



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

March 14, 2022

Lucia Chiocchio, Esq.
Cuddy & Feder, LLP
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RE: **DOCKET NO. 499** – Homeland Towers, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 16 Coote Hill Road, Sherman, Connecticut.

Dear Attorney Chiocchio:

At a public meeting of the Connecticut Siting Council (Council) held on March 10, 2022, the Council considered and approved the Development and Management (D&M) Plan submitted for this facility on February 1, 2022 with the condition that prior to commencement of construction activities, Homeland Towers, LLC submit written authorization from the Department of Energy and Environmental Protection (DEEP) Stormwater Division that the hand-felling of trees to comply with the DEEP clearing restriction protective of two state-listed bat species can be conducted prior to the issuance of the DEEP General Permit.

This approval applies only to the D&M Plan submitted on February 1, 2022, and additional information received on February 15, 2022. Requests for any changes to the D&M Plan shall be approved by Council staff in accordance with Regulations of Connecticut State Agencies (RCSA) §16-50j-77(b).

Furthermore, the Certificate Holder is responsible for compliance with the reporting requirements under RCSA 16-50j-77, including:

1. Notification of commencement of construction;
2. Quarterly construction progress reports;
3. Notification of completion of construction and commencement of operation; and
4. Final report.

Please be advised that deviations from the approved D&M Plan and non-compliance with the D&M Plan reporting requirements are enforceable under Connecticut General Statutes § 16-50u.

Enclosed is a copy of the staff report for this D&M Plan, dated March 10, 2022.

Thank you for your attention and cooperation.

Sincerely,

Melanie A. Bachman
Executive Director

MAB/RDM/lm

Enclosure: Staff Report, dated March 10, 2022



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Docket No. 499
Homeland Towers, LLC
16 Coote Hill Road, Sherman

Development and Management Plan
Staff Report
March 10, 2022

On August 27, 2021, the Connecticut Siting Council (Council) issued a Certificate of Environmental Compatibility and Public Need to Homeland Towers, LLC (Homeland) for the construction, maintenance, and operation of a 170-foot wireless telecommunications facility at 16 Coote Hill Road in Sherman, Connecticut. As required in the Council's Decision and Order (D&O), Homeland submitted a Development and Management (D&M) Plan to the Council on February 1, 2022. Copies of the D&M Plan were also submitted to the service list, property owner and Town of Sherman (Town). The Council has not received any comments regarding the D&M Plan to date.

The Council submitted interrogatories to Homeland on February 4, 2022. Homeland submitted responses to the interrogatories on February 15, 2022.

The tower site is located on a forested hillside in the southern portion of a 19.87-acre Farm Residence zoned parcel at 16 Coote Hill Road. The host parcel is developed with a residence that is accessed from Coote Hill Road, a private road that extends from Route 37.

Consistent with the Council's D&O, Homeland will construct a 170-foot monopole designed in accordance with the EIA/TIA Structural Standards for Steel Antenna Towers and Antenna Supporting Structures-Revision H. The monopole is designed to support four levels of platform-mounted antennas, and municipal/emergency communication whip antennas.

The nearest property boundary from the proposed tower is approximately 102 feet to the southwest. In accordance with D&O Condition 2(c), the tower is designed with a yield point at 90 feet to ensure that the tower setback radius remains within the boundaries of the subject property.

New Cingular Wireless PCS, LLC (AT&T) will install 6 panel antennas and 9 remote radio heads on an antenna platform at a tower centerline height of 166 feet. The Town will install two, 22-foot municipal whip antennas and a microwave dish at the top of the tower for use by its Public Works Department and Fire Department. Litchfield County Dispatch will install two whip antennas at the 100-foot level of the tower.

The tower will have a galvanized gray finish. All antennas and mounting equipment will be painted to match the tower color.

Homeland will construct an approximately 48-foot by 50-foot equipment compound at the site within a 75-foot by 75-foot lease area. The compound will be enclosed by an eight-foot high chain link fence. Electrical meter equipment and a transformer will be installed outside of the perimeter fence, protected by bollards.

Within the compound, AT&T will install an 8.6-foot by 8.6-foot walk in equipment cabinet on a concrete pad within the compound. Emergency power for AT&T's equipment will be from a 15-kilowatt propane generator and an associated 500-gallon above ground fuel tank located within the compound.

The Town and LCD's radio equipment would be installed in a small cabinet within a 10-foot by 10-foot compound equipment area. Both the Town and LCD would have a battery system to supply backup power.

Access to the tower/compound will utilize an existing gravel driveway on the property that extends from Coote Hill Road. From the driveway a new 1,625-foot gravel driveway would be constructed along the northeast property line, before turning southeast through the interior of the property to the tower site. Utilities will be installed underground along the edge of the existing and new gravel drive, connecting to an existing utility pole on Coote Hill Road.

