor quantified the total disturbed area amount.
  - Will the proposed project require an application submission to DEEP- **General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities** or will the proposed project be required to register with DEEP under the requirements for a **Locally Exempt Project** and comply will all applicable conditions of the general permit under (d) **Small Construction** in conformance to the **2004 Connecticut Stormwater Quality Manual**?

It is recommended that the applicant provide the pertinent information/plan(s) details to ensure compliance to the aforementioned CT standards.

Finally, the telecommunication facility, as proposed does not appear to tie into CTDOT drainage nor impacts any known CTDOT wetland creation sites.

Enclosure

Should you have any questions, please contact Ms. Latoya Smith, Utility Engineer (Utilities) at [Latoya.Smith@ct.gov](mailto:Latoya.Smith@ct.gov).

Very truly yours,

Andrzej Mysliwiec

Digitally signed by Andrzej  
Mysliwiec  
DN: cn=U, o=CT, ou=Department of  
Transportation, ou=Division  
of Facilities and Transit, ou=Bureau  
of Engineering and Construction,  
email=andrzejm@dot.ct.gov, c=US  
Date: 2022.11.02 08:34:25-0500

Andrzej Mysliwiec  
Transportation Supervising Engineer  
Division of Facilities and Transit  
Bureau of Engineering and Construction

Latoya Smith:ls

bcc: Mark Rolfe

Gregory M. Dorosh -Leo Fontaine-Andrzej Mysliwiec-Derek Brown-Latoya Smith

James Chupas- John DeCastro-Christopher Brochu

Edgar T. Hurle-Raquel Ocasio

Small, Derek  
Latoya Smith



**DOCKET NO. 494** - Cellco Partnership d/b/a Verizon Wireless } Connecticut  
application for a Certificate of Environmental Compatibility and }  
Public Need for the construction, maintenance, and operation of a } Siting  
telecommunications facility located south of Chestnut Hill Road at }  
the intersection with Grilley Road and Lyman Road (Parcel No. 101- } Council  
1-5B), Wolcott, Connecticut.

May 20, 2021

### Opinion

On September 2, 2020, Cellco Partnership d/b/a Verizon Wireless (Cellco) applied to the Connecticut Siting Council (Council) for a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, maintenance, and operation of a 120-foot tall wireless telecommunications facility to be located in the Town of Wolcott (Town), Connecticut. The purpose of the facility is to provide improved wireless voice and data services in the southwest portions of Wolcott and northeast portions of Waterbury. Cellco is experiencing gaps in reliable wireless service and signal level deficiencies along portions of Route 69 and to the north, east and west of the proposed facility. New Cingular Wireless PCS, LLC (AT&T) is experiencing a coverage deficiency along Lyman Road and Woodgaite Drive and the neighboring business/retail areas in Wolcott that it seeks to address via its co-location on this facility.

The United States Congress recognized a nationwide need for high quality wireless services through the adoption of the Federal Telecommunications Act of 1996 and directed the Federal Communications Commission (FCC) to establish a market structure for system development and develop technical standards for network operations. The FCC preempts state or local regulation on matters that are exclusively within the jurisdiction and authority of the FCC, including, but not limited to, network operations and radio frequency emissions. Preservation of state or local authority extends only to placement, construction and modifications of telecommunications facilities based on matters not directly regulated by the FCC, such as environmental impacts. The Council's statutory charge is to balance the need for development of proposed wireless telecommunications facilities with the need to protect the environment.

Cellco established a search ring for its proposed facility in 2015 and found that no existing towers or other sufficiently tall structures within that search area (or even within a 4-mile radius) would satisfy Cellco's wireless service needs. Cellco investigated a total of four raw land sites. Two were rejected because the landowner was not interested in leasing space for a tower, and one was rejected because an agreement on land lease terms could not be reached. Thus, the proposed site was selected.

