

SITING COUNCIL
DOCKET NO. 495

IN THE MATTER OF:

APPLICATION OF CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS
FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND
PUBLIC NEED FOR THE CONSTRUCTION, MAINTENANCE AND
OPERATION OF A WIRELESS TELECOMMUNICATIONS FACILITY IN
FAIRFIELD, CONNECTICUT

APPLICANT'S POST-HEARING BRIEF

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EXECUTIVE SUMMARY

On October 15, 2020, Cellco Partnership d/b/a Verizon Wireless (“Cellco”) filed an application (“Application”) with the Connecticut Siting Council (“Council”) for a Certificate of Environmental Capability and Public Need (“Certificate”) to construct a wireless telecommunications facility on a 60.2-acre parcel at 5151 Park Avenue in Fairfield, Connecticut (the “Property”). The Property is owned by the Bridgeport Roman Catholic Diocesan Corporation, is leased to Sacred Heart University (“SHU”) and is a part of the SHU main campus. The cell site is identified as Cellco’s “Plattsville Relo Facility”.

Since 1997, Cellco has maintained a wireless telecommunications facility on the roof of Pierre Toussaint Hall (formerly the Jewish Home), a residential dormitory building in the center of the SHU main campus (the “Plattsville Facility”). AT&T, T-Mobile and Sprint also maintain wireless facilities on the roof of Toussaint Hall. Cellco’s existing roof-top facility provides wireless service to the SHU main campus, commercial and residential land uses around the main campus, the Notre Dame – Fairfield High School campus, a significant portion of the Merritt Parkway and portions of the Fairchild Wheeler Golf Course.

In 2018, SHU notified Cellco of its desire to remove all wireless facilities from the roof of Toussaint Hall. The Plattsville Relo Facility was designed to replace the wireless service currently provided by the Toussaint Hall roof-top facility. In addition, the Plattsville Relo Facility will provide improved wireless voice and data services in northeast Fairfield, and portions of Easton, Trumbull and Bridgeport, Connecticut.

Facility Description

Cellco proposes to construct a 130-foot monopole tower in the northwest portion of the Property. Cellco would install antennas and Remote Radio Heads (“RRHs”) on a triangular antenna platform at a centerline height of 130 feet above ground level (“AGL”). Just prior to the Council’s hearing, T-Mobile reached out to Cellco and expressed interest in sharing the proposed tower at the 120-foot level. Equipment associated with Cellco’s antennas will be installed on the ground near the base of the tower within a 50’ x 50’ fenced compound (50’ x 80’ leased area). Cellco will also install a 30-kW propane fueled back-up generator and a 500-gallon propane fuel tank within the facility compound. The generator will provide back-up power to Cellco’s communications equipment. Vehicular access to the Plattsville Relo Facility would extend from Jefferson Street over an existing paved driveway, approximately 175 feet to the south and the facility compound.

While several alternative tower locations on the SHU main campus and on the SHU west campus were considered, ultimately, SHU determined that the new tower should be located in the northwest portion of the Property to avoid conflicts with existing buildings and uses and future development plans on the Property.

Public Need

Cellco has been providing wireless service in northeast Fairfield, the SHU main campus, portions of northwest Bridgeport, and southerly portions of Easton and Trumbull from its existing Plattsville Facility. The building roof-top is managed by Message Center Management (“MCM”). MCM maintains a roof-top license agreement with SHU and separate sub-license agreements with the individual wireless carriers. The term of the roof-top license agreement

between SHU and MCM will expire in January of 2022. Cellco's sub-license agreement with MCM expired in September of 2017. Cellco continues to maintain wireless service from the existing roof-top pursuant to the hold over provisions in its license agreement with MCM.

In June of 2018, SHU notified Cellco and MCM of its desire to remove all wireless service equipment from the roof of the Toussaint Hall. SHU made it clear to Cellco that it will not renew or extend its existing roof-top management license agreement with MCM. To avoid the significant disruption to its network services caused by the elimination of the existing Plattsville Facility, Cellco began its search for a replacement facility and worked closely with SHU to identify a suitable alternative location for a replacement facility.

