

CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS

Connecticut Siting Council

APPLICATION OF CELLCO PARTNERSHIP
D/B/A VERIZON WIRELESS

TOWN OF KENT

KENT FACILITY

DOCKET NO. _____

NOVEMBER 9, 2007



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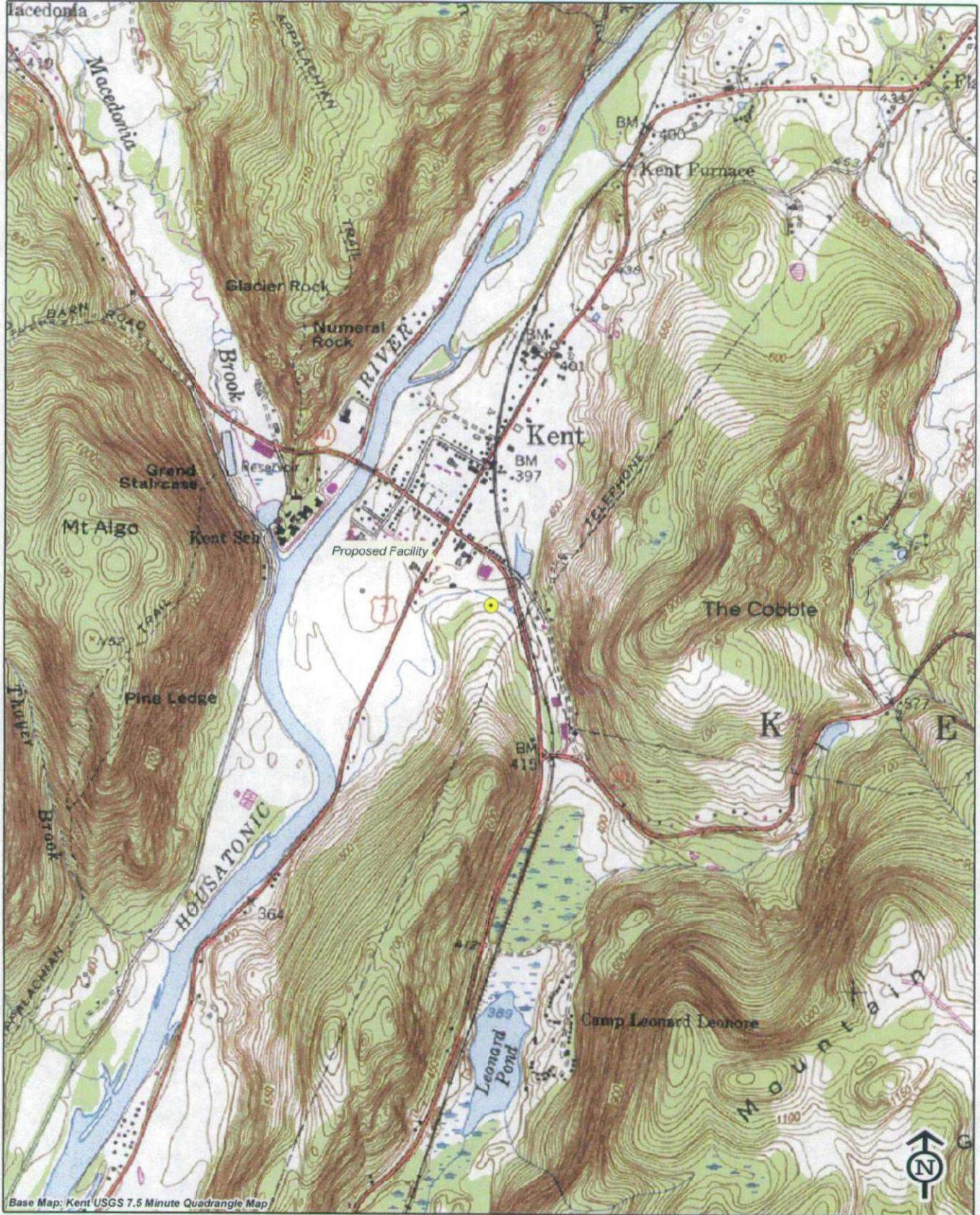
LIST OF ATTACHMENTS