Cellco's proposed facility would provide wireless service via 700 MHz, 850 MHz, 1900 MHz, and 2100 MHz frequencies. Cellco's initial deployment plan for the facility does not include the installation of 5G technology; however, certain frequencies may be reused for 5G services in the future.

Cellco's existing Waterbury facility (Alpha sector), Wolcott facility (Gamma sector) and Wolcott North facility (Beta sector) are currently operating at or near their current capacity limits which results in a significant reduction in reliable wireless service in the area. The proposed facility would improve Cellco's level of reliable service in the area.

AT&T's proposed co-location would provide wireless service via its 700 MHz, 850 MHz, PCS, AWS, and WCS bands. AT&T's proposed co-location would be provisioned to provide 5G service at 850 MHz.

AT&T's neighboring site CT1005 to the south-southwest is currently fully loaded and exhausted with respect to capacity. AT&T's co-location on the proposed tower would off-load capacity from CT1005.



Cellco proposes to construct a 120-foot monopole and associated equipment compound in the eastern-central portion of an approximately 10.17-acre parcel owned by PAL Properties LLC. The subject property is zoned Industrial District and is currently vacant and undeveloped with remnants of an old stone structure in the northeast corner of the property. The tower would be located within a 50-foot by 50-foot compound surrounded by a six-foot tall chain link fence with barbed wire on top.

The tower setback radius extends beyond the property boundary by approximately 14 feet. The Council will require that Cellco design a yield point on the tower to ensure that the tower setback radius remains within the boundaries of the subject property.

Cellco would install 12 panel antennas and 12 remote radio heads (RRHs) on a low-profile platform mount at the 116-foot level of the tower. AT&T would install six panel antennas and 12 RRHs on a sector frame mount at the 105-foot level of the tower.

Cellco would install its equipment cabinet and a 25-kilowatt propane-fueled backup generator under an ice canopy within the northeast portion of the compound. AT&T would install an approximately 8-foot tall walk-in equipment cabinet and a 15-kW propane-fueled backup generator on a steel platform within the southwest portion of the compound. Two 500-gallon propane tanks (i.e. one for Cellco and one for AT&T) would be installed within the compound to supply the backup generators.

Access to the proposed site compound would be via a new 12-foot wide by about 850-foot long curved gravel drive extending from Chestnut Hill Road to the tower compound.

The site is located outside of the 100-year and 500-year flood zones. The site is not located within a state-designated aquifer protection area.

The total tree clearing area to develop the project would be approximately 1.11 acres. The total tree clearing areas within core and edge forests associated with the project would be 0.35-acre and 0.59-acre, respectively. The project development would represent a de minimis habitat reduction to core forest, and it would not be expected to adversely impact forest interior species.

The facility compound would not be located on Prime Farmland Soils. The access drive and utility route would impact approximately 0.30-acre of Prime Farmland Soils or about 32 percent of the 0.95-acre of Prime Farmland Soils on the subject property.

The proposed facility is not located within a DEEP Natural Diversity Database buffer area. Cellco consulted with the U.S. Fish and Wildlife Service (USFWS) regarding the northern long-eared bat, a federally-listed threatened species and state-listed endangered species. USFWS did not respond within 30 days of the date of the Cellco's letter; therefore, Cellco satisfied its responsibilities under Section 7(a)(2) of the Endangered Species Act. Additionally, there are no known NLEB hibernacula or known maternity roost trees within 0.25 mile and 150 feet, respectively, of the proposed site.

The proposed facility is not located near an Important Bird Area, as designated by the National Audubon Society. In addition, the proposed facility will comply with the USFWS guidelines for minimizing the potential for telecommunications towers to impact bird species.

There is one wetland area located on the property. Wetland 1 is a narrow forested hillside seep wetland system in the northern portion of the subject property. Wetland 1 extends from the eastern property boundary northward towards Chestnut Hill Road in the northwest corner of the property. The access drive would cross Wetland 1 and result in about 2,797 square feet of direct impacts.