Nature of Probable Impacts

The construction, maintenance and operation of the Plattsville Relo Facility would not have a significant adverse impact on the environment. Cellco has presented evidence in this docket that the location and development of the Plattsville Relo Facility will have no effect on historic properties or resources in the area including the Merritt Parkway, a designate Scenic By-way; will not adversely impact federal or State listed, threatened or endangered species or State species of special concern; will not have any direct or indirect impact on wetlands, watercourses and/or vernal pools on or near the Property; will not require any FAA marking or lighting; and will operate well within Maximum Permissible Exposure (MPE) limits established by the FCC for radio frequency emissions.

Visibility

The proposed Plattsville Relo Facility will not have a significant visual impact on the community overall. Areas where the monopole tower would be visible above the tree canopy

comprise approximately 26 acres, less than one percent of the two-mile radius (8,042 acre) study area. Year-round visibility of the Plattsville Relo Facility tower is limited to locations within approximately 0.4 miles of the tower. Areas where seasonal views (including views through trees in the winter months) would comprise approximately 49 additional acres, less than one percent of the 8,042-acre study area.

There are 40 residences within 1,000 feet of the Plattsville Relo Facility. The closest off-site residence is located at 392 Jefferson Street, approximately 275 feet to the north and is owned by Joshua and Melinda Prince. The Plattsville Relo Facility is not within 250 feet of a building containing a school or commercial daycare facility.

Public Input

Cellco's outreach to local officials in Fairfield commenced on October 3, 2018. At that time Cellco was exploring possible tower locations on the SHU West Campus, in particular a location adjacent to an existing United Illuminating sub-station. Due to public opposition, the First Selectman asked Cellco and SHU to consider alternative cell site locations on the SHU main campus. On December 23, 2019, Cellco commenced a second municipal consultation process to discuss the proposed tower site in the northwest corner of the SHU main campus. Cellco hosted a Public Information Meeting ("PIM") for abutting neighbors on February 13, 2020. Notice of the meeting was sent to abutting landowners and was published in the *Fairfield Citizen*.

Conclusion

The unrefuted evidence in the record clearly demonstrates that there is a need for the proposed Plattsville Relo Facility and that the environmental impacts from the proposed facility in the northwest corner of the SHU main campus would be minimal.

I. INTRODUCTION

On October 15, 2020, Cellco Partnership d/b/a Verizon Wireless (“Cellco” or “Applicant”) filed with the Connecticut Siting Council (“Council”) an application (the “Application”) for a certificate of environmental compatibility and public need (“Certificate”), pursuant to Sections 16-50g et seq. of the Connecticut General Statutes (“Conn. Gen. Stat.”), for the construction, maintenance and operation of a wireless telecommunications facility (the “Plattsville Relo Facility”) on a 60.2 acre parcel at 5151 Park Avenue in Fairfield, Connecticut (the “Property”). The Property is owned by the Bridgeport Roman Catholic Diocesan Corporation, leased to Sacred Heart University (“SHU”) and is a part of the SHU main campus. The cell site is identified as Cellco’s “Plattsville Relo Facility”. (Cellco Exhibit 1 (“Cellco 1”)).

Since 1997, Cellco has maintained a wireless facility on the roof of Pierre Toussaint Hall (formerly the Jewish Home), a residential dormitory building in the center of the SHU main campus and known as Cellco’s “Plattsville Facility”. (Cellco 1 at 6-8; January 21, 2021 Transcript (“Tr.”) at 59-61). AT&T, T-Mobile and Sprint also maintain wireless facilities on the roof of Toussaint Hall. Cellco’s existing roof-top facility provides wireless service to the SHU main campus, commercial and residential land uses around the main campus, the Notre Dame – Fairfield High School, a significant portion of the Merritt Parkway and portions of the Fairchild Wheeler Golf Course. (Cellco 1, Tab 6; Tr. at 25).

In 2018, SHU notified Cellco of its desire to remove all wireless facilities from the roof of Toussaint Hall. The Plattsville Relo Facility has been designed to replace the wireless service currently provided by the Toussaint Hall roof-top facility. In addition, the Plattsville Relo Facility will provide improved wireless voice and data services in northeast Fairfield, and

portions of Easton, Trumbull and Bridgeport, Connecticut. (Cellco 1, at 6-8, Tab 1 and Tab 6; Tr. at 51-52, 58-61).

