



Daniel F. Caruso
Chairman

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

Internet: ct.gov/csc

October 21, 2010

TO: Parties and Intervenors

FROM: Linda Roberts, Executive Director *LR*

RE: **DOCKET NO. 393** - T-Mobile Northeast, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 61-1 Buttonball Road, Old Lyme, Connecticut.

By its Decision and Order dated September 23, 2010, the Connecticut Siting Council granted a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 61-1 Buttonball Road, Old Lyme, Connecticut.

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

LR/jbw

Enclosures (3)

c: State Documents Librarian

STATE OF CONNECTICUT)

ss. New Britain, Connecticut :

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:



Linda Roberts
Executive Director
Connecticut Siting Council

I certify that a copy of the Findings of Fact, Opinion, and Decision and Order in Docket No. 393 has been forwarded by Certified First Class Return Receipt Requested mail, on October 22, 2010, to all parties and intervenors of record as listed on the attached service list, dated March 2, 2010.

ATTEST:





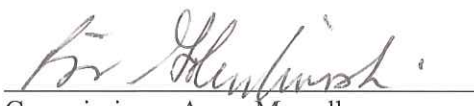

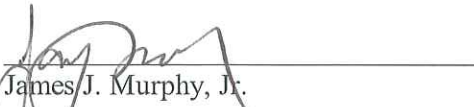


Jessica Brito-Weston
Secretary I
Connecticut Siting Council

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	<input checked="" type="checkbox"/> U.S. Mail	T-Mobile Northeast, LLC	Julie D. Kohler, Esq. Monte E. Frank, Esq. Jesse A. Langer, Esq. Cohen and Wolf, P.C. 1115 Broad Street Bridgeport, CT 06604 (203) 368-0211 (203) 394-9901 fax jkohler@cohenandwolf.com mfrank@cohenandwolf.com jlanger@cohenandwolf.com
Party <i>(granted on December 18, 2009)</i>	<input checked="" type="checkbox"/> U.S. Mail	Town of Old Lyme	The Honorable Timothy C. Griswold Office of the Selectmen Town of Old Lyme 52 Lyme Street Old Lyme, CT 06371 firstselectman@oldlyme-ct.gov
Intervenor <i>(granted on 3/2/2010)</i>	<input checked="" type="checkbox"/> U.S. Mail	Black Hall Club	Keith R. Ainsworth, Esq. Evans Feldman & Ainsworth, LLC 261 Bradley Street P.O. Box 1694 New Haven, CT 06507-1694 (203) 772-4900 (203) 782-1356 fax krainsworth@snet.net

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. 393 - T-Mobile Northeast, LLC (T-Mobile)** application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 61-1 Buttonball Road, Old Lyme, Connecticut, consistent with the agreement between T-Mobile and Black Hall Club Inc. dated April 9, 2010, and voted as follows to approve the proposed site located at 61-1 Buttonball Road, Old Lyme, Connecticut:

<u>Council Members</u>	<u>Vote Cast</u>
 _____ Daniel F. Caruso, Chairman	Yes
 _____ Colin C. Tait, Vice Chairman	Yes
_____ Commissioner Kevin M. DelGobbo Designee: Larry P. Levesque	Abstain
 _____ Commissioner Amey Marrella Designee: Brian Golembiewski	Yes
_____ Philip T. Ashton	Absent
 _____ Daniel P. Lynch, Jr.	Yes
 _____ James J. Murphy, Jr.	Yes
 _____ Dr. Barbara Currier Bell	Yes
 _____ Edward S. Wilensky	Yes

Dated at New Britain, Connecticut, September 23, 2010.



Daniel F. Caruso
Chairman

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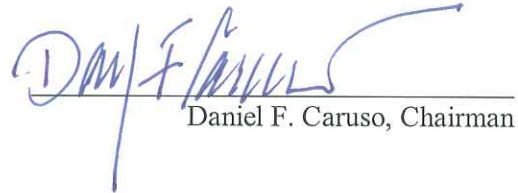
E-Mail: siting.council@ct.gov

Internet: ct.gov/csc

**CERTIFICATE
OF
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED
DOCKET NO. 393**

Pursuant to General Statutes § 16-50k, as amended, the Connecticut Siting Council hereby issues a Certificate of Environmental Compatibility and Public Need to T-Mobile Northeast, LLC (T-Mobile) for the construction, maintenance and operation of a telecommunications facility located at 61-1 Buttonball Road, Old Lyme, Connecticut, consistent with the agreement between T-Mobile and Black Hall Club Inc. dated April 9, 2010. 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 September 23, 2010

By order of the Council,


Daniel F. Caruso, Chairman

September 23, 2010

<p>DOCKET NO. 393 - T-Mobile Northeast, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located 61-1 Buttonball Road, Old Lyme, Connecticut.</p>	<p>} } }</p>	<p>Connecticut Siting Council</p>
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September 23, 2010

Findings of Fact

Introduction

1. Pursuant to Chapter 277a, Sections 16-50g et seq. of the Connecticut General Statutes (CGS), as amended, and Section 16-50j-1 et. Seq. of the Regulations of Connecticut State Agencies (RCSA), T-Mobile Northeast, LLC (T-Mobile) applied to the Connecticut Siting Council (Council) on October 15, 2009 for the construction, maintenance, and operation of a telecommunications facility, which would include a 100-foot monopole tower, located at 61-1 Buttonball Road in the Town of Old Lyme, Connecticut. (See Figures 1, 2, and 3) (T-Mobile 1, p. 1)
2. T-Mobile is a limited liability company, organized under the laws of Delaware, with a Connecticut office at 35 Griffin Road South, Bloomfield, Connecticut. The company and its affiliated entities are licensed by the Federal Communications Commission (FCC) to construct and operate a personal wireless services system in Connecticut. (T-Mobile 1, p. 2)
3. The parties in this proceeding are T-Mobile and the Town of Old Lyme (Town). Black Hall Club (BHC) is an intervenor. (Transcript 3 – March 2, 2010, 11:15 a.m. [Tr. 3], pp. 2 and 124)
4. T-Mobile’s proposed facility would provide coverage to Buttonball Road and Route 156, just south of Interstate 95, residential areas in the vicinity, and the Amtrak rail line that passes through the area. (T-Mobile 1, p. 1)
5. Pursuant to CGS § 16-50(b), notice of the applicant’s intent to submit this application was published on July 23 and 25, 2009 in the New London Day. (T-Mobile 1, pp. 3-4 and Tab F)
6. Pursuant to CGS § 16-50(b), T-Mobile sent notice of its intent to file an application with the Council to each person appearing of record as owner of property abutting the property on which the site is located. Notices were sent on July 21, 2009. T-Mobile received return receipts from all of the property owners to whom it sent notices. (T-Mobile 1, p. 4 and Tab G; T-Mobile 3, response 5)
7. Pursuant to CGS § 16-50/ (b), T-Mobile provided a copy of its application to all federal, state, regional, and local officials and agencies listed therein. (T-Mobile 1, p. 3 and Tab E)
8. On or about January 20, 2010, T-Mobile posted a sign giving public notice of T-Mobile’s pending application for the proposed tower at 61-1 Buttonball Road and the public hearing scheduled for it. Per Council request, the sign was posted at the beginning of Buttonball Road, on the host property, so that the public could see it more easily. (T-Mobile 5, Pre-Filed Testimony of Raymond Vergati, response 11)