1. Kent Facility – Factual Summary and Project Plans
2. Connecticut Siting Council Application Guide
3. Certificate of Service of Application on Government Officials and List of Officials Served
4. Legal Notice in the *Waterbury Republican-American*
5. Notice to Landowners; List of Abutting Landowners; Certificate of Service
6. Federal Communications Commission Authorization
7. Coverage Maps – Location of Proposed and Surrounding Cell Sites
8. Antenna and Equipment Specifications
9. Site Search Summary
10. Visual Impact Evaluation Report
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12. Wetland Impact Report and Soils Report
13. Federal Airways & Airspace Summary Report
14. Lease Agreement between Cellco Partnership and the Town of Kent

EXECUTIVE SUMMARY

Cellco Partnership d/b/a Verizon Wireless (“Cellco”) proposes to construct a telecommunications tower and related facility on an approximately 10.19-acre parcel owned by the Town of Kent (the “Town”) located at 38 Maple Street (Route 341) in the Town of Kent, Connecticut (the “Kent Facility”). The property is the location of the Town’s Public Works Garage and Solid Waste Transfer Station. The Kent Facility will provide much needed coverage in the central portion of the Town, particularly along the Routes 7 and 341, as well as local roads in the area.

At this site Cellco intends to construct a 150-foot monopole tower. At the top of the tower Cellco will install twelve panel-type Personal Communication Service (“PCS”) antennas. Cellco would also install a 12’ x 30’ equipment shelter located near the base of the tower to house its radio equipment and a back-up generator. Access to the Kent Facility would extend from Maple Street (Route 341) over an existing paved driveway, a distance of approximately 220 feet to the cell site.



Base Map: Kent USGS 7.5 Minute Quadrangle Map



Vanasse Hangen Brustlin, Inc.

Topographic Base Map
Proposed Verizon Wireless
Telecommunications Facility
38 Maple Street
Kent, Connecticut



Quadrangle Location





Source: 2006 Aerial Photograph



Quadrangle Location

Vanasse Hangen Brustlin, Inc.

**Aerial Photograph
 Proposed Verizon Wireless
 Telecommunications Facility
 38 Maple Street
 Kent, Connecticut**



**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

IN RE: :
 :
APPLICATION OF CELLCO PARTNERSHIP : **DOCKET NO. ____**
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 AT 38 :
MAPLE STREET, KENT, CONNECTICUT : **NOVEMBER 9, 2007**

**APPLICATION FOR CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED**

I. INTRODUCTION

A. Authority and Purpose

This Application and the accompanying attachments (collectively, the “Application”) is submitted by Cellco Partnership d/b/a Verizon Wireless (“Cellco” or the “Applicant”), pursuant to Chapter 277a, Sections 16-50g et seq. of the Connecticut General Statutes (“C.G.S.”), as amended, and Sections 16-50j-1 et seq. of the Regulations of Connecticut State Agencies (“R.C.S.A.”), as amended. The Application requests that the Connecticut Siting Council (“Council”) issue a Certificate of Environmental Compatibility and Public Need (“Certificate”) for the construction, maintenance, and operation of a wireless telecommunications facility, in the Town of Kent, Connecticut (the “Kent Facility”). The proposed Kent Facility would provide for much needed PCS coverage along State Routes 7 and 341, as well as local roads in the central portion of Kent. Cellco currently offers little or no wireless coverage at all in this area today.

What little coverage Cellco has in the area is from its existing Kent South cell site (Cellco antennas at the 160-foot level on a 180-foot tower at 136 Bulls Bridge Road in Kent). The proposed Kent Facility will provide reliable service to a 2.1 mile portion of Route 7, a 1.8 mile portion of Route 341 and an overall area of 3.5 square miles at PCS frequencies.

The Kent Facility would be located within a 50' x 80' leased area in the central portion of a 10.19 acre parcel located south of Maple Street (Route 341) in Kent (the "Property"). This site is located in the Town's Industrial zone district and is the site of the Town's Department of Public Works ("DPW") Maintenance Garage and Solid Waste Transfer Station. Cellco intends to construct a 150-foot self-supporting monopole telecommunications tower at the Property. At the top of the tower, Cellco would install a total of twelve (12) panel-type PCS antennas attached to a low profile antenna platform or T-Arms. The top of Cellco's antennas will extend to a height of approximately 153 feet above ground level ("AGL"), three (3) feet above the top of the tower. Equipment associated with the antennas would be located in a 12' x 30' shelter installed near the base of the tower. Access to the cell site would extend from Maple Street over an existing paved driveway, a distance of approximately 220 feet to the cell site. Both the tower and leased area will be designed to accommodate additional carriers. Prior to filing this Application, Cellco contacted representatives for Sprint/Nextel, T-Mobile and AT&T and alerted them of Cellco's plans to file this application. Sprint Nextel is interested in sharing the Kent Facility and intends to intervene in this proceeding. The Town of Kent also intends to install emergency service and municipal antennas on the proposed tower.

