



Daniel F. Caruso
Chairman

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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December 10, 2010

TO: Parties and Intervenors

FROM: Linda Roberts, Executive Director

RE: **DOCKET NO. 403** - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 174 South Grand Street, Suffield, Connecticut.

By its Decision and Order dated December 2, 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 174 South Grand Street, Suffield, Connecticut.

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

LR/CDM/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. 403 has been forwarded by Certified First Class Return Receipt Requested mail on December 10, 2010, to all parties and intervenors of record as listed on the attached service list, dated July 19, 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"/> E-mail	Cellco Partnership d/b/a Verizon Wireless	Kenneth C. Baldwin, Esq. Robinson & Cole LLP 280 Trumbull Street Hartford, CT 06103-3597 (860) 275-8200 (860) 275-8299 fax kbaldwin@rc.com Sandy Carter Regulatory Manager Verizon Wireless 99 East River Drive East Hartford, CT 06108
	<input type="checkbox"/> E-mail or <input type="checkbox"/> U.S. Mail		
	<input type="checkbox"/> E-mail or <input type="checkbox"/> U.S. Mail		
	<input type="checkbox"/> E-mail or <input type="checkbox"/> U.S. Mail		



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December 10, 2010

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

RE: **DOCKET NO. 403** - Celco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 174 South Grand Street, Suffield, Connecticut.

Dear Attorney Baldwin:

By its Decision and Order dated December 2, 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 174 South Grand Street, Suffield, 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)

c: Sandy M. Carter, Verizon Wireless



Daniel F. Caruso
Chairman

STATE OF CONNECTICUT

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**CERTIFICATE
OF
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED
DOCKET NO. 403**

Pursuant to General Statutes § 16-50k, as amended, the Connecticut Siting Council hereby issues a Certificate of Environmental Compatibility and Public Need to Cellco Partnership d/b/a Verizon Wireless for the construction, maintenance and operation of a telecommunications facility located at 174 South Grand Street, Suffield, Connecticut. This Certificate is issued in accordance with and subject to the terms and conditions set forth in the Decision and Order of the Council on December 2, 2010.

By order of the Council,


Daniel F. Caruso, Chairman

December 2, 2010

DOCKET NO. 403 - Cellco Partnership d/b/a Verizon Wireless	}	Connecticut
application for a Certificate of Environmental Compatibility and	}	
Public Need for the construction, maintenance and operation of a	}	Siting
telecommunications facility located at 174 South Grand Street,	}	
Suffield, Connecticut.	}	Council

December 2, 2010

Findings of Fact

Introduction

1. Cellco Partnership d/b/a Verizon Wireless (Cellco), in accordance with provisions of Connecticut General Statutes (CGS) § 16-50g through 16-50aa, applied to the Connecticut Siting Council (Council) on July 9, 2010 for the construction, maintenance, and operation of a telecommunications facility, which would include a 120-foot tall monopole tower, at 174 South Grand Street in the Town of Suffield, Connecticut. (Cellco 1, pp. i, 1)
2. Cellco is a Delaware Partnership with an administrative office located at 99 East River Drive, East Hartford, Connecticut. Cellco is licensed by the Federal Communications Commission (FCC) to operate a wireless telecommunications system in Connecticut. The operation of wireless telecommunications systems and related activities is Cellco's sole business in Connecticut. (Cellco 1, p. 5)
3. The party in this proceeding is the applicant. (Transcript, September 28, 2010, 3:00 p.m. [Tr. 1], p. 4)
4. The purpose of the proposed facility is to provide coverage and capacity relief primarily along portions of Routes 187 and 168 as well as local roads and residential and commercial areas in the southwest portion of Suffield. (Cellco 1, pp. i, 1-2)
5. Pursuant to CGS § 16-50m, the Council, after giving due notice thereof, held a public hearing on September 28, 2010, beginning at 3:00 p.m. and continuing at 7:00 p.m. at the Suffield High School Auditorium, 1060 Sheldon Street in West Suffield, Connecticut. (Tr. 1, p. 2 ff.)
6. The Council and its staff conducted an inspection of the proposed site on September 28, 2010, beginning at 2:00 p.m. The applicant flew a balloon at the site from 8:00 a.m. until approximately 6:00 p.m. at a height of 120 feet to simulate the proposed monopole tower. A steady breeze and visibility that varied from two miles to less than one mile made for less than ideal conditions for the balloon flight. (Tr. 1, pp. 20-21)
7. Pursuant to CGS § 16-50/(b), Cellco published public notice of its intent to submit this application on July 7 and 8, 2010 in The Journal Inquirer. (Cellco 1, p. 6; Cellco 3 - Affidavit of Publication dated July 28, 2010)

8. Pursuant to CGS § 16-50/(b), Cellco sent notices 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. (Cellco 1, p. 6; Attachment 4)
9. Two of the certified letters Cellco sent to the abutting property owners were returned and marked as “unclaimed.” A second notification letter was sent by regular mail to the two property owners from whom return receipts were not received. (Cellco 4, Response 6)
10. Pursuant to CGS § 16-50/ (b), Cellco provided copies of its application to all federal, state and local officials and agencies listed therein. (Cellco 1, p. 6; Attachment 2)
11. Verizon posted a sign giving public notice of its pending application on the host property on September 13, 2010. The sign was four feet by six feet in size and included the date of the scheduled public hearing and contact information for the Council. (Cellco 5, Sign Posting Affidavit, dated September 14, 2010)

State Agency Comment

12. Pursuant to CGS § 16-50/, on August 23 and September 29, 2010, the Council solicited comments on Cellco’s application from the following state agencies: Department of Agriculture, Department of Environmental Protection (DEP), Department of Public Health, Council on Environmental Quality, Department of Public Utility Control, Office of Policy and Management, Department of Economic and Community Development, the Department of Transportation, and the Department of Emergency Management and Homeland Security. (CSC Hearing Package dated August 23, 2010; CSC Letter to State Department Heads dated September 29, 2010)
13. The Council did not receive comments from any state agencies. (Record)