9. Pursuant to CGS § 16-50m, the Council, after giving due notice thereof, held a public hearing on February 4, 2010, beginning at 3:00 p.m. and continuing at 7:00 p.m. in the Old Lyme Meeting Hall, Town Hall, 52 Lyme Street, Old Lyme, Connecticut. This was a consolidated hearing for three T-Mobile tower applications in Old Lyme: Docket No. 391 – 232 Shore Road, otherwise known as the “Self-Storage Site”; Docket No. 392 – 387 Shore Road, otherwise known as the “Laundromat Site”; and 61-1 Buttonball Road, otherwise known as the “Commercial Complex Site.” The 3:00 p.m. hearing session began with Docket No. 391. The 7:00 p.m. hearing session included all three dockets. (Council’s Hearing Notice dated December 23, 2009; Transcript 1 – February 4, 2010 at 3:05 p.m. [Tr. 1], pp. 3-4, 8, 13; Transcript 2 – 7:00 p.m. [Tr. 2], p. 3)
10. The Council and its staff conducted an inspection of three proposed sites on February 4, 2010, beginning at 1:00 p.m. at the Laundromat Site and continuing to the Self-storage Site, and then the Commercial Complex Site. On the day of the field inspection, T-Mobile flew a yellow balloon with a diameter of five feet to simulate the height of the proposed tower at the Commercial Complex Site beginning at approximately 7:00 a.m. and continuing to 10:00 a.m. The balloon was flown again beginning at 12:30 p.m. At approximately 2:20 p.m. T-Mobile was approached by Amtrak personnel requiring that the balloon float be abandoned because the balloon might cross Amtrak’s right of way. By approximately 2:30 p.m., the balloon was taken down. During the balloon float, the weather conditions were not favorable, due to a fairly sustained 10 miles per hour wind. The balloon briefly reached its proposed height of 100 feet above ground level (agl) periodically, but could not be sustained due to the wind. (Council Field Review Notice dated January 27, 2010; Tr. 1, p. 4, 24-29; Tr. 3, p. 132)
11. The Council held continued hearings in New Britain on March 2, April 20, and June 23, 2010. (Transcript 3 – 11:15 a.m. [Tr. 3], p. 3; Transcript 4 – 1:15 p.m. [Tr. 4], p. 3; Transcript 5 – 1:10 p.m. [Tr. 5], p. 4)

State Agency Comments

12. Pursuant to CGS § 16-50l, the Council solicited comments on this application on December 23, 2009 from the following state departments and agencies: Department of Agriculture, Department of Environmental Protection (DEP), Department of Public Health, Council on Environmental Quality (CEQ), Department of Public Utility Control, Office of Policy and Management, Department of Economic and Community Development, and the Department of Transportation (ConnDOT). (CSC Hearing Package dated December 23, 2009)
13. Pursuant to CGS § 16-50l, the Council solicited additional comments on this application on July 24, 2010 from the following state departments and agencies: Department of Agriculture, Department of Environmental Protection (DEP), Department of Public Health, CEQ, Department of Public Utility Control, Office of Policy and Management, Department of Economic and Community Development, ConnDOT, and the Department of Emergency Management and Homeland Security. (Letter to State Department Heads dated June 24, 2010)

14. The CEQ responded to the Council's solicitation with comments. The CEQ notes that the visual impact of towers that are very close to the Long Island Sound shoreline cannot be fully assessed without a virtual simulation of their appearance from the waters of this major recreational resource. CEQ is also concerned that the proximity of multiple tall structures to preserved lands, refuges and coastal marshes raises the issues of possible impacts on resident and transient bird populations. (CEQ Comments dated January 27, 2009)
15. The ConnDOT responded to the Council's solicitation with no comments. (ConnDOT Letter dated January 29, 2010)
16. Except for CEQ and ConnDOT, no state agencies submitted comments in response to the Council's solicitation. (Record)

Municipal Consultation

17. On May 28, 2009, T-Mobile submitted a technical report on its proposed facility to Old Lyme's First Selectman, Timothy Griswold. (T-Mobile 1, p. 17; T-Mobile 1, Exhibit Q)
18. On June 25, 2009, T-Mobile met with the First Selectman Griswold and the Zoning and Inlands Wetlands Enforcement Officer to discuss the proposed facility. (T-Mobile 1, p. 17)
19. By letter dated October 21, 2009, First Selectman Griswold indicated that the Town had executed a lease with SBA Towers II, LLC for the development of a telecommunications facility at 14 Cross Lane, Old Lyme. The tower was proposed as 170 feet tall, and, since it would be centrally located, the Town believed T-Mobile would not need additional sites in Old Lyme; thus, a Cross Lane site would avoid the proliferation of towers in Connecticut. The Town believes that a one-site solution would be beneficial to the Town and the wireless customers who reside in or visit Old Lyme. (Town Comment Letter dated October 21, 2009)
20. In January 2010, the Cross Lane site was brought before a Town meeting and was defeated due to various citizen concerns, including the site's proximity to a school. The Cross Lane site is no longer available for consideration. (Tr. 1, pp. 10-11)
21. At both February 4, 2010 hearing sessions, First Selectman Griswold made a statement on behalf of the Board of Selectman and residents in Old Lyme indicating an interest in improving cell reception in Old Lyme, particularly the beach area. (Tr. 1, pp. 9-11; Tr. 2, pp. 12-13)
22. First Selectman Griswold also stated that the Town requested tower space for its emergency services communications. The equipment would require approximately 160 feet of tower height on any one of the proposed towers. T-Mobile would make space on its proposed tower available for the town's public safety communications free of charge. (Tr. 1, p. 11; Tr. 2, pp. 12-13; T-Mobile 5, Pre-Filed Testimony of Raymond Vergati, response 10)

Federal Designation for Public Need

23. 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. 7 – Telecommunications Act of 1996; T-Mobile 1, p. 4)
24. In issuing cellular licenses, the Federal government has preempted the determination of public need for cellular service by the states and has established design standards to ensure technical integrity and nationwide compatibility among all systems. (Council Administrative Notice Item No. 7 – Telecommunications Act of 1996)
25. The Telecommunications Act of 1996 prohibits local and state bodies from discriminating among providers of functionally equivalent services. (Council Administrative Notice No. 7 – Telecommunications Act of 1996)
26. The Telecommunications Act of 1996 prohibits any state or local agency from regulating telecommunications towers on the basis of the environmental effects, which include human health effects, of radio frequency emissions to the extent that such towers and equipment comply with FCC's regulations concerning such emissions. This Act also blocks the Council from prohibiting or acting with the effect of prohibiting the provision of personal wireless service. (Council Administrative Notice No. 7 – Telecommunications Act of 1996; T-Mobile 1, p. 4)
27. Congress enacted the Wireless Communications and Public Safety Act of 1999 (the 911 Act) in order to promote public safety through the deployment of a seamless, nationwide emergency communications infrastructure that includes wireless communications services. (T-Mobile 1, pp. 5-6)
28. As an outgrowth of the 911 Act, the FCC has mandated that wireless carriers provide enhanced 911 services (E911) as part of their communications networks. (T-Mobile 1, p. 6)
29. The proposed facility would be an integral component of T-Mobile's E911 network in southeastern Connecticut and would comply with FCC's E911 requirements. (T-Mobile 1, p. 6)