Cellco's equipment shelter would house radio and related equipment, including (a) receiving, transmitting, switching, processing and performance monitoring equipment; and (b) automatic heating and cooling equipment. A propane-fueled generator would also be installed

within a portion of the equipment building for use during power outages and periodically for maintenance purposes. The 1,000 gallon propane storage tank will be installed in the Kent Facility compound.

The tower and equipment shelter would be enclosed by an 8-foot high security fence and gate. Cellco's equipment building would be equipped with a silent intrusion and systems alarm and will be monitored on a 24-hour basis to receive and to respond to incoming alarms or other technical problems. The equipment building would remain unstaffed, except as required for maintenance. Once the cell site is operational, maintenance personnel will visit the cell site on a monthly basis. More frequent visits may be required if there are problems with the cell site equipment.

Included in this Application as Attachment 1 is a factual summary and project plans for the proposed Kent Facility. This summary, along with the other attachments submitted as part of this Application, contains all of the site-specific information required by statute and the regulations of the Council.

In accordance with Paragraph I(F) of the Council's "Application Guide" for Community Antenna Television and Telecommunication Towers, a copy of the Application Guide is included as Attachment 2. The Application Guide contains references to the specific pages of this Application and the attachments where the information required under Section VI of the Application Guide may be found.

B. The Applicant

Cellco is a Delaware Partnership with an administrative office located at 99 East River Drive, East Hartford, CT, 06108. Cellco is licensed by the Federal Communications Commission ("FCC") to operate a wireless telecommunications system in the State of Connecticut within the

meaning of C.G.S. Section 16-50i(a)(6). Operation of the wireless telecommunications systems and related activities are Cellco's sole business in the State of Connecticut.

Cellco has extensive national experience in the development, construction and operation of wireless telecommunications systems and the provision of wireless telecommunications service to the public.

Correspondence and/or communications regarding this Application may be addressed to:

Sandy Carter, Regulatory Manager
Verizon Wireless
99 East River Drive
East Hartford, Connecticut 06108

A copy of all such correspondence or communications should also be sent to the applicant's attorneys:

Robinson & Cole LLP
280 Trumbull Street
Hartford, Connecticut 06103-3597
(860) 275-8200
Attention: Kenneth C. Baldwin, Esq.

C. Application Fee

The estimated total construction cost for the Kent Facility would be less than \$5,000,000. Therefore, pursuant to Section 16-50v-1a(b) of the Regulations of Connecticut State Agencies, an application fee of \$1,000 accompanies this Application in the form of a check payable to the Connecticut Siting Council.

II. SERVICE AND NOTICE REQUIRED BY C.G.S. SECTION 16-50l(b)

Copies of this Application have been sent by certified mail, return receipt requested, to municipal, regional, state and federal officials, pursuant to C.G.S. Section 16-50l(b). A certificate

of service, along with a list of the parties served with a copy of the Application, is included as Attachment 3.

Notice of Cellco's intent to submit this Application was published on November 6 and 7, 2007, by Cellco in the *Waterbury Republican-American* pursuant to C.G.S. Section 16-50**l**(b). A copy of the published legal notice is included as Attachment 4. A copy of the publisher's affidavit or certificate of publication will be submitted to the Council as soon as it is available.

Attachment 5 contains a certification that notices were sent to each person appearing of record as an owner of property that may be considered to abut the Property in accordance with C.G.S. Section 16-50**l**(b), as well as a list of the property owners to whom such notice was sent and a sample notice letter.

III. REQUIRED INFORMATION: PROPOSED WIRELESS FACILITY

The purpose of this section is to provide an overview and general description of the wireless facility proposed to be installed at the Property.

A. General Information

Prior to the 1980's, mobile telephone service was characterized by insufficient frequency availability, inefficient use of available frequencies and poor quality of service. These limitations generally resulted in problems of congestion, blocking of transmissions, interference, lack of coverage and relatively high cost. Consequently, the FCC, in its Report and Order released May 4, 1981 in FCC Docket No. 79-318, recognized the public need for technical improvement, wide-area coverage, high quality service and a degree of competition in mobile telephone service.