II. PROCEDURAL BACKGROUND

On January 21, 2021, the Council conducted an evidentiary hearing and an evening public hearing on the Application. (Tr. at 4; Tr. (Evening) at 4). On January 5, 2021, Cellco posted a public notice sign along Jefferson Street near the proposed site access driveway. (Cellco 6.)

This Post-Hearing Brief is filed on behalf of the Applicant pursuant to Section 16-50j-31 of the Regulations of Connecticut State Agencies (“R.C.S.A.”). (Tr. (Evening) at 8). The brief evaluates the Application in light of the Council’s review criteria, as set forth in Section 16-50p of the Connecticut General Statutes and addresses other issues raised throughout the course of this proceeding.

III. FACTUAL BACKGROUND

A. Pre-Application History

Cellco is licensed to provide wireless services in the 700 MHz and 2100 MHz frequency ranges in Fairfield and throughout the State of Connecticut and plans to deploy both frequencies at the Plattsville Relo Facility. Cellco currently provides wireless service to the SHU campus and surrounding area from the existing Plattsville Facility, a rooftop installation on the Toussaint Hall dormitory. The Plattsville Facility currently interacts with Cellco’s existing Trumbull Center, Trumbull S3, Trumbull SW, North Bridgeport, Bridgeport NW, Fairfield, Fairfield South, Bridgeport NW 2 and Easton cell sites. (Cellco 1, pp. 6-8, Tab 6). The Plattsville Relo Facility will provide service comparable to the existing Plattsville Facility and provide additional service to those existing service gaps located to the north in the Towns of Easton and Trumbull. (Cellco 1, pp. 8-9; Cellco 4, Q 14 and Q 16).

In addition to the wireless service (coverage) benefits, the Plattsville Relo Facility will also provide much-needed capacity relief to Cellco's existing Bridgeport NW 2 cell site (Gamma sector antennas) and Fairfield South cell site (Alpha sector antennas) both of which are operating beyond their existing capacity limits. It is also important to note that the existing Plattsville Facility is currently operating at 200% of its existing capacity limits on the Gamma sector and 100% of capacity on the Alpha sector. (Cellco 1 at 8; Cellco 4 Q 19; Tr. at 75-77).

Before proposing to build a new tower, Cellco investigated the use of a number of existing building rooftops on the SHU main campus. None of the existing rooftops are of suitable height to meet the Plattsville Relo Facility service objectives. To satisfy Cellco's RF requirements, rooftop towers, extending 30 to 40 feet above the height of the building, would be required at each of the locations to provide service comparable to that provided by the existing Plattsville Facility. SHU made it clear to Cellco that it was not interested in the construction of a rooftop tower at any of the locations described. If a new tower must be constructed, Cellco attempts to identify sites where the construction of a tower would not be inconsistent with area land uses and where the visual impact of the facility could be reduced to the greatest extent possible. (Cellco 1, at 21-22, Tab 6, Tab 8 and Tab 9; Tr. at 54-55).

B. Local Contacts

Section 16-50l(e) of the Connecticut General Statutes, as amended, requires local input on matters before the Council. Cellco initially approached the Town of Fairfield in October of 2018, to discuss a possible tower site adjacent to a UI substation in the southerly portion of the SHU West Campus. Following this meeting, the First Selectman strongly urged Cellco and SHU to consider alternative tower locations on the SHU main campus. Cellco and SHU spent the next fourteen (14)

months exploring alternative tower locations and building rooftops on the SHU main campus.

On December 23, 2019, Cellco commenced a second municipal consultation process by reaching out to Fairfield's new First Selectwoman Brenda Kupchick and meeting with her Chief of Staff and the Fairfield Town Attorney to discuss the proposed tower site on the SHU main campus. At this meeting, Cellco discussed, in detail, the aspects of the proposed Plattsville Relo Facility, the need for the replacement wireless facility at SHU, the prior search for a tower site on the SHU West Campus and the Connecticut Siting Council application process. Cellco 1 at 21-22.