Municipal Consultation

14. On April 22, 2010, Cellco representatives met with Thomas Frenaye, the First Selectman of the Town of Suffield (Town), to commence the sixty day municipal consultation period required by CGS §16-50/(e). At this meeting, Cellco provided Mr. Frenaye with copies of technical information summarizing Cellco’s proposed telecommunications facility. (Cellco 1, p. 20)
15. At the request of Suffield’s First Selectman, Cellco hosted a public information meeting at the Suffield Town Hall on May 20, 2010. At the time of this meeting, Cellco was also considering a second tower site off of Mountain Road as an alternative to the site proposed in its application to the Council. Property owners who abut both the proposed site and the alternative site received notification of the public meeting. Public notice of the meeting was published in the Journal Inquirer on May 6, 2010. (Cellco 1, p. 20)

16. At the request of the Town, Cellco had discussions about another alternative site at the Town-owned Bruce Park prior to commencing the sixty day municipal consultation period. The Town ultimately withdrew this site from consideration due to use restrictions. (Cellco 1, p. 20)
17. The Town of Suffield expressed an interest in locating emergency services antennas on Cellco's proposed tower. Cellco would provide space on the proposed tower for the town's antennas at no charge. (Tr. 1, pp. 8-9)

Public Need for Service

18. 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)
19. 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; Cellco 1, p. 7)
20. The Telecommunications Act of 1996 prohibits local and state bodies from discriminating among providers of functionally equivalent services. (Council Administrative Notice Item No. 7)
21. The Telecommunications Act of 1996 prohibits any state or local entity 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 Item No. 7)
22. In recognition of the public safety benefits enhanced wireless telecommunications networks can provide, Congress enacted the Wireless Communications and Public Safety Act of 1999 (the 911 Act). The purpose of this legislation was to promote public safety by making 9-1-1 the universal emergency assistance number and through the deployment of a seamless, nationwide emergency communications infrastructure that includes wireless communications services. (Cellco 1, p. 8)
23. In 2004, Congress enacted the Enhanced 911 (E911) Act for the specific purpose of enhancing and promoting homeland security, public safety, and citizen activated emergency response capabilities. (Cellco 1, p. 8)
24. Cellco's antennas at the proposed facility would comply with E911 requirements. (Cellco 4, Response 2)

Existing and Proposed Wireless Coverage

25. Cellco is licensed to operate in the 850 MHz (cellular), 1900 MHz (PCS), and 700 MHz (Long Term Evolution – LTE) frequency ranges throughout Connecticut. (Cellco 4, Response 1)
26. Cellco’s network design thresholds for reliable service are -85 dBm for reliable in-vehicle service and -75 dBm for reliable in-building coverage. (Cellco 4, Response 7)
27. Cellco’s existing signal strength in the vicinity of the proposed facility ranges from -86 dBm to -100 dBm. (Cellco 4, Response 8)
28. In the sectors of the adjacent cell sites that are directed toward the vicinity of the proposed facility, Cellco experiences dropped calls at an average rate of 1.34% and ineffective attempts at an average rate of 1.14%. (Cellco 4, Response 9)
29. Cellco attempts to keep its rates of dropped calls and ineffective attempts to below one percent. (Tr. 1, p. 16)
30. Cellco currently experiences coverage gaps of 1.19 miles on Route 187 and 1.03 miles on Route 168 at cellular frequencies, and 2.62 miles on Route 187 and 3.16 miles on Route 168 at PCS frequencies. (Cellco 4, Response 10)
31. In addition to its coverage gaps on Routes 187 and 168, Cellco also experiences coverage gaps on portions of North Stone Street, Ratley Road, Hill Street, and Spruce Street. The proposed facility would provide adequate coverage for many of the gaps on these local streets. (Cellco 4, Response 11)
32. The table below indicates the distances Cellco would cover at its different licensed frequencies along the major routes in the area of its proposed facility.

Frequency	Distance Covered	
	Route 168	Route 187
850 MHz (Voice Transmission)	3.53 miles	3.9 miles
1900 MHz (Data Transmission)	2.7 miles	3.16 miles
700 MHz (Long Term Evolution – LTE)	3.11 miles	4.15 miles

(Cellco 1, p. 3)

33. The table below indicates the total area Cellco would cover at its different licensed frequencies from the proposed facility.

Frequency	Total Area Covered
850 MHz (Voice Transmission)	11.82 sq. mi.
1900 MHz (Data Transmission)	6.9 sq. mi.
700 MHz (Long Term Evolution – LTE)	13.71 sq. mi.

(Cellco 1, p. 3)

34. The proposed facility would not fill certain coverage gaps to the north. Cellco has initiated a search ring for an additional site to serve that area. (Tr. 1, pp. 13-14)
35. Cellco's proposed facility would hand off signals with the adjacent facilities identified in the following table.

Site Location	Distance and Direction to Site
44 Fyler Place, Suffield	2.3 miles to east
55 King Spring Road, Windsor Locks	3.5 miles to southeast
116 Newgate Road, East Granby	2.5 miles to southwest
2715 Mountain Road, Suffield	2.2 miles to west
850 South Westfield Road, Agawam, MA	3.8 miles to north
639 North Street, Suffield	2.8 miles to northeast

(Cellco 4, Response 3)

36. The lowest feasible height at which Cellco's antennas could achieve its coverage objectives in the vicinity of the proposed facility is 120 feet above ground level. (Cellco 4, Response 5)

Site Selection

37. Cellco initiated its site search process in the vicinity of the proposed site in July 2008. Its search ring was centered on a location at 41° 59' 28.50" north latitude and 72° 42' 17.10" west longitude, near the intersection of Routes 168 and 187 in Suffield. The radius of the search ring was approximately one mile. (Cellco 1, p. 12; Cellco 1, Attachment 8; Cellco 4, Response 13)

38. Cellco maintains seven telecommunications facilities within approximately four miles of the proposed site. None of these facilities can provide the service Cellco is seeking to provide in this area of Suffield. Cellco's existing sites are listed in the following table.