The proposed wetland crossing cannot be avoided because the access drive could only reach the compound from the street by crossing Wetland 1. The access road crossing has been designed to minimize impacts by locating the crossing at a narrow portion of Wetland 1. With the proposed permanent wetland impact area,



the project is eligible under the U.S. Army Corps of Engineers (ACOE) Connecticut General Permit Program as a self-verification notification form process.

The wetland crossing design would convey flows under the gravel access road via three 24-inch diameter high density polyethylene (HDPE) pipes. However, the Council recommends that an open bottom box culvert design be considered for the wetland crossing in lieu of the three-pipe design.

Within the southern portion of Wetland 1, on an off-site parcel directly to the east, there is a small vernal pool contained within an abandoned well that supports permanent inundation. No work would be performed within the 100-foot Vernal Pool Envelope. Post-construction, the development area of the 100-foot to 750-foot Critical Terrestrial Habitat would increase from 11.4 percent to 13.9 percent. The project would be consistent with the 2015 U.S. Army Corps of Engineers Vernal Pool Best Management Practices.

The proposed project would be constructed consistent with the *2002 Connecticut Guidelines for Soil Erosion and Sedimentation Control* and the *2004 Connecticut Stormwater Quality Manual*. Cellco would also implement a Wetland and Vernal Pool Protection Plan (WVPPP) to protect wetland resources and vernal pool habitat. The Council will require that the final WVPPP and a spill prevention plan, as appropriate, be included in the Development and Management (D&M) Plan.

Based on a visual assessment within a two-mile radius of the site (Study Area-8,042 acres), the proposed tower would be visible year-round from approximately 93 acres (1.2%) and seasonally visible (i.e. under leaf-off conditions) from approximately 44 acres (0.55%) of the Study Area. Of the 93-acre year-round visibility, approximately 60 acres would be located over Chestnut Hill Reservoir.

Generally, year-round views of the tower may be experienced intermittently at distances ranging from 0.5-mile to 1.5-miles away, typically in areas of higher elevations. Direct lines of view from areas south of the site are limited due to the presence of Chestnut Hill and large tracts of wooded, undeveloped land. Spot views of the facility would extend to the west into Waterbury at distances ranging from approximately 0.38-mile to 1.44-miles from the site. During leaf-off conditions, additional visibility would extend approximately 0.50-mile to the north of the site.

An existing vegetative buffer would remain between the access road and the abutting properties. An old well or building foundation is located immediately east of the access drive. The access drive would be visible from the abutting property to the east. While the visibility is not expected to be substantial, the Council will require Cellco to implement a screening plan and/or minimize tree removal between the access drive and existing well/building foundation in the D&M Plan.

No sites located on the National or State Register of Historic Places are located within a 0.5-mile radius of the tower site.

There are no state or locally-designated scenic roads located within the two miles of the proposed tower.

No public schools or child day care facilities are located within 250 feet of the proposed tower.

There are no Connecticut blue-blazed hiking trails within two miles of the proposed tower.

No landscaping is proposed around the compound because existing vegetation would remain around all sides of the compound.

According to a methodology prescribed by the FCC Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997), the combined radio frequency power density levels of Cellco's and AT&T's antennas proposed to be installed on the tower have been calculated to amount to 20.2% of the FCC's General Public/Uncontrolled Maximum Permissible Exposure, taking into account a 10-dB off-beam pattern loss. This is conservatively based on all antennas of a given sector emitting maximum power.

This percentage is well below federal standards established for the frequencies used by wireless companies. If federal standards change, the Council will require that the tower be brought into compliance with such standards. The Council will require that the power densities be recalculated in the event other carriers add antennas to the tower. The Telecommunications Act of 1996 prohibits any state or local agency from regulating telecommunications towers on the basis of the environmental effects of radio frequency emissions to the extent that such towers and equipment comply with FCC's regulations concerning such emissions. Regarding potential harm to wildlife from radio emission; this, like the matter of potential hazard to human health, is a matter of federal jurisdiction. The Council's role is to ensure that the tower meets federal permissible exposure limits.