Existing and Proposed Wireless Coverage

T-Mobile

30. T-Mobile experiences a coverage gap in the area around the proposed facility, specifically along the shore line and the Amtrak rail line, as well as on Route 156 and Buttonball Road. (T-Mobile 1, pp. 4-5)
31. The proposed facility would provide service in the area of T-Mobile's coverage gap. (T-Mobile 1, p. 5)

32. T-Mobile utilizes Personal Communications Services (PCS) in this area of the state through the deployment of wireless transmitting sites. Its licensed operating frequencies in the New London Basic Trading Area include 1935 to 1944.8 MHz, 1983 to 1984 MHz, and 2140 to 2145 MHz. (T-Mobile 1, pp. 6 and 9 and Tab O)
33. T-Mobile’s minimum design signal strength for in-vehicle coverage is -84 dBm. For in-building coverage, it is -76 dBm. (T-Mobile 3, responses 2 and 3)
34. T-Mobile’s existing signal strengths in the area that would be covered by the proposed facility range from -84 dBm to below -100 dBm. (T-Mobile 3, response 1)
35. The ratio of dropped calls to calls made in the area by existing sites has reached upwards of 10 percent. T-Mobile’s target is not to exceed two percent. (Tr. 3, p. 146)
36. The lengths of the coverage gaps T-Mobile experiences on the major arteries within the proposed coverage area are listed in the following table.

Transportation Artery	Coverage Gap	Distance Covered at Proposed Antenna Height of 97 feet
Route 156	3.36 miles	1.69 miles
Buttonball Road	1.03 miles	0.99 miles
Amtrak Rail Line	4.62 miles	1.98 miles

(T-Mobile 3, responses 14 and 15)

37. The total area T-Mobile could cover from the proposed site with antennas at a height of 97 feet would be approximately 3.54 square miles. (T-Mobile 3, response 16)
38. The 100-foot stealth monopole with flush-mounted antennas design proposed by T-Mobile and BHC according to an agreement would have essentially the same coverage as the proposed 100-foot monopole. However, T-Mobile would utilize two antenna array positions: one at 97-foot 9-inches and one at 87-foot 9-inches. See Finding of Fact No. 62. (T-Mobile 16)
39. The lengths of T-Mobile’s coverage areas on the major arteries at lower antenna heights are listed below.

Transportation Artery	Distance Covered at Antenna Height of 87 feet	Distance Covered at Antenna Height of 77 feet
Route 156	1.13 miles	0.72 miles
Buttonball Road	0.97 miles	0.79 miles
Amtrak Rail Line	1.96 miles	1.74 miles

(T-Mobile 3, response 15)

40. The total area T-Mobile could cover from the proposed site at the lower antenna heights of 87 feet and 77 feet would be 2.98 square miles and 1.78 square miles, respectively. (T-Mobile 3, response 16)

41. T-Mobile's antennas at the proposed facility would hand off signals to the existing sites identified in the following table.

Site Address	Facility Type	Structure Height	T-Mobile's Antenna Height	Distance & Direction to proposed facility
125 Mile Creek Road, Old Lyme	Monopole	160 feet	160 feet	0.67 miles S
72 Boggy Hole Road, Old Lyme	Monopole	175 feet	175 feet	1.80 miles S
38 Hattchetts Hill Road, Old Lyme	Monopole	190 feet	187 feet	2.20 miles SW
44 Ford Drive, Old Saybrook	Monopole	150 feet	150 feet	3.85 miles E
8 Old Bridge Road, Old Lyme	Utility Pole	175 feet	181 feet	2.78 miles SE

(T-Mobile 3, response 9)

Site Selection

42. T-Mobile initiated its search for a site in this vicinity on or about July 17, 2008. (T-Mobile 3, response 4)
43. T-Mobile's site search was centered at the intersection of Buttonball Road and the Amtrak rail line. The radius of the search area was approximately 0.2 miles. (T-Mobile 3, response 4)

44. T-Mobile identified nine telecommunications towers within approximately four miles of its proposed site. The towers are listed in the table below.

Tower Location	Height and Type Of Tower	Tower Owner	Approx. Distance and Direction from Proposed Tower Location
2 Ferry Place, Old Saybrook	110-foot smokestack	Geoffry Etherington	2.98 miles NW
132 Whippoorwill Road, Old Lyme	100-foot guyed lattice tower	Mr. and Mrs. Andrew Pfeiffer	2.18 miles N
62-1 Boggy Hill Road, Old Lyme	175-foot monopole	Wireless Solutions	2.29 miles N
38 Hatchetts Hill Road, Old Lyme	190-foot monopole	T-Mobile	2.04 miles NE
30 Short Hills Road, Old Lyme	180-foot monopole	Sprint	1.92 miles NE
125 Mile Creek Road, Old Lyme	160-foot monopole	Cellco	0.66 miles N
Route 1, between River Street and Ford Drive, Old Saybrook	150-foot monopole	Amtrak	3.87 miles NW
430 Middlesex Turnpike, Old Saybrook	175-foot monopole	Sprint	3.83 miles W
40-3 River Street, Old Saybrook	120-foot monopole	Spectrasite	3.83 miles W

(T-Mobile 1, Exhibits I; T-Mobile 4, response 3)

45. Five of the existing telecommunications towers within a four-mile radius are too far away to meet T-Mobile’s coverage objectives. These towers are located at 2 Ferry Place, Old Saybrook; 132 Whippoorwill Road, Old Lyme; 30 Short Hills Road, Old Lyme; 430 Middlesex Turnpike, Old Saybrook; and 40-3 River Street, Old Saybrook. (T-Mobile 4, response 3)
46. The remaining four existing telecommunications towers within a four-mile radius already have T-Mobile co-located on them. These towers are 62-1 Boggy Hill Road, Old Lyme; 38 Hatchetts Hill Road, Old Lyme; 125 Mile Creek Road, Old Lyme; and Route 1 (between River Street and Ford Road), Old Saybrook. (T-Mobile 4, response 3)
47. T-Mobile investigated several different properties in the area of its proposed site. Properties that were investigated include:
- a. Amtrak Power Substation, 63 Buttonball Road: This parcel is located within Amtrak’s right of way. Amtrak maintains a strict policy against co-location of antennas on Amtrak catenaries.
 - b. Black Hall Golf Course, 50 Buttonball Road: The property owner was not interested in leasing a location for a tower. (T-Mobile 1, Tab J)

48. During this proceeding, another alternative site at 14 Cross Lane, Old Lyme was explored. This is the site of a proposed SBA tower on Town property. This proposed tower would not provide adequate coverage to T-Mobile and the site is no longer available. (T-Mobile T-Mobile has leased an unrelated 12-acre site off of Indian Hill Road in East Lyme. However, there is no possible configuration that would reduce the required number of T-Mobile towers including the Indian Hill Road tower. (Tr. 3, p. 212)
49. An outdoor Distributed Antenna System (DAS) would not be a feasible alternative to a tower because of the following reasons:
- a) The unavailability of a sufficient number of existing utility poles on which to string fiber-optic cable and install DAS nodes in the coverage area;
 - b) The existing utility poles are generally low in height;
 - c) The existing uneven terrain and mature vegetation would prevent DAS nodes from providing reliable coverage throughout the target area;
 - d) The unavailability of unused fiber-optic cables to serve as the backbone of the DAS network in the area; and
 - e) There would be a need to enter into access easements, enter into pole attachment agreements, etc. which would be compounded by the large amount (roughly 45) of DAS nodes required to cover the total area to be served by the three towers proposed in Docket Nos. 391, 392, and 393.
- (T-Mobile 17)
50. Repeaters, microcell transmitters, and other types of transmitting technologies are not practicable or feasible means to provide service within the coverage area that T-Mobile is seeking to serve due to significant terrain variations and tree cover, the relatively large size of the coverage area compared with the devices' limited transmission range, and other practical considerations. (T-Mobile 1, p. 7)