Cellco hosted Public Information Meeting ("PIM") for abutting neighbors of the proposed tower site on February 13, 2020. Notice of the PIM was published in the *Fairfield Citizen* on January 17, 2020 and was sent to twenty-three (23) abutting landowners in Fairfield and Bridgeport.

The PIM was attended by approximately ten (10) abutting landowners and two (2) members of the Fairfield Representative Town Meeting. Cellco discussed the need for the Plattsville Relo Facility and the Council's application process. Cellco also discussed the alternative cell site locations it had investigated to that point and agreed to pursue additional alternative tower locations suggested by the PIM attendees. (Cellco 1 at 21-22, Tab 8, Tab 17).

C. Tower Sharing

Cellco will design the Plattsville Relo Facility tower, foundation and compound to be shared by the Town and other wireless carriers, if a need exists. Just prior to the Council hearing representatives of T-Mobile contacted Cellco to express its interest in sharing the proposed tower and a desire to mount antennas at the 120-foot level. (Cellco 1, at 13; Tr. 1, at 25-26). This type of tower sharing arrangement would reduce, if not eliminate, the need for these other carriers or municipal entities to develop a separate tower in this same area in the future. Cellco would design

the tower and its foundation for an extension of the tower, up to 20 feet to accommodate future tenants. Cellco will also share its generator with the Town, providing its radio equipment with reliable back-up power. The Town of Fairfield has not expressed any interest in sharing the new tower. (Cellco 1, at 7-8, 13; Tr. 1, at 25-27).

C. The Plattsville Relo Facility Proposal

The Plattsville Relo Facility would be located within a 50' x 50' fenced compound (50' x 80' leased area) in the northwest corner of the Property. At the new proposed location, Cellco would construct a 130-foot self-supporting monopole tower. Cellco would install up to twelve (12) panel-type antennas and nine (9) RRHs on a triangular platform at the 130-foot level on the tower. Vehicular access to the site compound would extend from Jefferson Street over an existing paved driveway a distance of approximately 175 feet. Underground electric and telephone service will extend from an existing distribution pole immediately north of the tower site. (Cellco 1 at 1-2, 8-10, Tab 1; Tr. at 18-18).

Cellco would install its radio equipment, a 30-kW back-up generator and 500-gallon propane tank within the fenced compound. (Cellco 1 at 8-10, Tab 1). Cellco's equipment would be equipped with a silent intrusion and system alarms and will be monitored on a 24-hour basis to receive and to respond to incoming alarms or other technical problems. (Cellco 1 at 8-10, Tab 1).

IV. THE APPLICATION SATISFIES THE CRITERIA OF CONN. GEN. STAT. § 16-50P FOR ISSUANCE OF A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED

Section 16-50p of the Public Utility Environmental Standards Act ("PUESA"), Conn. Gen. Stat. § 16-50g *et seq.*, sets forth the criteria for Council decisions in Certificate proceedings and states, in pertinent part:

In a certification proceeding, the council shall render a decision upon the record either granting or denying the application as filed, or granting it upon such terms, conditions, limitations or modifications of the construction or operation of the facility as the council may deem appropriate The council shall file, with its order, an opinion stating in full its reasons for the decision. The council shall not grant a certificate, either as proposed or as modified by the council, unless it shall find and determine: (A) . . . a public need for the facility and the basis of the need; (B) The nature of the probable environmental impact . . . including a specification of every significant adverse effect . . . whether alone or cumulatively with other effects, impact on, and conflict with the policies of the state concerning the natural environment, ecological balance, public health and safety, scenic, historic and recreational values, forests and parks, air and water purity and fish . . . and wildlife; (C) Why the adverse effects or conflicts referred to in subparagraph (B) of this subdivision are not sufficient reason to deny the application

Conn. Gen. Stat. § 16-50p(a).