Owner/(Cellco Site Name)	Facility Height and Type	Location	Cellco Ant. Ht.	Distance and Direction to Facility
CT Water Co. (Suffield NE)	103' water tank	639 North Street, Suffield	95'	2.8 mi, NE
Crown (Suffield)	100' monopole	44 Fyler Place, Suffield	90'	2.3 mi, E
Cox Cmcns (Suffield South)	100' lattice tower	55 King Spring Rd, Winsor Locks	90'	3.5 mi, SE
CT DOT (East Granby)	75' monopole	Newgate Road, East Granby	75'	2.5 mi, SW
State of CT (Bradley Airport)	Roof-top (parking garage)	Bradley Airport, Windsor Locks	43'	4 mi, S
Crown (Suffield West)	192' monopole	2715 Mountain Rd, Suffield	90'	2.2 mi, NW
National Grid (Agawam 3)	160' monopole	850 S. Westfield Rd, Agawam, MA	137'	3.8 mi, N

(Cellco 1, p. 2; Attachment 8)

39. In its site search process, Cellco did not find any existing, non-tower structures of a height that would enable Cellco to provide its desired coverage. (Cellco 1, pp. 11-12)
40. Cellco identified and investigated 16 properties in addition to the property on which its proposed site is located. These properties and the determinations of their suitability are listed below.
- Demko Property – This is a 6-acre property off of Mountain Road. It was originally included in the technical report Cellco submitted to the Town as an alternate location to the proposed site. Following Cellco's public information meeting of May 20, 2010, the owners of this property informed Cellco that they were no longer interested in having a tower on the property.
 - Spaulding School/Bruce Park – At the Town's request, Cellco explored using a portion of Bruce Park for a tower site. This location was withdrawn after the Town discovered use restrictions on the property.
 - Sunrise Park – Cellco explored the use of this park, located off of Mountain Road in West Suffield, at the request of the Town. This location was rejected because it was too far to the west to fill Cellco's coverage gaps along Route 187, both north and south of Route 168.

- d. West Suffield Congregational Church – Cellco explored the use of this church’s steeple at 1410 Mountain Road. The steeple extends to a height of 50 feet and was rejected as being too low. Cellco would need a minimum height of 100 feet to achieve its coverage objectives at this location.
- e. Suffield Police Department – Cellco explored developing a site at the Police Department at 911 Mountain Road. This location was rejected because it is too far to the east to achieve Cellco’s coverage objectives along Routes 187 and 168.
- f. Suffield Volunteer Fire Department #2 – This site is located at 9 Ratley Road (a.k.a. 911 Mountain Road) in West Suffield. Cellco rejected it because development of this site would have significant wetlands impacts.
- g. Baker Property Site #1 – This property is located off of North Grand Street in West Suffield. It was rejected because it is too far to the north to enable Cellco to achieve its coverage objectives along Routes 168 and 187.
- h. Baker Property Site #2 – This property is located at 1700 Mountain Road in West Suffield. It was rejected because it is located too far to the west to enable Cellco to achieve its coverage objectives along Route 168.
- i. Dorman Property – This property is located at 70 South Grand Street in West Suffield. It was rejected because there are significant wetlands on the property and a tower at this location would be visible from historic structures at the intersection of Routes 168 and 187.
- j. Suffield High School – The school is located off of Sheldon Street. It was rejected because it is too far to the south to enable Cellco to cover the northerly portions of Route 187. In addition, the Town was unwilling to lease space for a facility on this property.
- k. Town Property, Sheldon Street – This Town-owned property is located off of Sheldon Street to the east of Suffield High School. It was rejected because it is too far to the east to enable Cellco to achieve its coverage objectives.
- l. Crosswalk LLC Property – This property is located at 426 South Grand Street. This is a small parcel (0.9 acre) occupied by several large commercial buildings. It was rejected because the undeveloped portions of the property contain significant wetlands.
- m. Kuras Farm – This property is located at 1901 Mountain Road and is currently leased by Message Center Management for a possible tower site. It was rejected because it is too far to the west to enable Cellco to achieve its coverage objectives.
- n. Reed Property, 1732 Mountain Road – The owner of this property did not respond to correspondence from Cellco’s real estate representatives.
- o. Sedor Property, Ratley Road - The owner of this property did not respond to correspondence from Cellco’s real estate representatives.

- p. Beneski Property, 141 South Grand Street – After some initial investigation by Cellco, the owner of this property was not interested in leasing space for a tower facility.

(Cellco 1, Attachment 8)

41. Cellco could not identify any equally effective technological alternatives to the proposed facility that would provide service of comparable quality. (Cellco 1, p. 11)
42. A Distributed Antenna System (DAS) would not be a feasible alternative because the area Cellco is seeking to cover from the proposed site is too large and a system of fiber cables that would be needed does not exist. (Tr. 1, pp. 17-18)

Facility Description

43. Cellco's proposed site is on a 17.57-acre property located at 174 South Grand Street (Route 187). The property is owned by Darian and Robert Paganelli, who use it for a residence. The proposed site is located approximately 1,600 feet southeast of the intersection of Routes 168 and 187 in West Suffield. (See Figures 1 and 2) (Cellco 1, Attachment 1)
44. The Paganelli property is zoned R-45, a single-family residential zoning district requiring a minimum lot size of 45,000 square feet. The Suffield Zoning Regulations permit telecommunications towers in residential districts with the issuance of a Special Permit. (Cellco 1, p. 17; Bulk Filing – Suffield Zoning Regulations)
45. Cellco's proposed facility would be located in the northeasterly section of the Paganelli property. Cellco would lease a 100-foot by 100-foot parcel, within which it would develop a 60-foot by 60-foot gravel compound that would include a 120-foot high monopole tower. The compound would be enclosed by an eight-foot high chain link fence topped with three strands of barbed wire. (Cellco 1, Attachment 1)
46. The proposed tower would be located at 41° 59' 13.33" N latitude and 72° 42' 7.52" W longitude. Its elevation at ground level would be approximately 192 feet above mean sea level. (Cellco 1, Attachment 1, p. 4)
47. Cellco's proposed tower would be designed in accordance with the specifications of the Electronic Industries Association Standard EIA/TIA-222-F "Structural Standards for Steel Antenna Towers and Antenna Support Structures." The diameter of the tower would be approximately 55 inches at its base and 30 inches at its top. (Cellco 1, Attachment 1, p. 6)
48. The proposed tower would be designed to accommodate a minimum of four wireless carriers and municipal public safety antennas. (Cellco 1, p. 12)
49. The proposed tower would be designed to accommodate a 20-foot extension of its height. (Tr. 1, p. 34)