More recently, the federal Telecommunications Act of 1996 (the "Act") emphasized and expanded on these aspects of the FCC's 1981 decision. Among other things, the Act recognized an important nationwide public need for high-quality wireless telecommunication services of all

varieties. The Act also expressly promotes competition and seeks to reduce regulation in all aspects of the telecommunications industry in order to foster lower prices for consumers and to encourage the rapid deployment of new telecommunications technologies.

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Cellco's proposed Kent Facility would be part of the expanding wireless telecommunications network envisioned by the Act and has been developed to help meet these nationwide goals. In particular, Cellco's system has been designed, and the cell sites proposed in this Application have been selected, so as to maximize the geographical coverage and quality of service while minimizing the total number of cell sites required.

Because the FCC and the United States Congress have determined that there is a pressing public need for high-quality wireless telecommunications service nationwide, the federal government has preempted the determination of public need by states and municipalities, including the Council, with respect to public need for the service to be provided by the proposed facility. In addition, the FCC has promulgated regulations containing technical standards for wireless systems, including design standards, in order to ensure the technical integrity of each system and nationwide compatibility among all systems. State and local regulation of these matters is likewise preempted. The FCC has also exercised its jurisdiction over and preempted state and local regulation with respect to radio frequency interference issues by establishing regulations in this area as well.

Pursuant to FCC authorizations, Cellco has constructed and currently operates a wireless system throughout Connecticut. This system, together with Cellco's system throughout its east coast and nationwide markets, has been designed and constructed to operate as one integrated, contiguous system, consistent with Cellco's business policy of developing compatibility and continuity of service on a regional and national basis.

Included as Attachment 6 is a copy of the FCC's authorization issued to Cellco for its wireless service in Litchfield County Connecticut. The FCC's rules permit a licensee to modify its system, including the addition of new cell sites, without prior approval by the FCC, as long as the licensee's authorized service area is not enlarged. The facility proposed in this Application would not enlarge Cellco's authorized service area.

B. Public Need and System Design

1. Public Need

As noted above, the Act has pre-empted any state or local determination of public need for wireless services. In Litchfield County, Cellco holds an FCC License to provide PCS service. Pursuant to its FCC Licenses, Cellco has developed and continues to develop a network of cell sites to serve the demand for wireless service in the area. Cellco's network currently provides very limited service in Kent provided by Cellco's existing cell site at 136 Bulls Bridge Road in Kent. Plots showing coverage from Cellco's Bulls Bridge Road ("Kent South") facility alone and together with the coverage from the proposed Kent Facility are included as Attachment 7.

2. System Design and Equipment

a. System Design

Cellco's wireless system in general and the proposed Kent Facility, in particular, have been designed and developed to allow Cellco to achieve and to maintain high quality, reliable wireless service without interruption from dropped calls and interference.

The system design provides for frequency reuse and hand-off, is capable of orderly expansion and is compatible with other wireless systems. The resulting quality of service compares favorably with the quality of service provided by conventional wireline telephone service. The wireless system is designed to assure a true cellular configuration of base transmitters and receivers

in order to cover the proposed service area effectively while providing the highest quality of service possible. Cell site transmissions are carefully tailored to the FCC's technical standards with respect to coverage and interference and to minimize the amount of power that is radiated.

Mobile telephone switching offices ("MTSOs") in Windsor and Wallingford are interconnected and operate Cellco's wireless systems in Connecticut as a single network, offering the subscriber uninterrupted use of the system while traveling throughout the State. This network is further interconnected with the local exchange company ("LEC") and inter-lata (long distance) carriers network.

Cellco has designed its wireless system in conformity with applicable standards and constraints for wireless systems. Cellco's system is also designed to minimize the need for additional cell sites in the absence of additional demand or unforeseen circumstances.

b. Cellular System Equipment

The key elements of the cellular system are the two MTSOs located in Windsor and Wallingford and the various connector cell sites around the state. Cellco's CDMA wireless networks are deployed on two platforms: the earlier AUTOPLEX system, using Series II base stations, and the newer FLEXENT CDMA system, using smaller, more compact modular base stations. Because the Series II base stations are no longer manufactured, the newer CDMA systems, using smaller, more compact modular base stations are used for all current installations.

The major electronic components of each cell site are radio frequency transmission and receiving equipment and cell site controller equipment. Cellco's cellular system uses Lucent Flexent® Modular Cell 4.0B cell site equipment to provide complete cell site control and performance monitoring. This equipment is capable of expanding in modules to meet system growth needs. The cell site equipment primarily provides for: message control on the calling

channel; call setup and supervision; radio frequency equipment control; internal diagnostics; response to remote and local test commands; data from the mobile or portable unit in both directions and on all channels; scan receiver control; transmission of power control commands; rescanning of all timing; and commands and voice channel assignment. Additional information with respect to the Lucent Flexent® Modular Cell 4.0B equipment is contained in Attachment 8.