Overview of Three Tower Configuration

51. If approved, this tower will not eliminated the need for the other two towers proposed as Docket Nos. 392 and 393. (Tr. 3, pp. 246-247)
52. Increasing the height of any of the proposed facilities (i.e. Docket Nos. 391 through 393) would not obviate the need for any of the facilities or allow T-Mobile to reduce the height of any of the facilities. (Tr. 3, pp. 246-247)

Facility Description

53. The proposed facility would be located at 61-1 Buttonball Road on a 2.53 acre parcel owned by Ron Swaney, LLC (the Swaney property) and used for commercial storage. The Amtrak rail line right-of-way abuts the Swaney property to the north. (See Figures 1 and 2) (T-Mobile 1, pp. 1, 9; Tab B)
54. The Swaney property is zoned Light Industry (LI-80). Telecommunications towers are allowed in a LI-80 zoning district with a special permit. (T-Mobile 1, p. 9; T-Mobile 1b – Town of Old Lyme Zoning Regulations)
55. The proposed facility would be located in the eastern corner of the host property. (T-Mobile 1, Exhibit B)

56. For its proposed facility, T-Mobile would lease a 75-foot by 75-foot square lease area minus the northeast corner, due to the nearby property line. This results in a lease area of approximately 5,314 square feet. The facility would include a 100-foot tall steel monopole tower within a 50-foot by 50-foot (2,500 square feet) compound. The compound would be enclosed by an eight-foot high chain link fence. (See Figure 3) (T-Mobile 1, Tab B)
57. T-Mobile would install anti-climbing weave mesh on the compound fence. T-Mobile could also install a standard chain-link fence with barbed wire if required by the Council. (T-Mobile 3, response 19)
58. The proposed tower would be located at 41° 17' 46.55" north latitude and 72° 18' 1.73" west longitude. Its ground elevation would be 38 feet above mean sea level (amsl). (T-Mobile 1, Tab B)
59. The proposed tower would be designed as a monopole in accordance with the 2005 Connecticut State Building Code and the Electronic Industries Association Standard ANSI/TIA-222-F "Structural Standards for Steel Antenna Towers and Antenna Support Structures" for New London County. (T-Mobile 1, Tab B)
60. T-Mobile originally proposed three antennas (one per sector) at a centerline height of 97 feet 9 inches agl on T-arm mounts. The top of T-Mobile's antennas would be flush with the top of the tower at 100 feet agl. (T-Mobile 1, p. 9 and Tab B; Tr. 1, p. 16; Tr. 3, pp. 137-138)
61. T-Mobile could construct a tree tower with an antenna centerline height of 87 feet. The total height would be 94 feet due to the taper to simulate the tree top. (Tr. 3, pp. 247-250)
62. In an agreement dated April 9, 2010 (Agreement), BHC and T-Mobile agreed to stealth monopole design with flush-mounted antennas. The tower height would remain the same at 100 feet tall, but T-Mobile would require two antenna arrays: one at 97-feet 9-inches agl and one at 87-feet 9-inches agl. The compound fence would also be eight feet high and made of cedar according to the Agreement. If this configuration is approved, BHC would not oppose the tower. The Town has no opinion on the Agreement. (T-Mobile 16; Tr. 5, p. 140)
63. T-Mobile would install two radio equipment cabinets on a concrete pad within the fenced compound. (Tr. 3, p. 133)
64. T-Mobile would use battery backup power for its proposed facility. The battery power system could operate for between four and 12 hours. (T-Mobile 4, response 20)
65. No other carrier has expressed an interest in co-locating on the proposed tower. (Tr. 3, p. 137)
66. The equipment area would contain a service light with a motion sensor. The light would not normally be on. (Tr. 3, p. 22, 134)
67. Construction of the proposed facility would require a total of 388 cubic yards of cut and 203 cubic yards of fill. (T-Mobile 3, response 18)

68. Vehicular access to the proposed facility would extend from Buttonball Road over an existing paved driveway and parking for a total distance of approximately 2,000 feet. (T-Mobile 1, Tab B)
69. Utility service would extend underground approximately 2,000 feet to the proposed facility from an existing pole on Buttonball Road. (T-Mobile 1, Tab B)
70. The tower's setback radius would extend approximately 53 feet onto the Amtrak rail line right of way to the north. It would also extend approximately 77 feet onto the Black Hall Golf Club property to the east and 47 feet onto the same Black Hall Golf property to the south. (T-Mobile 1, Tab B)
71. To reduce the tower's setback radius, T-Mobile would incorporate a yield point, or hinge point, into the design of the tower at approximately 77 feet agl. (Tr. 3, p. 135; T-Mobile 1, Tab B)
72. The nearest adjacent properties are the Amtrak right-of-way, which is located approximately to the north, the Black Hall Golf Club Inc. to the east and south, and a commercial property to the west. (T-Mobile 1, Tab B)
73. There are five single-family residences within 1,000 feet of the proposed facility. (T-Mobile 1, Tab L)
74. The nearest single family residence not on the host property is located 746 feet away at 57 Buttonball Road. (T-Mobile 1, Tabs B and L)
75. Land use in the vicinity of the proposed facility consists of Amtrak right of way and some vacant property owned by the Town to the north, a golf course and commercial office uses to the south, Amtrak right of way and a golf course to the east, and single-family residential use to the west. (T-Mobile 3, response 6)
76. The estimated cost of the proposed facility is the following:

Tower and foundation costs	\$ 85,000
Site development costs	79,000
Utility installation costs	45,000
Equipment cabinets	30,000
<u>RF components e.g. antennas and cable</u>	<u>15,000</u>
<u>Total</u>	<u>\$254,000</u>

(T-Mobile 1, pp. 18-19; T-Mobile 4, response 1)

Environmental Considerations

77. The proposed facility would have no effect on historic, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places with the condition that EBI Consulting submit two bound copies of the Phase I Archaeological Literature Review and Field Survey (Archaeological Survey) to the State Historic Preservation Office (SHPO) for cultural resource management purposes. (T-Mobile 1, Exhibit N, Letter from SHPO dated August 28, 2009)