Based on the record in this proceeding, the Council finds that the effects associated with the construction, operation, and maintenance of the telecommunications facility at the proposed site, including effects on the natural environment, ecological balance, public health and safety, scenic, historic, and recreational values, agriculture, forests and parks, air and water purity, and fish, aquaculture and wildlife are not disproportionate either alone or cumulatively with other effects when compared to need, are not in conflict with policies of the State concerning such effects, and are not sufficient reason to deny this application. Therefore, the Council will issue a Certificate for the construction, maintenance, and operation of a 120-foot monopole telecommunications facility at the proposed site located at Parcel No. 104-1-5B, south of Chestnut Hill Road in Wolcott, Connecticut.

**DOCKET NO. 494** - Cellco Partnership d/b/a Verizon Wireless } Connecticut  
application for a Certificate of Environmental Compatibility and }  
Public Need for the construction, maintenance, and operation of a } Siting  
telecommunications facility located south of Chestnut Hill Road at }  
the intersection with Grilley Road and Lyman Road (Parcel No. } Council  
101-1-5B), Wolcott, Connecticut.

May 20, 2021

### **Decision and Order**

Pursuant to Connecticut General Statutes §16-50p and the foregoing Findings of Fact and Opinion, the Connecticut Siting Council (Council) finds that the effects associated with the construction, maintenance, and operation of a telecommunications facility, including effects on the natural environment, ecological balance, public health and safety, scenic, historic, and recreational values, agriculture, forests and parks, air and water purity, and fish, aquaculture and wildlife are not disproportionate, either alone or cumulatively with other effects, when compared to need, are not in conflict with the policies of the State concerning such effects, and are not sufficient reason to deny the application, and therefore directs that a Certificate of Environmental Compatibility and Public Need, as provided by General Statutes § 16-50k, be issued to Cellco Partnership d/b/a Verizon Wireless, hereinafter referred to as the Certificate Holder, for a telecommunications facility at Parcel No. 104-1-5B, south of Chestnut Hill Road in Wolcott, Connecticut.

Unless otherwise approved by the Council, the facility shall be constructed, operated, and maintained substantially as specified in the Council's record in this matter, and subject to the following conditions:

1. The tower shall be constructed as a monopole at a height of 120 feet above ground level to provide the proposed wireless services, sufficient to accommodate the antennas of Cellco Partnership d/b/a Verizon Wireless, New Cingular Wireless PCS, LLC and other entities, both public and private. The height of the tower may be extended after the date of this Decision and Order pursuant to regulations of the Federal Communications Commission.
2. The Certificate Holder shall prepare a Development and Management (D&M) Plan for this site in compliance with Sections 16-50j-75 through 16-50j-77 of the Regulations of Connecticut State Agencies. The D&M Plan shall be submitted to and approved by the Council prior to the commencement of facility construction and shall include:
  - a) final site plan(s) for development of the facility that employ the governing standard in the State of Connecticut for tower design in accordance with the currently adopted International Building Code and include specifications for the tower, tower foundation, antennas and equipment compound including, but not limited to, fencing with associated security measures, radio and battery backup equipment, access road, utility installation, and emergency backup generators with fuel tanks;
  - b) the tower shall be designed with a yield point to ensure that the tower setback radius remains within the boundaries of the subject property;
  - c) construction plans for site clearing, grading, landscaping, water drainage and stormwater control, and erosion and sedimentation controls consistent with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended;
  - d) plans to screen and/or minimize tree removal between the access drive and existing well/building foundation to the east;
  - e) plans for the access drive wetland crossing;