50. Cellco would install 15 antennas—six cellular antennas (850 MHz), six PCS antennas (1900 MHz), and three LTE (700 MHz) antennas—at a centerline height of 120 feet on the proposed tower. The top of Cellco’s antennas would extend to an overall height of 123 feet above ground level. (Cellco 1, p. 3)
51. Cellco would prefer to use a low-profile platform to mount its antennas, although it could also utilize T-arm mounts. (Cellco 4, 20)
52. Cellco’s ground equipment would be housed in a 12-foot by 24-foot shelter located near the base of the tower. Equipment housed in the shelter would include a diesel-fueled generator for emergency backup power. This generator would require an Air Permit from the Connecticut DEP. Cellco would obtain this permit before installing the generator. (Cellco 1, pp. i, 3; Attachment 1, p. 7)
53. Diesel fuel for the back-up generator would be stored in a 275-gallon “belly tank” that would be included as part of the generator. This tank would be double-walled and would include a leak detection alarm system. The generator room floor beneath the tank would be lowered and capable of containing 120% of the volume of all generator fluids. The floor would also be equipped with leak detection alarms. (Cellco 4, Response 19)
54. The proposed facility would require approximately 410 cubic yards of cut and 50 cubic yards of fill. (Cellco 4, Response 12)
55. Vehicular access to the proposed facility would extend from South Grand Street over an existing driveway for a distance of 300 feet and then over a new driveway to be installed by Cellco for a distance of 600 feet. The entire driveway to the site would be graveled. (Cellco 1, Attachment 1, p. 5; Tr. 1, p. 21)
56. Utilities for the proposed facility would extend underground from an existing utility pole on South Grand Street to the site. (Cellco 1, p. 3; Tr. 1, p. 11)
57. Cellco does not anticipate a need to conduct any blasting to develop the proposed site. (Cellco 4, Response 17)
58. The tower’s setback radius would extend approximately 16 feet onto adjacent property to the east owned by Pamela and Gary Dorman. (Cellco 1, Attachment 1, Sheets C-1 and C-1A; Cellco 4, Response 21)
59. Cellco could design a yield point into the proposed tower so that it would not encroach onto the adjacent property in the event of a collapse. Such yield point would be located at approximately 80 feet above ground level. (Tr. 1, pp. 11-12)
60. There are 17 residences within 1,000 feet of the proposed facility, including the property owners’ residence. (Cellco 1, p. 15).
61. The closest off-site residence is located at 128 South Grand Street, approximately 612 feet to the west of the proposed facility. It is owned by Michael and Francine Michaud. (Cellco 1, p. 15; Attachment 4)

62. Land use in the surrounding vicinity consists primarily of low-density residential and active agricultural uses. (Cellco 1, Attachment 1, p. 4)

63. The estimated cost of the proposed facility, including antennas, is:

Cell site radio equipment	\$450,000
Tower, coax, and antennas costs	150,000
Power systems costs	20,000
Equipment building costs	50,000
<u>Miscellaneous costs</u>	<u>125,000</u>
Total costs	\$795,000

(Cellco 1, p. 22)

Environmental Considerations

64. The proposed facility would have no effect on archaeological resources listed or eligible for listing in the National Register of Historic Places and no adverse effect on the historic character of West Suffield. (Cellco 1, Attachment 10, Letters from State Historic Preservation Office dated March 2, 2010 and June 4, 2010)

65. No federally-listed endangered or threatened species are known to occur in Suffield. (Cellco 1, Attachment 10, Memorandum from Dean Gustafson of Vanasse Hangen Brustlin dated March 29, 2010)

66. The DEP Natural Diversity Database indicates that two state species of Special Concern, the eastern meadowlark (*Sturnella magna*) and the whip-poor-will (*Caprimulgus vociferous*), occur in the vicinity of Cellco's proposed facility. (Cellco 1, Attachment 10, Letter from DEP Wildlife Division dated August 14, 2009)

67. The eastern meadowlark is a grassland-obligate bird and is unlikely to be impacted by Cellco's proposed facility because the host property consists of residential development, forest, and scrub/shrub habitats. (Cellco 1, Attachment 10, Letter of Dean Gustafson of Vanasse Hangen Brustlin dated March 29, 2010)

68. The host property provides potentially suitable habitat for the whip-poor-will, as forest and scrub/shrub habitat occupies its central and northern portions. Vanasse Hangen Brustlin (VHB), Cellco's environmental consultant, conducted a nocturnal field survey to determine if whip-poor-wills are present in the vicinity of the proposed facility. The survey did not detect the presence of whip-poor-wills but did detect the presence of owls, which prey on whip-poor-wills. (Cellco 1, Attachment 10, Letter from Dean Gustafson of VHB to DEP dated June 18, 2010)

69. Based on the results of VHB's whip-poor-will survey and the detection of owl activity in the area, DEP's Wildlife Division concluded it was unlikely that whip-poor-wills are in the vicinity of the proposed facility and that there would be no need for seasonal restrictions on construction activity. (Cellco 6, Letter from DEP Wildlife Division dated September 20, 2010)