78. EBI Consulting has submitted the Archaeological Survey to the SHPO. The SHPO has confirmed receipt. (Tr. 3, p. 134)
79. The proposed facility would not affect any threatened or endangered species or designated critical habitats. (T-Mobile 1, p. 13)
80. The proposed facility would not affect any of the “listed” categories of the National Environmental Policy Act (NEPA): wilderness preserves; endangered or threatened species; critical habitats; National Register historic districts, sites, buildings, structures or objects; Indian religious sites; flood plains; or federal wetlands. (T-Mobile 1, p. 18; Tab P)
81. The proposed facility is not located with the 100-year or 500-year floodplain. (T-Mobile 1, Tab Q)
82. Development of the proposed facility would not require the removal of any trees. (T-Mobile 1, p. 9)
83. T-Mobile’s proposed 100-foot tower would not require notification to the Federal Aviation Administration or marking or lighting. (T-Mobile 1, Tabs B and R)
84. One wetland, a man-made irrigation pond is located approximately 275 feet to the west of the proposed facility construction. An irrigation pond on the Black Hall Golf Course is located approximately 175 feet to the east of the proposed facility. Due to the distance separating the proposed facility from the nearest wetland area, and with proper sedimentation and erosion controls properly installed, no adverse impact to the wetlands is expected. (T-Mobile 1, Tab K)
85. T-Mobile would establish and maintain appropriate soil erosion and sedimentation control measures, in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control established by the Connecticut Council for Soil and Water Conservation, in cooperation with the Connecticut Department of Environmental Protection, throughout the construction period of the proposed facility. (T-Mobile 1, p. 17)
86. The cumulative worst-case maximum power density from the radio frequency emissions of the proposed T-Mobile antennas is calculated to be 12.34 percent of the standard for 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 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. (T-Mobile 1, p. 12)

Visibility

87. The tower would be visible year-round on land that is not tidal marsh from approximately 26 acres within a two-mile radius of the site. The tower would be seasonally visible from approximately 31 acres on land within a two-mile radius of the site. (T-Mobile 1, Tab M)

88. The majority of the year-round visibility of the tower is over open water and the Great Island tidal marsh. Approximately 263 acres, or 91 percent of the 289 acres of year-round visibility is located within these areas, which are 1.1 to 2 miles away within the study area. (T-Mobile 1, Tab M)
89. Areas of year-round visibility of the tower on land include select portions of Buttonball Road located within the general vicinity of the proposed tower site; select portions of Smith Neck Road; and several open areas within the northern portion of the Black Hall golf course. (T-Mobile 1, Tab M)
90. Approximately 7 residences would have year-round visibility of the proposed tower including four residences on Buttonball Road and Shore Road and three residences located along Smith Neck Road. (T-Mobile 1, Tab M)
91. A total of approximately two additional homes located on select portions of Buttonball Road would have seasonal views of the proposed tower. (T-Mobile 1, Tab M)
92. Visibility of the proposed tower from specific locations in the surrounding area is summarized in the table below.

Location	Visible	Approx. Portion of 100' Tower Visible (ft.)	Approx. Distance and Direction to Tower
1 – Buttonball Road adjacent to house #54, looking northeast	Yes	38 feet – above tree line	0.18 miles NE
2 – Smith Neck Road adjacent to house #47, looking northeast	Yes	10 feet – above tree line	1.25 miles NE
3 – Buttonball Road at entrance to Black Hall Golf Course, looking northeast	Yes	32 feet – above tree line	0.22 miles NE
4 – Buttonball Road at entrance to host property, looking east	Yes	65 feet – above tree line	0.18 miles E
5 – Shore Road (Route 156) south of Homestead Circle, looking northeast	No	n/a	0.75 miles NE
6 – Homestead Circle adjacent to house #20, looking northeast	No	n/a	0.59 miles NE
7 – Shore Road (Route 156), looking northeast	No	n/a	0.79 miles NE
8 – Mile Creek Road over Black Hall River, looking southeast	No	n/a	0.76 miles SE

(T-Mobile 1, Exhibit M)

Coastal Management Act

93. The tower would be located approximately 1.1 miles to the north of Long Island Sound. (T-Mobile 1, Tab N).

94. Although the proposed facility is located within the Connecticut Coastal Management Act's (CCMA) coastal boundary, there are no coastal resources on the subject property. No federal or state regulated tidal wetlands or watercourses are on the host property. The nearest coastal resources are tidal wetlands associated with the Black Hall River, which is located approximately 1,500 feet southwest of the proposed tower. No coastal resources, as defined in the CCMA, would be impacted by the proposed facility. (T-Mobile 1, p. 14 and Tab N)

95. Views of the tower from Long Island Sound would be distant and rising topography to the north provides the backdrop of the view. (T-Mobile 21)

Figure 1: Location Map of Proposed Site



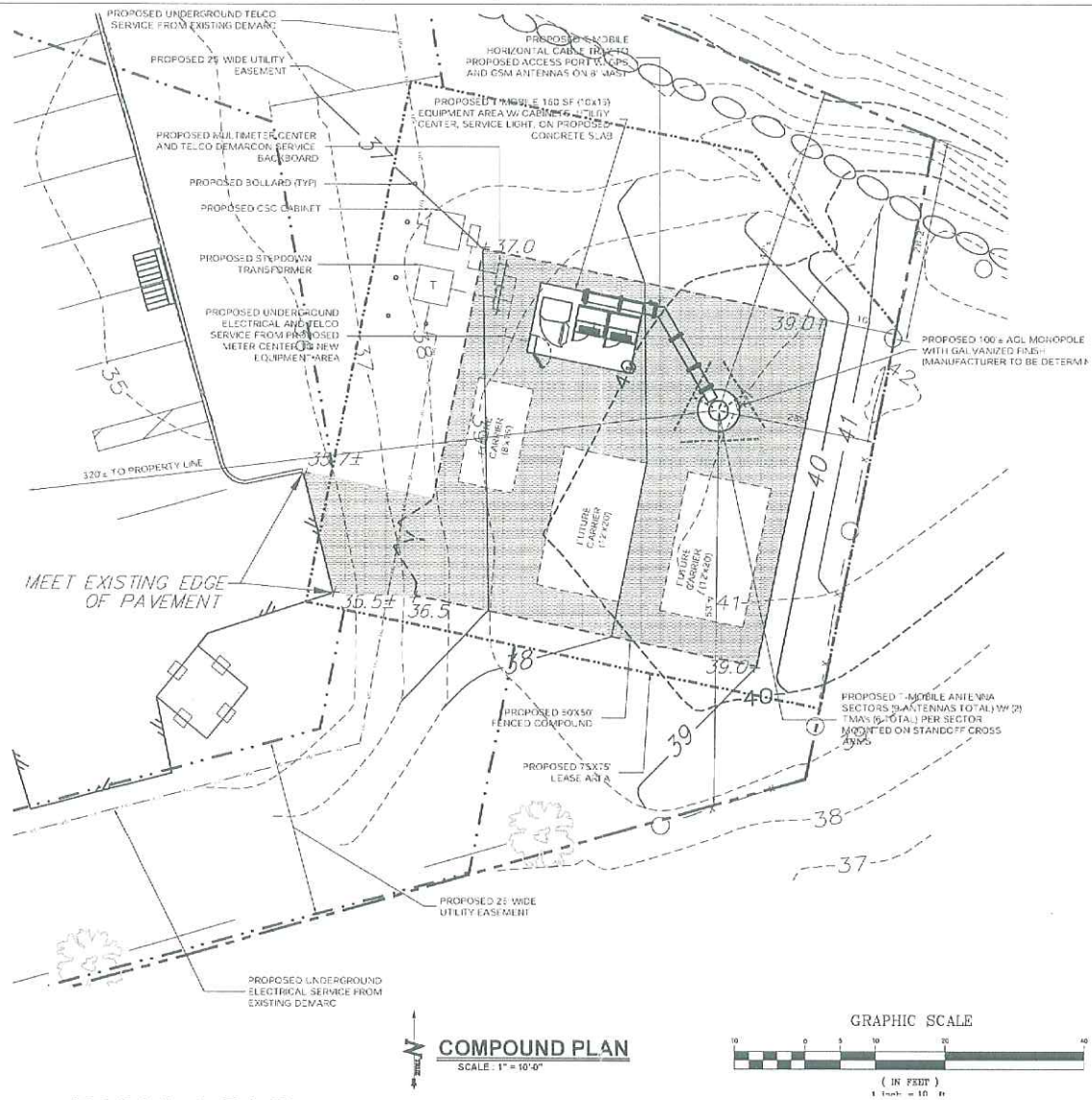
(T-Mobile 1, Tab C)