- f) final wetland and vernal pool protection plan that includes, but is not limited to, a spill prevention plan; and
  - g) proposed hours and days of the week for construction activities.
3. Prior to the commencement of operation, the Certificate Holder shall provide the Council worst-case modeling of the electromagnetic radio frequency power density of all proposed entities' antennas at the closest point of uncontrolled access to the tower base, consistent with Federal Communications Commission, Office of Engineering and Technology, Bulletin No. 65, August 1997. The Certificate Holder shall ensure a recalculated report of the electromagnetic radio frequency power density be submitted to the Council if and when circumstances in operation cause a change in power density above the levels calculated and provided pursuant to this Decision and Order.
4. Upon the establishment of any new federal radio frequency standards applicable to frequencies of this facility, the facility granted herein shall be brought into compliance with such standards.
5. The Certificate Holder shall provide the Council with a copy of necessary permits from any other state or federal agency with concurrent jurisdiction prior to the commencement of construction.
6. The Certificate Holder shall permit public or private entities to share space on the proposed tower for fair consideration, or shall provide any requesting entity with specific legal, technical, environmental, or economic reasons precluding such tower sharing.
7. Unless otherwise approved by the Council, if the facility authorized herein is not fully constructed with at least one fully operational wireless telecommunications carrier providing wireless service within eighteen months from the date of the mailing of the Council's Findings of Fact, Opinion, and Decision and Order (collectively called "Final Decision"), this Decision and Order shall be void, and the Certificate Holder shall dismantle the tower and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made. The time between the filing and resolution of any appeals of the Council's Final Decision shall not be counted in calculating this deadline. Authority to monitor and modify this schedule, as necessary, is delegated to the Executive Director. The Certificate Holder shall provide written notice to the Executive Director of any schedule changes as soon as is practicable.
8. Any request for extension of the time period referred to in Condition 7 shall be filed with the Council not later than 60 days prior to the expiration date of this Certificate and shall be served on all parties and intervenors, as listed in the service list, and the Town of Wolcott.
9. If the facility ceases to provide wireless services for a period of one year, this Decision and Order shall be void, and the Certificate Holder shall dismantle the tower and remove all associated equipment or reapply for any continued or new use to the Council within 90 days from the one year period of cessation of service. The Certificate Holder may submit a written request to the Council for an extension of the 90 day period not later than 60 days prior to the expiration of the 90 day period.
10. Any nonfunctioning antenna, and associated antenna mounting equipment, on this facility shall be removed within 60 days of the date the antenna ceased to function.
11. In accordance with Section 16-50j-77 of the Regulations of Connecticut State Agencies, the Certificate Holder shall provide the Council with written notice two weeks prior to the commencement of site construction activities. In addition, the Certificate Holder shall provide the Council with written notice of the completion of site construction, and the commencement of site operation.

12. The Certificate Holder shall remit timely payments associated with annual assessments and invoices submitted by the Council for expenses attributable to the facility under Conn. Gen. Stat. §16-50v.
13. This Certificate may be transferred in accordance with Conn. Gen. Stat. §16-50k(b), provided both the Certificate Holder/transferor and the transferee are current with payments to the Council for their respective annual assessments and invoices under Conn. Gen. Stat. §16-50v. In addition, both the Certificate Holder/transferor and the transferee shall provide the Council a written agreement as to the entity responsible for any quarterly assessment charges under Conn. Gen. Stat. §16-50v(b)(2) that may be associated with this facility. If construction has not been completed in accordance with Condition 7 of this Decision and Order at the time the Certificate is requested to be transferred, a certified letter from a wireless telecommunications carrier with a firm commitment to install associated wireless equipment at the facility upon completion of construction shall also be provided.
14. The Certificate Holder shall maintain the facility and associated equipment, including but not limited to, the tower, tower foundation, antennas, equipment compound, radio equipment, access road, utility line and landscaping in a reasonable physical and operational condition that is consistent with this Decision and Order and a Development and Management Plan to be approved by the Council.
15. If the Certificate Holder is a wholly-owned subsidiary of a corporation or other entity and is sold/transferred to another corporation or other entity, the Council shall be notified of such sale and/or transfer and of any change in contact information for the individual or representative responsible for management and operations of the Certificate Holder within 30 days of the sale and/or transfer.
16. This Certificate may be surrendered by the Certificate Holder upon written notification and acknowledgment by the Council.