70. Cellco's proposed facility is located approximately five miles from the nearest riparian features (the Connecticut River to the east and the Farmington River to the south) that are frequently used by migratory land birds. At its proposed location, Cellco's facility would not impact migratory flyways. (Cellco 4, Tab 3 – Migratory Bird Impact Evaluation)
71. Cellco's proposed facility is approximately five miles north of the state's nearest Important Bird Area, which is Northwest Park in Windsor. This area was identified by Audubon Connecticut and is located along the Farmington River. (Cellco 4, Tab 3 – Migratory Bird Impact Evaluation)
72. Cellco's proposed facility would comply with the United States Fish and Wildlife Service's recommended guidelines for minimizing the potential for telecommunications towers to impact bird species. (Cellco 4, Tab 3 – Migratory Bird Impact Evaluation)
73. In accordance with recommendations made by DEP, the proposed tower would not be lit; also, lighting for the compound would use down-shielded, dark-sky compliant fixtures attached to the equipment shelter and set on a motion sensor and timer. (Cellco 1, Attachment 10, Letter from Dean Gustafson of VHB to DEP dated June 18, 2010, Letter from DEP Wildlife Division dated August 14, 2009)
74. Approximately 31 trees with diameters greater than six inches at breast height would be removed to build the proposed facility. (Cellco 1, Attachment 1, Drawing Sheet C-1A; Tr. 1, p. 20)
75. The nearest wetland system is located approximately 75 feet to the east of the proposed facility's access road. There is also a watercourse located 230 feet to the south of the proposed tower's location. (Cellco 1, p. 19; Attachment 11)
76. Cellco 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. (Cellco 1, p. 19; Attachment 11)
77. With appropriate soil erosion and sedimentation controls in place, development of the proposed facility would not result in any adverse impacts on the nearby wetlands and watercourse. (Cellco 1, p. 19; Attachment 11)
78. Cellco's proposed facility is located outside of the 500-year floodplain delineated by the Federal Emergency Management Agency. (Tr. 1, p. 12)
79. The proposed tower would not constitute an obstruction or hazard to air navigation and, therefore, would not require any obstruction marking or lighting. (Cellco 1, p. 21; Attachment 12)

80. The cumulative worst-case maximum power density from the radio frequency emissions from the operation of all approved antennas and Cellco's proposed antennas is 23.13% 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. (Cellco 1, p. 16)

Visibility

81. The upper portions of Cellco's proposed tower would be visible above the tree canopy on a year-round basis from approximately 46 acres in the surrounding vicinity. The main areas of visibility occur along select portions of South Grand Street (Route 187) and the open fields located immediately adjacent to this road—an area that lies between approximately 0.5 mile to the southwest and approximately 0.2 mile to the northwest. There would also be some areas of visibility along Route 168 east of South Grand Street, approximately 0.3 mile to the north/northeast; along select portions of Hill Street and Sheldon Street located approximately 1.7 miles to the northwest and 0.75 mile to the southeast, respectively; and several smaller areas of visibility located to the west and southwest. Most of these areas are generally open and undeveloped. (Cellco 1, Attachment 9, p. 4)
82. Select portions of the Metacomet Trail, a Connecticut Blue Blaze Trail approximately 1.7 miles to the west/southwest, would have year-round views of the proposed tower. At this distance, the proposed tower would appear set against existing vegetation and hillsides and would not be silhouetted against the sky. (Cellco 1, Attachment 9, p. 4)
83. Approximately 17 residential properties could have at least partial year-round views of the proposed tower. This number includes approximately 12 residences located along South Grand Street; three residences along Sheldon Street; and two residences located along Hill Street. (Cellco 1, Attachment 9, p. 5)
84. The proposed tower would be seasonally visible from approximately 98 acres located within the general vicinity of the proposed facility, including the host property and areas to the east and west of South Grand Street. (Cellco 1, Attachment 9, p. 5)
85. Approximately 20 additional residential properties, including 16 residential properties located along South Grand Street and four residential properties located along Route 168, would have seasonal views of the proposed tower. (Cellco 1, Attachment 9, p. 5)

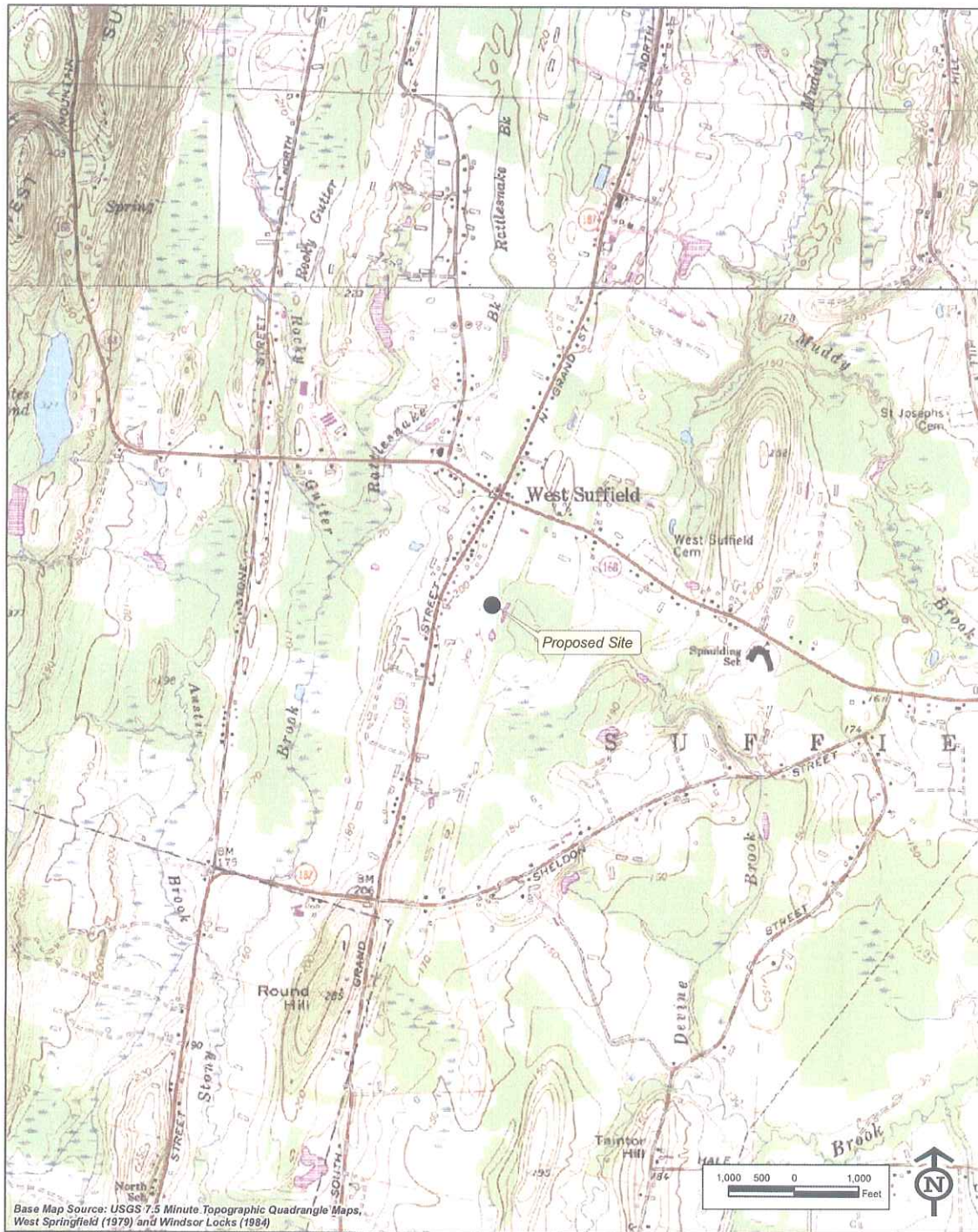
86. The visibility of Cellco's proposed tower from different vantage points in the surrounding vicinity is summarized in the following table. The vantage points listed are identified by their corresponding number in the Visual Resource Evaluation Report contained in Attachment 9 of Cellco's application (Figure 8).