Figure 2: Aerial Photograph of Proposed Site Location



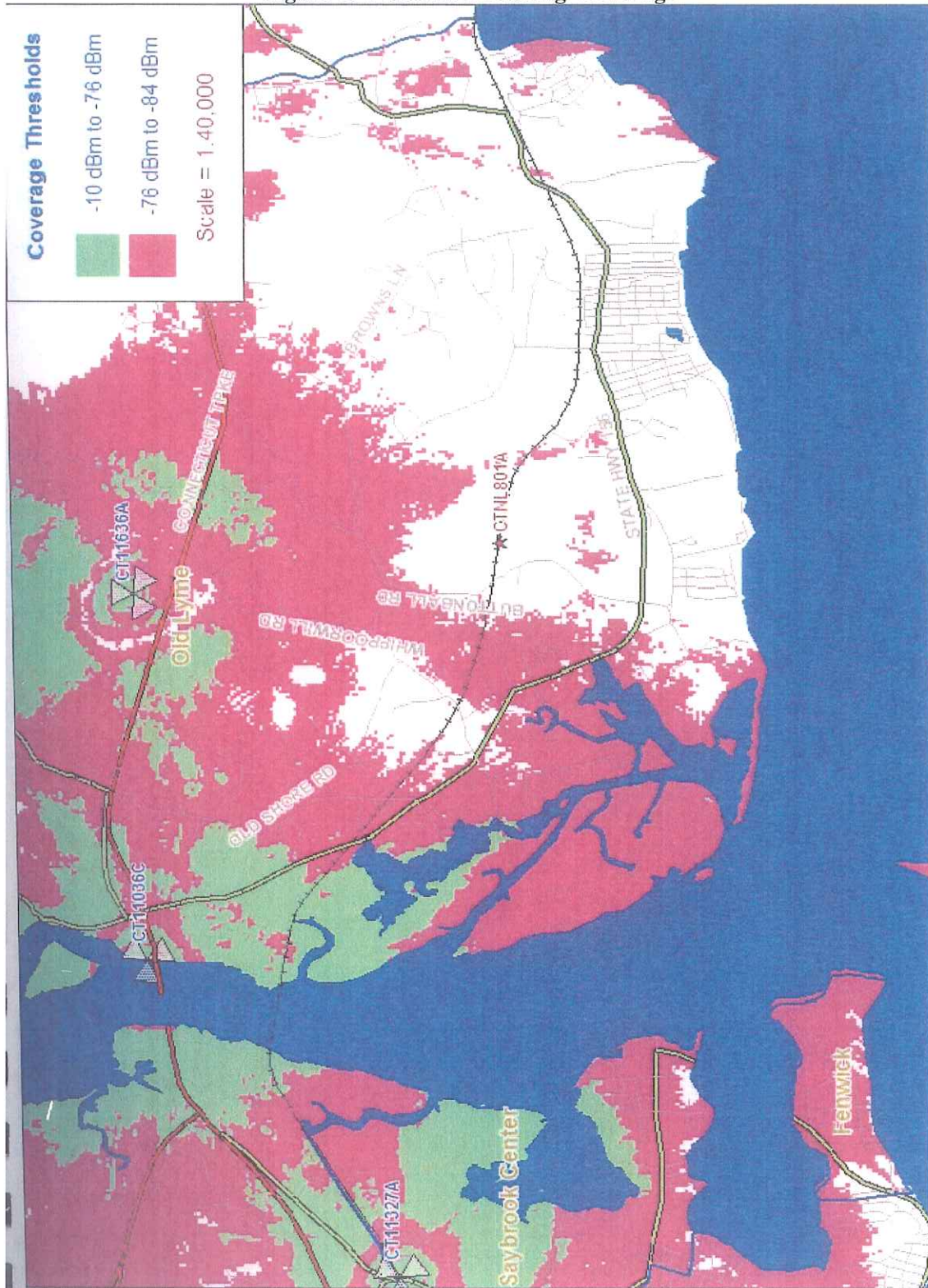
(T-Mobile 1, Tab B)

Figure 3: Proposed Facility Site Plan



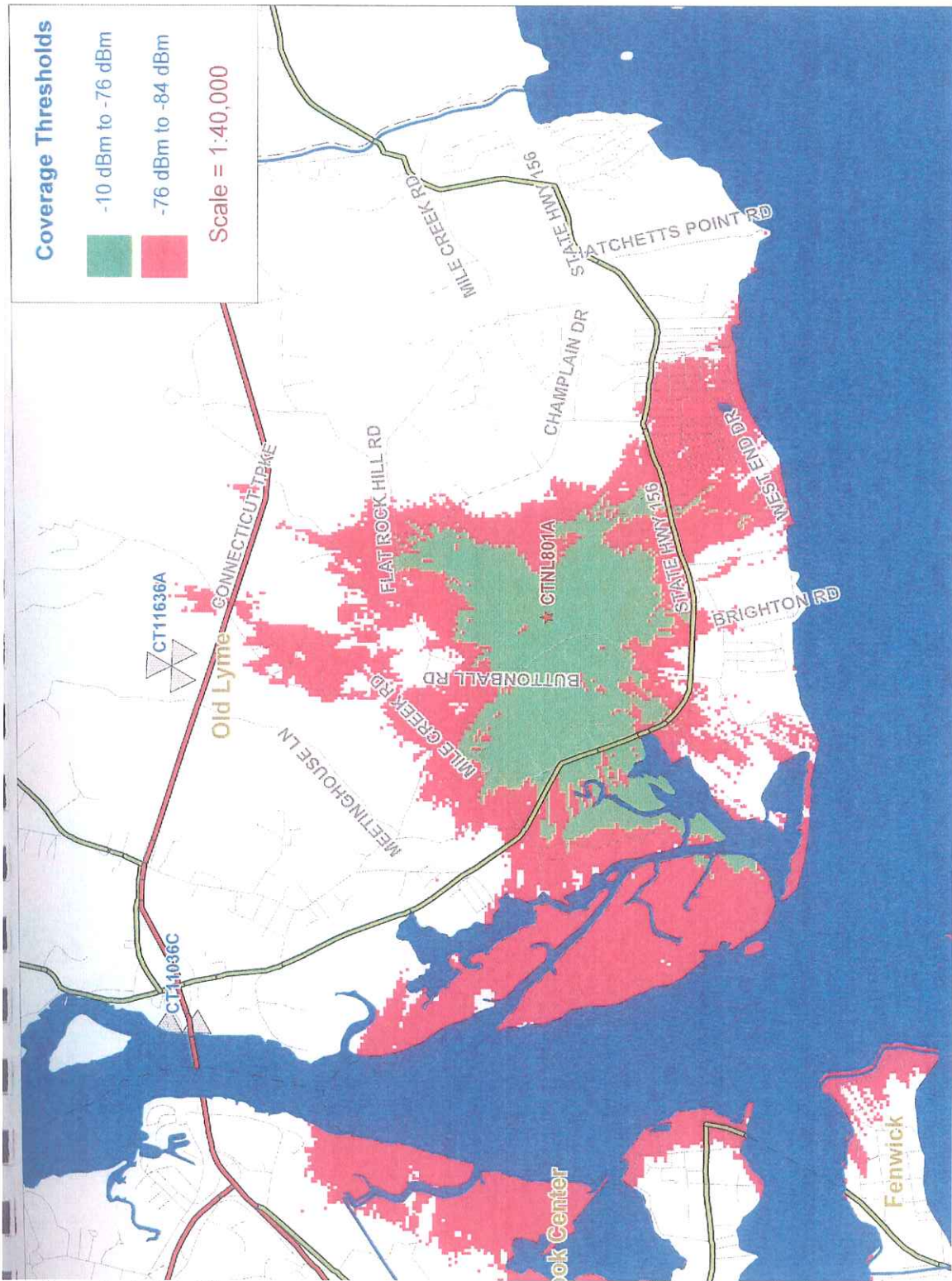
(T-Mobile 1, Tab B)