3. Technological Alternatives

Cellco submits that there are no equally effective technological alternatives to the proposal contained herein. In fact, Cellco's wireless system represents state-of-the-art technology offering high-quality service. Cellco is aware of no viable and currently available alternatives to its system design for carriers licensed by the FCC.

C. Site Selection and Tower Sharing

1. Cell Site Selection

Cellco's goal in selecting cell sites such as the one proposed here is to locate its facility in such a manner as to allow it to build and to operate a high-quality wireless system with the least environmental impact. Cellco has determined that the proposed Kent Facility will satisfy this goal and is necessary to resolve existing significant coverage problems and to provide high-quality reliable service along portions of Routes 7 and 341, as well as local roads in Kent.

The methodology of cell site selection for Cellco's wireless system generally limits the search for possible locations to a specific area on the overall grid for the area. A list of existing towers or other non-tower structures considered is included in Attachment 9. Cellco currently shares the existing Spectrasite tower at 136 Bulls Bridge Road in Kent. (See Attachment 7). This existing site cannot resolve the significant coverage problems in the Kent town center area, particularly along Routes 7 or 341. Cellco also regularly investigates the use of existing, non-tower

structures in an area as an alternative to building a new tower. No existing non-tower structures of suitable height exist in Kent. The site search summary together with the site information contained in Attachment 1 support Cellco's position that the site selected represents the most feasible alternative of the sites investigated. Another unique aspect of the site search in Kent was the Town's participation in the process. Once Cellco became aware of the Town's interest in siting a telecommunications facility at the Property, Cellco worked closely with the Town toward that end.

2. Tower Sharing

Cellco will design the Kent Facility tower and compound area so that it could be shared by a minimum of four carriers and the Town. This type of tower sharing arrangement would reduce, if not eliminate, the need for these other carriers to develop a separate tower in this same area in the future. As mentioned above, Sprint Nextel is interested in sharing the Kent Facility and intends to intervene in this docket. As of the date of this filing, no other carrier has expressed any interest in the Kent Facility.

The Town of Kent has asked Cellco to reserve space on the tower for its municipal and emergency service antennas and Cellco has agreed to do so at no cost to the Town. Cellco has also agreed to make ground space in the facility compound available to the Town.

D. Cell Site Information

1. Site Facilities

At the Kent Facility, Cellco would construct a new 150-foot tall tower and install twelve (12) panel-type directional antennas at the top of the tower. The top of Cellco's antennas would extend to a height of approximately 153 feet AGL. Cellco would install a 12' x 30' single-story equipment shelter near the base of the tower to house Cellco's receiving, transmitting, switching, processing and performance monitoring equipment and the required heating and cooling equipment.

A propane-fueled back-up generator would be installed within a segregated room in Cellco's equipment shelter for use during power outages and periodically for maintenance purposes. The 1,000 gallon propane tank would be located in the southwesterly portion of the site compound. The tower, equipment shelters and propane tank would be surrounded by an 8-foot high security fence and gate. (See Attachment 1).

The equipment shelter would be equipped with silent intrusion and systems alarms. Cellco personnel will be available on a 24-hour basis to receive and to respond to incoming alarms. The equipment building will remain unstaffed, except as required for periodic maintenance purposes.

2. Overall Costs and Benefits

Aside from the limited visual impacts discussed further below, Cellco believes that there are no significant costs attendant to the construction, maintenance, and operation of the proposed cell site. In fact, the public will benefit substantially from its increased ability to receive high-quality, reliable wireless service in Kent.¹ The Kent Facility would be a part of a communications system that addresses the public need identified by the FCC and the United States Congress for high-quality, competitive mobile and portable wireless service. Moreover, the proposed cell site would be part of a system designed to limit the need for additional cell sites in the future.

The overall costs to Cellco for development of the proposed cell site are set forth in Section III.E. of the Application.

¹ Businesses across the State have become more dependent on wireless telecommunication services. The public safety benefits of wireless telephone service are illustrated by the improved Connecticut State Police 911 emergency calling system. The 911 emergency calling system is available statewide to all wireless telephone users. Numerous other emergency service organizations have turned to wireless telephone service for use during natural disasters and severe storms when wireline service is interrupted or unavailable. As a deterrent to crime, the general public will further benefit from the Cellular Telecommunications Industry Association's donation of more than 50,000 cellular phones to "Neighborhood Watch" groups nationwide.