Under Section 16-50p, the Applicant must satisfy two key criteria in order for the Application to be granted and for a Certificate to issue. First, the Applicant must demonstrate that there is a “public need for the facility.” Conn. Gen. Stat. § 16-50p(a)(3)(A). Second, the Applicant must identify “the nature of the probable environmental impact” of the proposed facility through review of the elements specified in Conn. Gen. Stat. § 16-50p(a)(3)(B), and then demonstrate that these impacts “are not sufficient reason to deny the application.” Conn. Gen. Stat. § 16-50p(a)(3)(C). The evidence in the record for this docket establishes that the above criteria have been satisfied and that the Applicant is entitled to a Certificate.

A. A Public Need Exists for a Plattsville Relo Facility

As noted in the Application, the FCC recognizes that a public need exists, on a national basis, for high quality mobile telephone service. Through the Federal Telecommunications Act of 1996 (the “Telecommunications Act”) Congress recognized an important nationwide public need for high quality personal wireless telecommunications services of all varieties. The Telecommunications Act also expressly promotes competition and seeks to reduce regulation in all

aspects of the telecommunications industry to foster lower prices for consumers and to encourage the rapid deployment of new telecommunications technologies. (Cellco 1 at 4-6; Council Adm. Notice 4).

In 2009, President Obama issued Presidential Proclamation 8460, in which “cellular phone towers” were identified as critical infrastructure vital to national security. (Cellco 1 at 5; Council Adm. Notice 11). The same year, the United States Congress directed the FCC to develop a national broadband plan to ensure that every American has access to (wireless) broadband capability. The FCC released Connecting America: The National Broadband Plan (the “Broadband Plan”) a year later, which recognized broadband as a “foundation for economic growth, job creation, global competitiveness and a better way of life.” One of the Plan’s goals for 2020 is for the United States to “lead the world in mobile innovation, with the fastest and most extensive wireless networks of any nation.” (Cellco 1 at 4-6; Council Adm. Notice 20).

The proposed Plattsville Relo Facility would be part of Cellco’s expanding wireless telecommunications network envisioned by the Telecommunications Act and the Broadband Plan and has been developed to help meet these nationwide goals. In particular, Cellco’s system has been designed, and the cell site proposed in this Application has been selected to provide, at a minimum, coverage and service comparable to that which Cellco enjoy from its existing Toussaint Hall rooftop facility. The proposed Plattsville Relo Facility provides the additional benefit of expanding wireless coverage to significant gaps in service the occur in the Towns of Easton and Trumbull to the north of SHU. (Cellco 1, at 4-6). Cellco will deploy 700 MHz and 2100 MHz frequencies at the Plattsville Relo Facility. Additional frequencies may be deployed as capacity requirements in the area grow. (Cellco 1 at 6- 7; Cellco 4, Q. 14 and Q19).

The record contains ample, written evidence and testimony that Cellco's antennas at a height of 130 feet AGL at the Plattsville Relo Facility would allow Cellco to satisfy its wireless service objectives in northeast Fairfield and portions of the surrounding towns. (Cellco 1 at 7, Tab 6).

Principally, the proposed Plattsville Relo Facility would provide reliable wireless service to the SHU main campus, the commercial and residential areas around the SHU campus, Fairchild Wheeler golf course and the Merritt Parkway and would fill significant gaps in service to the north in Easton and Trumbull. (Cellco 1 at 7, Tab 1 and Tab 6). The Plattsville Relo Facility will maintain an overall coverage footprint of 4.9 square miles at 700 MHz; 4.0 square miles at 850 MHz; 0.76 square miles at 1900 MHz and 0.63 square miles at 2100 MHz. The Plattsville Relo Facility will also provide capacity relief to Cellco's existing Bridgeport NW2 and Fairfield South cell sites which is currently operating well beyond their existing capacity limits. (Cellco 1 at 9, Tab 6).

B. The Nature of Probable Environmental Impacts are not Sufficient Reasons to Deny the Application

The Docket No. 495 record demonstrates that the probable environmental impacts of the Plattsville Relo Facility are not sufficient reason to deny the Application.