The access drive will cross two intermittent watercourses/wetland areas at their narrowest point using pipe culvert crossings installed in accordance with natural stream crossing design standards/guidelines from the U.S. Army Corps of Engineers (USACE) and the Department of Energy and Environmental Protection (DEEP). During construction, temporary matting would be used at the crossing locations to mitigate wetland/watercourse impacts. Stone check dams will also be installed to control stormwater flowing downhill towards the wetland/watercourses during construction of the access drive. The site plans include a Petroleum Materials Storage and Spill Plan which specifies refueling of vehicles at a minimum of 100 feet from wetlands, and spill response, cleanup, and reporting procedures.

The total area of disturbance is approximately 1.54 acres, and thus, requires a DEEP-issued Stormwater Permit. Pursuant to CGS Section 22a-430b, Homeland filed for a DEEP General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities (GP) on February 3, 2022. Homeland does not anticipate changes to the stormwater management design which consists of stormwater control swales, trenching, wetland/watercourse crossings, and controlled discharge points. In compliance with D&O Condition 2(a) Homeland will submit a copy of the GP to the Council once it is issued.

The GP authorization must be issued prior to construction activity¹ at the site. If the D&M Plan is approved by the Council, Homeland intends to immediately proceed with the hand felling of trees at the site in order to comply with a DEEP Natural Diversity Database (NDDDB) tree clearing restriction of April 1 to October 31 to protect two State-listed bats species that may use the forested areas of the site as habitat. Homeland interprets the GP's definition of "construction activity" as excluding the hand felling of trees as no mechanical equipment would be used that would disturb soils. Once the GP is issued, Homeland would proceed to use mechanical equipment to remove the hand felled trees and begin grubbing operations.

Construction of the site will disturb 1.54 acres of forest. The disturbed areas of the site will be restored using a wetland seed mix or an upland seed mix depending on location. Stumps and excess cut/unusable organics will be removed from the host property.

Erosion and sedimentation controls will comply with the *2002 Connecticut Guidelines for Soil Erosion and Sedimentation Control*. In compliance with D&O Condition 2(e) Homeland included a Wetland/Watercourse Protection Plan that includes an independent environmental compliance monitor to ensure erosion and sedimentation control measures are installed and maintained and to ensure temporary wetland crossing measures are adhered to.

In accordance with D&O Condition No. 2(f) Homeland investigated the potential use of prefabricated concrete open bottom box culverts at the watercourse crossing areas but given the minimal water flow at the crossing areas, the lack of well-defined stream channels, the absence of fish habitat, and the greater

¹ Construction activity as defined in the GP, means *any activity and discharges associated with construction at a site or the site's preparation for construction, including, but not limited to, clearing, grubbing, pile driving, soil disturbance, soil compaction by construction equipment, staging and stockpiling, cleaning and washout, grading, excavation, and dewatering.*

construction impact, the pipe culvert crossings would have less of an environmental impact than the box culvert crossings.

The NDDDB identified four State special concern species that may occur at the site: little brown bat, red bat, eastern box turtle and eastern hognose snake. In compliance with D&O Condition 2(g) Homeland developed a species protection plan in accordance with DEEP's recommendations that would include contractor education, isolation barriers, sweeps of the work areas by the environmental monitor, and a tree clearing restriction of April 1 to October 31 for the two bat species. In addition, Homeland will use natural fiber erosion control materials to reduce the potential for small animals from being entangled in mesh netting.

In compliance with D&O Condition 2(h), in order to maintain the high-quality nature of the forest around the construction area, Homeland will implement an invasive species control plan that includes measures to reduce importation of invasives into the site and the monitoring of restored areas of the site for a period of two years. Any invasives identified in the restored areas will be removed.

In compliance with D&O Condition 2(i) Homeland developed a traffic management plan that includes construction traffic signs and construction cones where Coote Hill Road intersects with Route 37, and the use of a flagger when necessary. Homeland reached an agreement with the owner of Coote Hill Road for use of the private road. Homeland would limit construction vehicle traffic to weekdays.

In compliance with D&O Condition 2(j), Homeland provided a letter from State Historic Preservation Office (SHPO) dated April 12, 2021 that found no properties within one mile of the project area that are listed or formally determined to be eligible for listing on the National Register of Historic Places or State Register of Historic Places. Additionally, field surveys of the site found no areas that were suitable for containing intact archaeological deposits. Therefore, no additional archeological investigations of the project area are warranted and no historic properties will be affected by project.

Construction hours will be from 8 AM to 5 PM, Monday through Friday. Construction of the site will take approximately 12 weeks.

The cumulative worst-case radio frequency power density level for AT&T's, the Town's and LCD's antennas at the base of the tower will be 6.6 percent of the FCC's General Public/Uncontrolled Maximum Permissible Exposure limit taking into account a 10 dB off-beam pattern loss to account for the relative gain below the antennas.

The D&M Plan is consistent with the Council's D&O for Docket No. 499.