We hereby direct that a copy of the Findings of Fact, Opinion, and Decision and Order be served on each person listed in the Service List, dated November 19, 2020, and notice of issuance published in the Republican-American.

By this Decision and Order, the Council disposes of the legal rights, duties, and privileges of each party named or admitted to the proceeding in accordance with Section 16-50j-17 of the Regulations of Connecticut State Agencies.



## CERTIFICATION

The undersigned members of the Connecticut Siting Council (Council) hereby certify that they have heard this case, or read the record thereof, in **DOCKET NO. 494** – Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located south of Chestnut Hill Road at the intersection with Grilley Road and Lyman Road (Parcel No. 104-1-5B), Wolcott, Connecticut, and voted as follows to approve the proposed site:

<u>Council Members</u>	<u>Vote Cast</u>
<u>/s/ John Morissette</u> John Morissette, Presiding Officer	Yes
<u>/s/ Quat Nguyen</u> Chairman Marissa Paslick Gillett Designee: Quat Nguyen	Yes
<u>/s/ Robert Hannon</u> Commissioner Katie Dykes Designee: Robert Hannon	Yes
<u>/s/ Edward Edelson</u> Edward Edelson	Absent
<u>/s/ Louanne Cooley</u> Louanne Cooley	Abstain
<u>/s/ Daniel P. Lynch, Jr.</u> Daniel P. Lynch, Jr.	Yes
<u>/s/ Robert Silvestri</u> Robert Silvestri	Yes

**This final decision has been electronically issued pursuant to Governor Lamont’s March 12, 2020 Executive Order No. 7, “Protection of Public Health and Safety During COVID-19 Pandemic and Response” as subsequently extended.**

Dated at New Britain, Connecticut, May 20, 2021.



STATE OF CONNECTICUT  
*CONNECTICUT SITING COUNCIL*

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: [siting.council@ct.gov](mailto:siting.council@ct.gov)

Web Site: [portal.ct.gov/csc](http://portal.ct.gov/csc)

**VIA ELECTRONIC MAIL**

May 24, 2021

TO: Classified/Legal Supervisor  
**494210524**  
Waterbury Republican-American  
389 Meadow Street, P.O. Box 2090  
Waterbury, CT 06722  
[classads@rep-am.com](mailto:classads@rep-am.com)

FROM: Lisa A. Mathews, Office Assistant *lm*

RE: **DOCKET NO. 494** - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located south of Chestnut Hill Road at the intersection with Grilley Road and Lyman Road (Parcel No. 101-1-5B), Wolcott, Connecticut.

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Please publish the attached legal notice for one day on the first day possible from receipt of this notice.

Please send an affidavit of publication and invoice to my attention.

Thank you.

LM



## STATE OF CONNECTICUT

### *CONNECTICUT SITING COUNCIL*

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: [siting.council@ct.gov](mailto:siting.council@ct.gov)

Web Site: [portal.ct.gov/csc](http://portal.ct.gov/csc)

### NOTICE

Pursuant to General Statutes § 16-50p (a), the Connecticut Siting Council (Council) announces that, on May 20, 2021, the Council issued Findings of Fact, an Opinion, and a Decision and Order approving an application from Cellco Partnership d/b/a Verizon Wireless for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located south of Chestnut Hill Road at the intersection with Grilley Road and Lyman Road (Parcel No. 104-1-5B), Wolcott, Connecticut. This application record is available for public inspection in the Council's office, Ten Franklin Square, New Britain, Connecticut.