1. Natural Environment and Ecological Balance

The proposed development of the Plattsville Relo Facility has eliminated, to the extent possible, impacts on the natural environment. All facility improvements would be located within a 50' x 50' fenced compound. Access to the tower site would extend from Jefferson Street over an existing paved driveway, a distance of approximately 175 feet. Only one tree, an 18-inch Norway Spruce located near the southeast corner of the facility compound, will need to be

removed. Minimal grading and no blasting will be required for construction of the facility compound and gravel portion of the access drive. (Cellco 1 at 1-2, Tab 1; Cellco 4, Q. 9 and Q. 10). Overall, development of the Plattsville Relo Facility would have a negligible impact on the physical environment of the Property. No evidence to refute this conclusion was presented to the Council.

2. Public Health and Safety

Cellco has considered several factors in determining that the nature and extent of potential public health and safety impacts resulting from installation of the Plattsville Relo Facility would be minimal or nonexistent.

First, the potential for the facility tower to fall does not pose an unreasonable risk to health and safety. The approved tower would be designed and built to meet Telecommunications Industry Association (TIA) standards. The closest off-site residence is located approximately 275 feet to the north of the proposed tower site. (Cellco 1 at 15).

Second, worst-case potential public exposure to Radio Frequency (“RF”) emissions from the proposed facility would be 47.01% of the FCC Safety Standards. (Cellco 1, at 18, Tab 1, p. 8, Tab 15).

If approved, the Cellco will design the facility tower and compound to be shared by up to three additional wireless carriers and the Town, if a need exists. This type of tower sharing arrangement would reduce, if not eliminate, the need for other carriers, the Town or other emergency service entities to develop a separate tower in this same area in the future. As of the close of the record, only T-Mobile has expressed an interest in sharing the proposed tower. (Cellco 1 at 12-13, Tab 1; Tr. at 25-27).

Overall, the nature and extent of potential, adverse public health and safety impacts resulting from construction and installation of the Plattsville Relo Facility would be minimal or nonexistent. The public safety benefits, however, would be substantial. No evidence to refute these conclusions was presented to the Council.

3. Scenic Values

Cellco submitted a Visual Assessment & Photo-Simulations prepared by All-Points Technology Corporation (“APT”) as a part of the Application (the “Visual Report”). Prior to preparing its Visual Report, APT conducted balloon floats and extensive field reconnaissance to obtain photographs for use in the Visual Report. APT presented photo documentation from 42 different locations around the proposed cell site. According to the Visual Report, the area where the monopole tower would be visible above the tree canopy comprise approximately 26 acres, less than one percent of the two-mile radius (8,042 acre) study area. Year-round visibility of the Plattsville Relo Facility tower is limited to locations within approximately 0.4 miles of the tower. Areas where seasonal views (including views through trees in the winter months) would comprise approximately 49 additional acres, less than one percent of the 8,042-acre study area. Cellco is also willing to explore opportunities to disguise the proposed tower to reduce its overall visual impact. (Cellco 1 at 14-15, Tab 9A and Tab 9B; Cellco 4 Q. 26 and Q. 27; Tr. 1 at 30-34). Finally, there are no schools or commercial daycare facilities located within 250 feet of the facility. (Cellco 1, Tab 9).

4. Historical Values

Cellco has completed a Preliminary Historic Resources Determination for the Plattsville Relo Facility which reveals that there is one resource, the Merritt Parkway, a National Scenic Byway, that is located within one-half mile of the proposed Plattsville Relo Facility. Based on the

results of a visual assessment, isolated, primarily seasonal views, from select locations may occur of the proposed tower. (Cellco 1 at 17, Tab 9A, Tab 9B and Tab 13; Cellco 4, Q. 25; Tr. 1 at 30-32).

5. Recreational Values

There are no recreational activities or facilities on the Property or in the vicinity of the Property that would be adversely impacted by development of the Plattsville Relo Facility. (Cellco 1, Tab 1, Tab 9A and Tab 9B).

6. Forests and Parks

There is no State or local forests or park land that will be adversely impacted by the proposed Plattsville Relo Facility tower. (Cellco 1, Tab 9). No evidence to refute this conclusion was presented to the Council.

7. Agriculture

No “Prime” nor “Statewide Important” farmland soils exist on the Property. (Cellco 1 at 17- 18, Tab 14).

8. Air and Water Quality

a. Air Quality.