<u>Location</u>	<u>Site Visible</u>	<u>Approx. Portion of (120') Tower Visible</u>	<u>Approx. Distance and Direction to Tower</u>
1 – Route 168, approximately 400 feet east of Route 187	Yes	30'	1,500 feet; SW
2 – 84 South Grand Street (Route 187)	Yes	70'	1,000 feet; SE
3 – 399 South Grand Street (Route 187)	Yes	20'	2,600 feet, NE
4 – 1360 Sheldon Street	Yes	10'	4,100 feet; NW
5 – Hill Street	Yes	15'	8,900 feet; SW
6 – Route 187, north of Route 168	No	n/a	1,700 feet; S
7 – Ratley Road	No	n/a	8,100 feet; SE
8 – 90 Taintor Street	No	n/a	6,600 feet; NW

(Cellco 1, Attachment 9 – Photographic Simulations)

87. There is some potential for limited seasonal visibility from the Town of Suffield's Sunrise Park. However, any views of the proposed tower from the park would be through intervening trees and would be set into the surrounding valley against a backdrop of rising topography and tree canopy to the east. (Cellco 4, Response 23)

Figure 1: Location Map



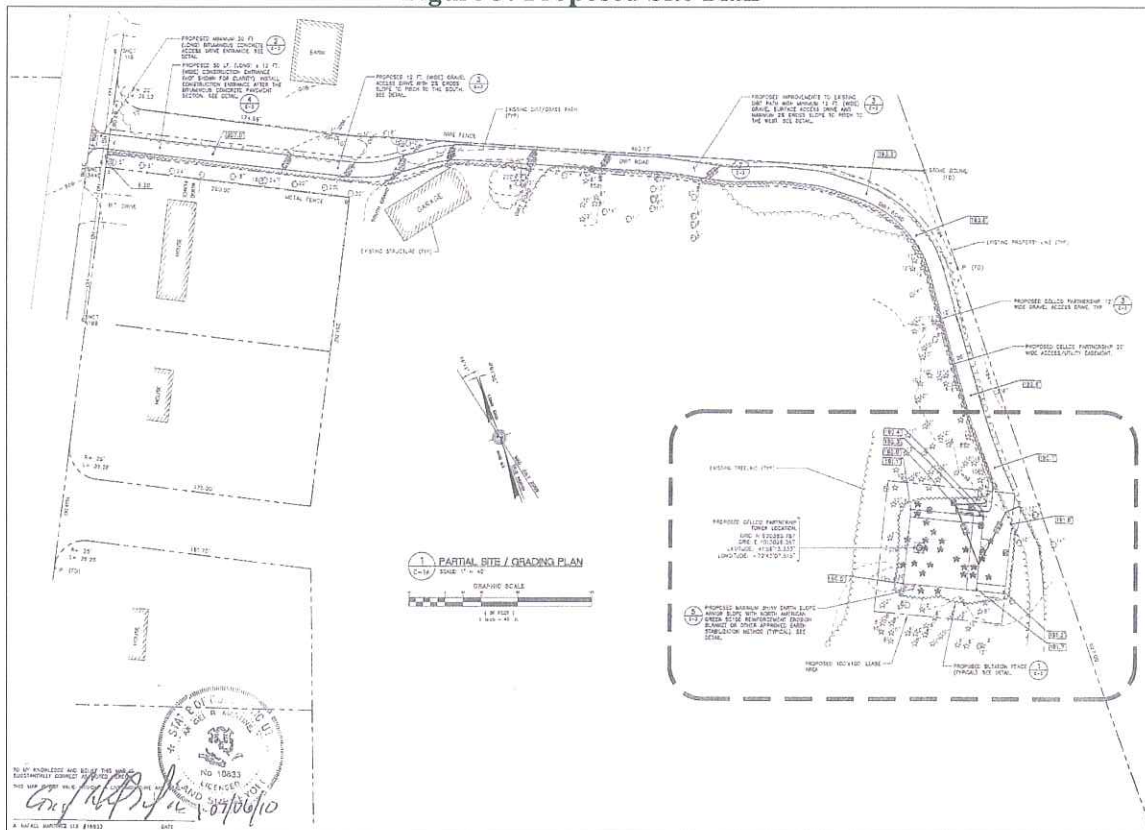
(Cellco 1, p. ii)