Figure 4: T-Mobile's Existing Coverage



(T-Mobile 1, Tab H)

Figure 5: T-Mobile's Coverage from Proposed Site



(T-Mobile 1, Tab H)

Figure 6: T-Mobile's Existing Coverage with Proposed Site



(T-Mobile 1, Tab H)

Figure 7: T-Mobile's Existing Proposed Coverage from all Three Towers (Dockets 391 through 393)

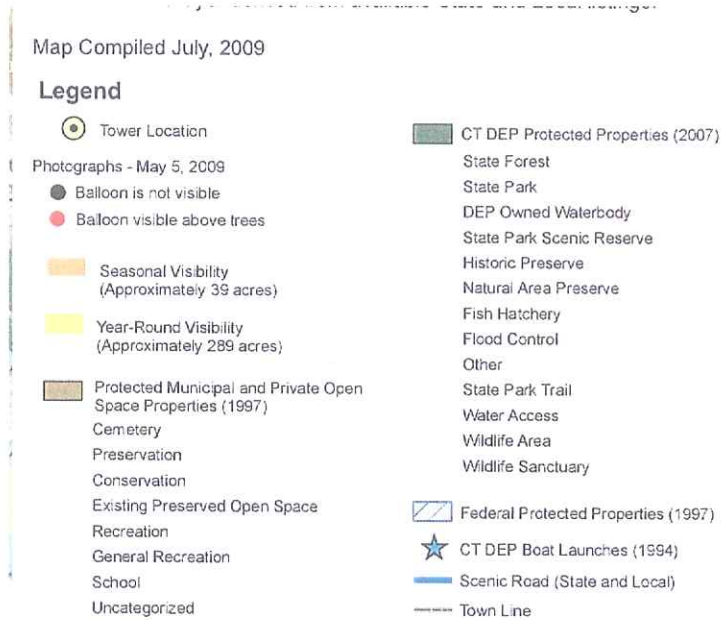


Figure 8: Viewshed Analysis



(T-Mobile 1, Tab M)

Figure 9: Viewshed Analysis Key



(T-Mobile 1, Tab M)

<p>DOCKET NO. 393 - T-Mobile Northeast, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located 61-1 Buttonball Road, Old Lyme, Connecticut.</p>	<p>} } }</p>	<p>Connecticut Siting Council</p>
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September 23, 2010

Opinion

On October 15, 2009, T-Mobile Northeast, Inc. (T-Mobile) 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 wireless telecommunications facility to be located at 61-1 Buttonball Road in the Town of Old Lyme, Connecticut. T-Mobile is seeking to develop a facility on property owned by Ron Swaney, LLC, which contains a commercial storage complex. This proposed tower in Docket No. 393 is otherwise known as the “Commercial Complex Site.” To further improve coverage in Old Lyme, T-Mobile also filed applications for two other towers known as Docket No. 391, “the Self-Storage Site” located at 232 Shore Road; and Docket No. 392, “the Laundromat Site” located at 387 Shore Road, Old Lyme

T-Mobile’s objective for the proposed facility is to provide coverage for existing gaps along the shore line and the Amtrak rail line, as well as on Route 156 and Buttonball Road. The Town of Old Lyme (Town) participated as a Party in the proceeding, and the Black Hall Club participated as an Intervenor.

T-Mobile established a search ring for its target service area on or about July 17, 2008. T-Mobile’s search area was centered at the intersection of Buttonball Road and the Amtrak rail line and had a radius of approximately 0.2 miles. T-Mobile identified nine existing structures suitable for telecommunications use within a four-mile radius of the proposed location. T-Mobile is already co-located at four of these sites. The remaining five sites would not meet T-Mobile’s coverage objectives because they are too far away.

T-Mobile also investigated a raw land site, but the property owner was not interested in leasing a location for a tower. T-Mobile also considered co-locating on a SBA facility that was originally proposed for 14 Cross Lane, Old Lyme. This site is no longer available. T-Mobile also considered co-location on Amtrak’s catenary structures, but found that Amtrak does not allow telecommunications co-locations on its structures.

T-Mobile also, at the Council’s request, reviewed the feasibility of a distributed antenna system (DAS) in lieu of a tower. The DAS alternative is not feasible because the uneven terrain and mature vegetation in the area would necessitate the installation of numerous DAS nodes (roughly 45), while, at the same time, the area lacks both a sufficient number of utility poles high enough for the purpose and sufficient installed fiber-optic capacity. After reviewing the original alternatives in T-Mobile’s application, as well as others brought up during the proceeding, the Council finds no feasible or available alternatives to the proposed site.

At this location, T-Mobile proposed a 100-foot steel monopole and a 50-foot by 50-foot fenced compound surrounded by an eight-foot high chain link fence with anti-climbing mesh. T-Mobile would install nine panel antennas at centerline height of 97 feet above ground level (agl) via T-arm mounts.

The tower would be visible year-round on land that is not tidal marsh from approximately 26 acres within a two-mile radius of the site. The tower would be seasonally visible from approximately 31 acres on land within a two-mile radius of the site. The majority of the year-round visibility of the tower is over open water and the Great Island tidal marsh. Approximately 91 percent of the 289 acres of year-round visibility are located within these areas, which are 1.1 to 2 miles away within the study area.

Approximately 7 residences would have year-round visibility of the proposed tower, including four residences on Buttonball Road and Shore Road and three residences located along Smith Neck Road. Several open areas within the northern portion of the Black Hall golf course also would have year-round views. Approximately two additional homes located on select portions of Buttonball Road would have seasonal views.

T-Mobile and the Black Hall Club entered into an agreement (Agreement) dated April 9, 2010 for a stealth monopole with flush-mounted antennas. The tower would remain at 100 feet tall, but T-Mobile would utilize two antenna arrays: one at 97-feet 9-inches and one at 87-feet 9-inches. The Agreement also included an eight-foot high cedar fence design for the equipment compound.

Based on the visibility profile of the tower, the Council finds that the provisions of the Agreement reasonable with respect to the facility configuration and incorporates its provisions. The stealth tower design and flush-mounted antennas are expected to reduce the visual impact of the tower from The Black Hall Golf Club and surrounding areas. The Council believes the cedar fencing will also mitigate views of the ground equipment.