3. Environmental Compatibility

Pursuant to Section 16-50p of the General Statutes, in its review of the Application, the Council is required to find and to determine, among other things, the nature of the probable environmental impact, including a specification of every significant adverse effect of the Kent Facility, whether alone or cumulatively with other effects, on, and conflicting 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.

a. Primary Facility Impact is Visual

The wireless system of which the proposed Kent Facility would be a part has been designed to meet the public need for high-quality, reliable wireless service while minimizing any potential adverse environmental impact. In part because there are few, if any other adverse impacts, the primary impact of facilities such as this is visual. This visual impact will vary from location to location around a tower, depending upon factors such as vegetation, topography, the distance of nearby properties from the tower and the location of buildings and roadways in a “sight line” toward the tower. Similarly, visual impact of a tower facility can be further reduced through the proper use of alternative tower structures; so-called “stealth installations.” Where appropriate, telecommunications towers camouflaged as trees, flagpoles, and bell towers, to name a few, can help to further reduce visual impacts associated with these structures. While not proposed in this Application, the Council may determine that some type of stealth installation may be appropriate at this site. Attachment 10 contains a detailed Visual Resource Evaluation Report, prepared by VHB, Inc. (the “VHB Report”) that assesses the visual impact of the proposed tower and includes photosimulations of the tower at this site for the Council’s consideration. Overall, VHB concludes that areas where the tower would be visible above the tree canopy are limited to approximately 73

acres, or less than 1% of the 8,042-acre study area. Much of the visibility associated with the Kent Facility occurs within the immediate vicinity of the cell site, typically within ¼ mile. Year round views may be possible from ten residential properties within the study area. Seasonal views of the tower are limited to an additional 62 acres of the study area.

There appear to be nine single-family residences and two multi-family residential complexes within 1,000 feet of the Kent Facility. The closest single-family residence is located approximately 500 feet to the east. A building in the South Common residential complex to the south is within approximately 400 feet of the tower site.

Weather permitting, Cellco will raise a balloon with a diameter of at least three (3) feet at the proposed cell site on the day of the Council's hearing on this Application, or at a time otherwise specified by the Council.

b. Environmental Reviews and Agency Comments

Section 16-50j of the General Statutes requires the Council to consult with and to solicit comments on the Application from the Commissioners of the Departments of Environmental Protection, Public Health, Public Utility Control, Economic Development, and Transportation, the Council on Environmental Quality, and the Office of Policy and Management, Energy Division. In addition to the Council's solicitation of comments, Cellco, as a part of its National Environmental Policy Act ("NEPA") Checklist, solicits comments on the proposed facility from the U.S. Department of the Interior, Fish and Wildlife Service ("USFWS"), Environmental and Geographic Information Center of the Connecticut Department of Environmental Protection ("DEP") and the Connecticut Historical Commission, State Historic Preservation Officer ("SHPO"). USFWS and DEP comments regarding impacts on known populations of Federal or State Endangered, Threatened or Special Concern Species occurring at the proposed site are included in Attachment

11. In a comment letter dated July 18, 2007, the DEP stated that the NDDB indicated that a State Special Concern Species, *Northern Parula*, “occurs in the vicinity of the project”. VHB, Inc. performed a site investigation for the northern parula and did not find suitable habitat for this species at the Property. A formal report on this issue was filed with DEP and is included in Attachment 11. Also included in Attachment 11 is a letter from the SHPO confirming that the Kent Facility will have no adverse effect on cultural resources listed or eligible for listing on the National Register of Historic Places.

This review by state administrative agencies furnishes ample expert opinion on the potential environmental impacts from the Kent Facility, in the context of the criteria which the Council must consider.

c. Non-Ionizing Radio Frequency Radiation

The FCC has adopted a standard for exposure to Radio Frequency (“RF”) emissions from telecommunications facilities like the one proposed in this Application. To ensure compliance with the applicable standards, Cellco has performed maximum power density calculations for the proposed cell site according to the methodology prescribed by the FCC Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997) (“OET Bulletin 65”). The calculation is a conservative, worst-case approximation for RF power density levels at the closest accessible point to the antennas, in this case the base of the tower, and with all antennas transmitting simultaneously on all channels at full power. The calculations indicate that the maximum power density level for Cellco antennas would be 2.46% of the Standard at the Kent Facility.

d. Other Environmental Issues

No sanitary facilities are required for the Kent Facility. The operations at the proposed site will not cause any significant air, water, noise or other environmental impacts, or hazard to human health.