Figure 2: Aerial Photo of Proposed Site's Vicinity



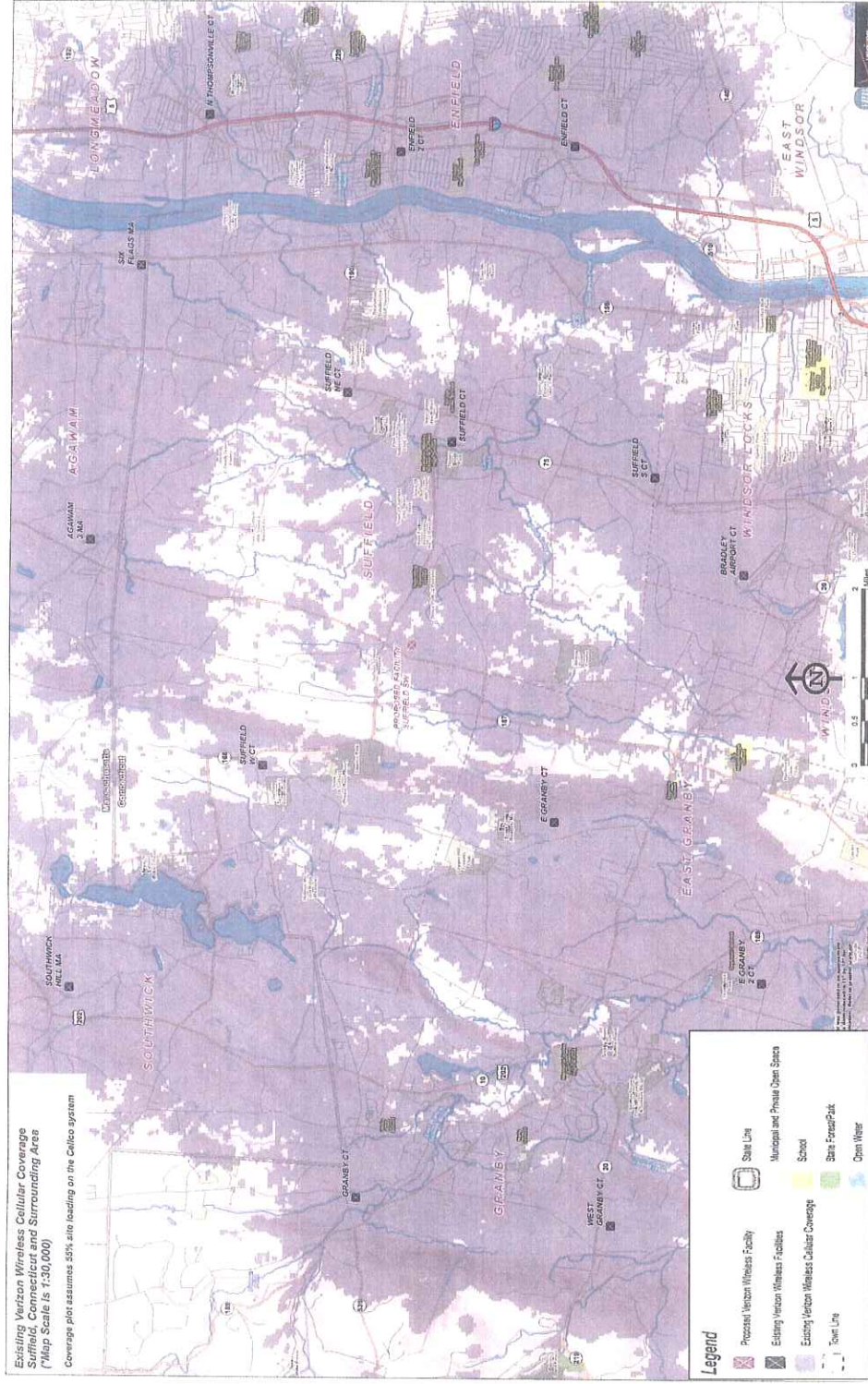
(Cellco 1, p. iii)