Under normal operating conditions, the Cellco equipment at the Plattsville Relo Facility would generate no air emissions. During power outage events and periodically for maintenance purposes, Cellco would utilize a diesel-fueled generator to provide emergency back-up power. Cellco’s back-up generator will be managed to comply with the “permit by rule” criteria established by the Connecticut Department of Energy and Environmental Protection (“DEEP”) Bureau of Air Management pursuant to R.C.S.A. § 22a-174-3b, and therefore is exempt from general air permit requirements. (Cellco 1 at 23, Tab 1, at 7).

b. Water Quality.

The proposed Plattsville Relo Facility would not utilize water, nor would it discharge substances into any surface water, groundwater, or public or private waste water disposal system. Dean Gustafson, Professional Soil Scientist with APT, conducted a field investigation and completed a wetlands survey for the Plattsville Relo Facility application. The proposed Plattsville Relo Facility would be located approximately 23 feet to the north, and down-gradient, of a small man-made stormwater basin. Due to the nature and function of this man-made wetland and because the tower site is located down-gradient of the wetland, Cellco does not anticipate that the construction of the Plattsville Relo Facility will adversely impact this wetland area. (Cellco 1, at 23, Tab 1 at 7 and Tab 11).

9. Fish and Wildlife

As a part of its National Environmental Policy Act (“NEPA”) Checklist, Cellco has reviewed the proposed Plattsville Relo Facility for compliance with the U.S. Department of Interior, Fish and Wildlife Service (“USFWS”) and the Connecticut Department of Energy and Environmental Protection (“DEEP”) impact requirements related to federal and State listed threatened or endangered species, including migratory birds in order to determine if the proposed facility would have an adverse effect on these species. According to the Preliminary USFWS, Migratory Birds and NDDDB Compliance Determination dated November 15, 2017, one (1) federally listed “threatened” species, the *Northern Long-Eared Bat* (NLEB) may occur in Fairfield, Connecticut. The Plattsville Relo Facility would be located in a wooded area adjacent to an open pasture, requiring minimal tree clearing, the proposed Plattsville Relo Facility is not likely to adversely affect an NLEB. In addition, the Plattsville Relo Facility will also comply with the USFWS recommended guidelines for reducing impacts to migratory birds. Finally, according to

the DEEP, no State-listed species are known to occur in the vicinity of the proposed Plattsville Relo Facility. (Cellco 1 at 16, Tab 10).

C. The Application Should Be Approved Because The Benefits Of The Proposed Facility Outweigh Any Potential Impacts

Following a determination of the probable environmental impacts of the Plattsville Relo Facility site, Conn. Gen. Stat. § 16-50p requires that the Applicant demonstrate why these impacts “are not sufficient reason to deny the Application.” Conn. Gen. Stat. § 16-50p(a)(3). The record establishes that the impacts associated with the proposal would be limited and outweighed by the benefits to the public from the proposed facility and, therefore, requires that the Council approve the Application.

As discussed above, the only potential adverse impact from the proposed tower involves “scenic values.” As the record overwhelmingly demonstrates, the Plattsville Relo Facility would have minimal impacts on scenic values in the area. (Cellco 1, Tab 9). These limited aesthetic impacts may be, and in this case are, outweighed by the public benefit derived from the establishment of the facility. Unlike many other types of development, telecommunications facilities do not cause indirect environmental impacts, such as increased traffic and related pollution. The limited aesthetic and environmental impacts of either alternative site can be further mitigated by the sharing of the facility.

In sum, the potential environmental impacts from the Plattsville Relo Facility would be minimal when considered against the benefits to the public. These impacts are insufficient to deny the Application. The site, therefore, satisfies the criteria for a Certificate pursuant to Conn. Gen. Stat. § 16-50p, and the Applicant’s request for a Certificate should be granted.

V. CONCLUSION

Based on the overwhelming evidence in the record, the Applicant has established that there is a need for a Plattsville Relo Facility and that the environmental impacts associated with the Application would be limited and outweighed by the benefits to the public from the proposed facility and, therefore, requires that the Council approve the Application. Therefore, the Council should approve the Application as submitted.

Respectfully submitted,
CELLCO PARTNERSHIP d/b/a VERIZON
WIRELESS



By: _____

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