Based on agency comments received and field investigations by Cellco's project team, Cellco submits that the proposed facility will have no significant adverse effect on scenic, natural, historic or recreational features, and that none of the potential effects from the Kent Facility alone or cumulatively with other effects is sufficient reason to deny this Application.

4. Consistency with Local Land Use Controls

The Connecticut Siting Council Application Guide for Community Antenna Television and Telecommunication Facilities, as amended on February 16, 2007, requires the inclusion of a narrative summary of the project's consistency with the Town's Plan of Development and Zoning Regulations, as well as a description of planned and existing uses of the site location and surrounding properties.

a. Planned and Existing Land Uses

The proposed Kent Facility would be located on a 10.19-acre parcel owned by the Town of Kent. The Property is zoned "Industrial" and is currently used by the Town as a DPW garage and maintenance facility and is the location of the Town's Solid Waste Transfer Station. The Property is surrounded by industrial zoned land to the east between Maple Street and Maple Street Extension, commercial zoned land to the north and west and residential zones (RU and RI) to the south.

b. Kent Town Plan of Conservation and Development 2001 and Town Character Study & Open Space Plan 1990

Neither the Town of Kent Plan of Conservation and Development nor the Town Character Study and Open Space Plan 1990 specifically identify telecommunications towers as a land use consistent or inconsistent with the general planning policies and/or the character of the Town of Kent.

c. Zoning Regulations

According to the Town of Kent Zoning Map, the Property is located in the “Industrial” zone district. Pursuant to Section 25.6.1 of the Kent Zoning Regulations (“Zoning Regulations”), telecommunications towers are permitted in the Industrial zone subject to the approval of a Special Permit. The Kent Planning and Zoning Commission has established an extensive telecommunications facility regulation, imposing numerous restrictions on the siting of telecommunications towers in Kent, including but not limited to a maximum tower height of 150 feet; setback requirements of 1,500 feet from various land uses; and a 75-foot setbacks from wetlands and watercourses, just to name a few. A copy of the Kent Zoning Regulations were submitted, in bulk, along with this Application.

d. Inland Wetland and Water Course Regulations

The Kent Inland Wetland and Watercourses (“IWW”) Regulations regulate activity within identified wetland or watercourse areas and those upland areas, within 100 feet of a wetland and within 200 feet of watercourses. Five (5) copies of the Kent IWW Regulations were filed, in bulk, with the Council. As mentioned in Section III.D.4.c. above, Section 25 of the Kent Zoning Regulations requires towers to be setback a minimum of 75 feet from all wetlands and watercourses.

Dean Gustafson, Professional Soil Scientist with VHB, Inc., conducted a field investigation at the Property and completed a Wetlands Delineation Report and Wetland Impact Analysis (collectively the “Wetlands Reports”) for the Kent Facility at the Property. According to the Wetlands Reports, a small man-made pond exists in the northeasterly corner of the Property. “A ditched, intermittent watercourse” serves as a outfall for this pond and drains to the west to within approximately 12 feet of the edge of the Kent Facility compound. Construction and operation of the Kent Facility will not, however, have any direct impacts on these wetland/watercourse resources. Copies of the Wetlands Reports are included in Attachment 12.

In accordance with the Connecticut Soil Erosion Control Guidelines, as established by the Council for Soil and Water Conservation, adequate and appropriate soil erosion and sedimentation control measures will be established and maintained throughout the cell site construction period. In addition, Cellco will employ appropriate construction management practices to ensure that no pollutants would be discharged to any nearby watercourse or wetland areas or to area groundwater during the construction process.

According to the Federal Emergency Management Agency Flood Insurance Rate Map (“FIRM”), Community Panel Number 090186007B (effective March 4, 1980), the Facility would be located in Flood Zone C, an area of minimal flooding. A copy of the FIRM is also included in Attachment 12.