The 100-foot tower would have a setback radius that extends 53 feet onto the Amtrak rail line right of way and 77 feet onto the Black Hall Club property. To ensure that the tower setback radius remains on the subject property, the Council will require that the tower is designed with a yield point at 77 feet.

Vehicular access to the proposed facility would extend from Buttonball Road over an existing paved driveway and parking lot for approximately 2,000 feet to the proposed compound. Utility service would extend underground approximately 2,000 feet to the proposed facility from an existing pole on Buttonball Road.

One wetland, a man-made irrigation pond, is located approximately 275 feet to the west of the proposed facility construction. An irrigation pond on the Black Hall golf course is located approximately 175 feet to the east of the proposed facility. Considering the distance separating the proposed facility from the nearest wetland area, the Council expects no adverse impact to the wetlands. Notwithstanding, as a precaution, the Council will order T-Mobile to establish and maintain appropriate soil and erosion control measures in accordance with the 2002 Connecticut Guidelines for Soil and Erosion Control. The development of the facility would not require the removal of any trees.

The proposed facility would not affect any of the "listed" categories of the National Environmental Policy Act (NEPA): wilderness preserves; endangered or threatened species; critical habitats; National Register historic districts, sites, buildings, structures or objects; Indian religious sites; flood plains; or federal wetlands.

The Council is concerned about impacts to migratory birds. The entire Atlantic seaboard is a migratory bird flyway. However, towers less than 200 feet agl generally do not have a significant adverse effect on birds or result in increased bird strikes. In addition, no areas in Old Lyme have

been designated by the Audubon Society as important bird concentration areas for bird breeding, stopovers, or other activities critical to survival.

Although the proposed facility is located within the Connecticut Coastal Management Act's (CCMA) coastal boundary, it is located 1.1 miles from the coastline and there are no coastal resources on the subject property. Thus, no coastal resources, as defined in the CCMA, would be adversely affected by the facility. Furthermore, the facility would have no effect on historic, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places, with the condition that EBI Consulting submit two bound copies of the Phase I Archaeological Literature Review and Field Survey (Archaeological Survey) to the State Historic Preservation Office (SHPO) for cultural resource management purposes. EBI Consulting has submitted the Archaeological Survey to the SHPO. The SHPO has confirmed receipt.

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 the T-Mobile antennas proposed to be installed on the tower have been calculated by Council staff to amount to 12.34 percent of the FCC's Maximum Permissible Exposure, as measured at the base of the tower. This percentage is well below federal and state standards established for the frequencies used by wireless companies. If federal or state 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.

Based on the record in this proceeding, the Council finds that the effects associated with the construction, maintenance, and operation of the telecommunications facility at the proposed subject property, including effects on the natural environment; ecological integrity and balance; public health and safety; scenic, historic, and recreational values; forests and parks; air and water purity; and fish 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 100-foot stealth monopole telecommunications facility with flush-mounted antennas (consistent with the Agreement) at 61-1 Buttonball Road, Old Lyme Connecticut.

DOCKET NO. 393 - T-Mobile Northeast, LLC application for a }
Certificate of Environmental Compatibility and Public Need for }
the construction, maintenance and operation of a }
telecommunications facility located 61-1 Buttonball Road, Old }
Lyme, Connecticut. }

Connecticut

Siting

Council

September 23, 2010

Decision and Order

Pursuant to 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 integrity and balance; public health and safety; scenic, historic, and recreational values; forests and parks; air and water purity; and fish 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 T-Mobile Northeast, LLC (T-Mobile), hereinafter referred to as the Certificate Holder, for a telecommunications facility at the proposed site, located at 61-1 Buttonball Road, Old Lyme, 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 stealth monopole with flush-mounted antennas consistent with the agreement between T-Mobile and Black Hall Club, and no taller than necessary to provide the proposed telecommunications services, sufficient to accommodate the antennas of Certificate Holder and other entities, both public and private, but such tower shall not exceed a height of 100 feet above ground level. The height at the top of T-Mobile's antennas shall not exceed 100 feet above ground level.
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 served on the Town of Old Lyme for comment, and all parties and intervenors as listed in the service list, and submitted to and approved by the Council prior to the commencement of facility construction and shall include:
 - a) a final site plan(s) of site development to include specifications for the tower, tower foundation, antennas, equipment compound including cedar fencing, radio equipment, access road, utility line, and landscaping; and
 - b) construction plans for site clearing, grading, landscaping, water drainage, and erosion and sedimentation controls consistent with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended.
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 State or 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 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.
6. The Certificate Holder shall provide reasonable space on the tower for no compensation for any Town of Old Lyme public safety services (police, fire and medical services), provided such use can be accommodated and is compatible with the structural integrity of the tower.
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 Old Lyme. Any proposed modifications to this Decision and Order shall likewise be so served.
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 before any such use is made.
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.

Pursuant to General Statutes § 16-50p, the Council hereby directs that a copy of the Findings of Fact, Opinion, and Decision and Order be served on each person listed below, and notice of issuance shall be published in *The Day*.

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.

The parties and intervenors to this proceeding are:

Applicant

T-Mobile Northeast, LLC

Its Representative

Julie D. Kohler, Esq.
Monte E. Frank, Esq.
Jesse A. Langer, Esq.
Cohen and Wolf, P.C.
1115 Broad Street
Bridgeport, CT 06604

Party

Town of Old Lyme

Its Representative

The Honorable Timothy G. Griswold
Office of the Selectman
Town of Old Lyme
52 Lyme Street
Old Lyme, CT 06371

Intervenor

Black Hall Club

Its Representative

Keith R. Ainsworth, Esq.
Evans Feldman & Ainsworth, LLC
261 Bradley Street
P.O. Box 1694
New Haven, CT 06507-1694



Daniel F. Caruso
Chairman

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

Internet: ct.gov/csc

October 21, 2010

TO: Classified/Legal Supervisor
391/393/393100204
The New London Day
P. O. Box 1231
New London, CT 06320-1231

FROM: Jessica Brito-Weston, Secretary I 

RE: **DOCKET NO. 393** - T-Mobile Northeast, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 61-1 Buttonball Road, Old Lyme, Connecticut.

Please publish the attached notice as soon as possible, but not on Saturday, Sunday, or a holiday.

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

Thank you.

JBW



Daniel F. Caruso
Chairman

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

Internet: ct.gov/csc

NOTICE

Pursuant to General Statutes § 16-50p (e), the Connecticut Siting Council (Council) announces that, on September 23, 2010, the Council issued Findings of Fact, an Opinion, and a Decision and Order approving an application from T-Mobile Northeast, for the construction, maintenance and operation of a telecommunications facility located at 61-1 Buttonball Road, Old Lyme, Connecticut. This application record is available for public inspection in the Council's office, Ten Franklin Square, New Britain, Connecticut.



Daniel F. Caruso
Chairman

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

Internet: ct.gov/csc

October 21, 2010

Julie D. Kohler, Esq.
Jesse A. Langer, Esq.
Cohen and Wolf, P.C.
1115 Broad Street
Bridgeport, CT 06604

RE: **DOCKET NO. 393** - T-Mobile Northeast, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 61-1 Buttonball Road, Old Lyme, Connecticut.

Dear Attorney Kohler and Attorney Langer:

By its Decision and Order dated September 23, 2010, 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 at 61-1 Buttonball Road, Old Lyme, Connecticut.

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

Very truly yours,

Linda Roberts
Executive Director

LR/jbw

Enclosures (4)