5. Local Input

Section 16-50l(e) of the Connecticut General Statutes, as amended, requires local input on matters before the Council. On May 1, 2007, Cellco representatives met with Kent First Selectwoman Ruth Epstein to commence the sixty (60) day municipal consultation process. At this meeting, Ms. Epstein received copies of technical information summarizing Cellco’s plans to

establish a telecommunications facility in Kent. Prior to Cellco's local input meeting, beginning in the Spring of 2005, Cellco real estate representatives spent a significant amount of time with local officials discussing the need for the Kent Facility and explored the use of the Town Fire Department property at 28 Maple Street in addition to the Property. Cellco representatives appeared before the Kent Board of Selectman, Planning and Zoning Commission and ultimately a Kent Town Meeting, all in an effort to convince the Town to enter into a lease agreement for a telecommunications facility on the Property. At each stage of this process the tower proposal received municipal and public support.

6. Consultations With State and Federal Officials

Attachment 11 and Section III.D. of the Application describe Cellco's consultations with state and federal officials regarding Cellco's proposed Kent Facility.

a. Federal Communications Commission

The FCC did not review this particular proposal. As discussed above, FCC approval is not required where the authorized service area is not enlarged.

b. Federal Aviation Administration

As with all of its tower applications, Cellco has conducted the appropriate air-space analysis for the proposed Kent Facility to determine if the proposed tower would constitute an obstruction or hazard to air navigation. Cellco's analysis has confirmed, pursuant to FAA standards, that the proposed site tower would not constitute an obstruction or hazard to air navigation and therefore no obstruction marking or lighting would be required. A copy of the Federal Airway & Airspace Summary Report is included in Attachment 13.

c. **United States Fish and Wildlife Service**

According to the USFWS, a telecommunications facility is not likely to adversely affect any federally-listed or proposed species provided the facility complies with certain evaluation criteria. (See March 9, 2007 letter from Anthony P. Tur, USFWS Endangered Species Specialist, New England Field Office - Attachment 11). The USFWS communication identifies two federally listed, threatened species in Litchfield County, Connecticut; the *Bog Turtle* and *Small Whorled Pogonia*. Upon further investigation, Cellco's consultants have determined that appropriate habitat does not exist on the Property to support these two species. (See EBI's October 30, 2007 letter to Cellco included in Attachment 11).

d. **Connecticut Department of Environmental Protection**

(1) **Environmental and Geographic Information Center**

As discussed above based on a review of the DEP/NDDB, the project will not impact any known occurrences of State listed species or significant natural communities.

(2) **Bureau of Air Management**

Pursuant to R.C.S.A. § 22a-174-3, the on-site emergency back-up generator proposed as a part of this Application will require the issuance of a permit from the DEP Bureau of Air Management. As proposed, this emergency generator will be run only during the interruption of utility service to the cell site and periodically as required for maintenance purposes. Cellco will obtain the necessary permit prior to installing the generator at the Kent Facility.

e. **Connecticut State Historic Preservation Officer**

As discussed above, Attachment 11 also includes the SHPO's determination that the proposed Kent Facility will have no adverse effect on cultural resources listed or eligible for listing on the National Register of Historic Places.

E. Estimated Cost and Schedule

1. Overall Estimated Costs

The total estimated cost of construction of the proposed facility is \$745,000. This estimate includes:

(1)	Cell site radio equipment of approximately	\$450,000
(2)	Tower, coax and antenna costs of approximately	150,000
(3)	Power systems costs of approximately	20,000
(4)	Equipment building costs of approximately	50,000
(5)	Miscellaneous costs (including site preparation and installation) of approximately	75,000

2. Overall Scheduling

Site preparation and engineering would commence following Council approval of Cellco's Development and Maintenance ("D & M") plan and are expected to be completed within two to four weeks. Due to the delivery schedules of the manufacturers, installation of the building and installation of the tower are expected to take an additional two weeks. Equipment installation is expected to take an additional two weeks after installation of the building and installation of the tower. Cell site integration and system testing is expected to require two weeks after equipment installation.

IV. CONCLUSION


Based on the facts contained in this Application, Cellco submits that the establishment of the Kent Facility, at the Property will not have any substantial adverse environmental effects. A public need exists for high quality mobile and portable wireless service in the Town of Kent and throughout Litchfield County, as determined by the FCC and the United States Congress, and a

competitive framework for providing such service has been established by the FCC and the Telecommunications Act of 1996. Cellco submits that the public need far outweighs any possible environmental effects resulting from the construction of the proposed cell site. Moreover, the cell site proposed in this Application will help to provide a level of service in the area that is commensurate with the public demand currently and in the foreseeable future.

WHEREFORE, Cellco respectfully requests that the Council grant this Application for a Certificate of Environmental Compatibility and Public Need for the proposed Kent Facility.

Respectfully submitted,

CELLCO PARTNERSHIP D/B/A VERIZON
WIRELESS

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