Figure 3: Proposed Site Plan



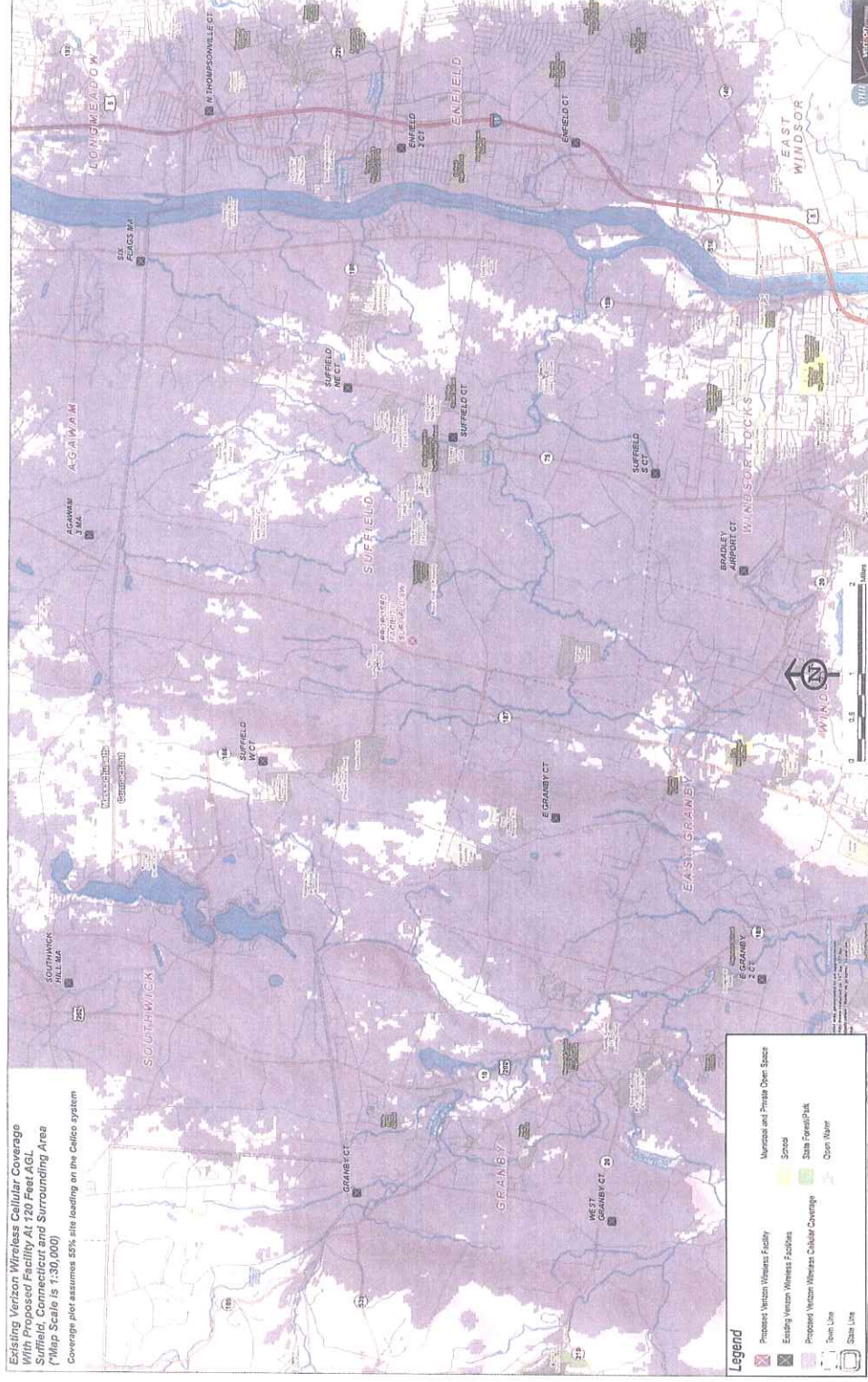
(Cellco 1, Attachment 1, Drawing C-1A)

Figure 4: Cellco's Existing Coverage at Cellular Frequencies



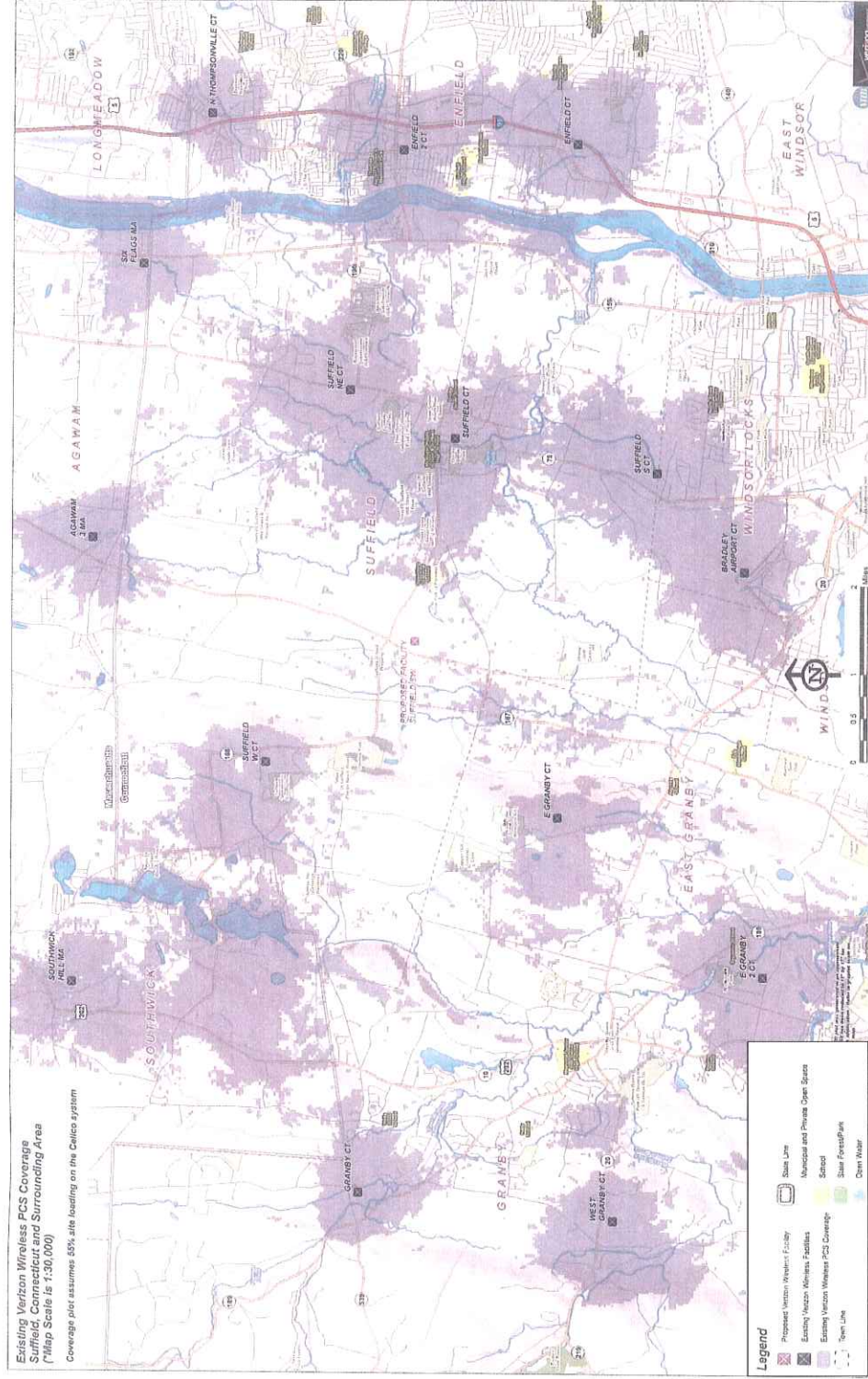
(Cellco 1, Attachment 6)

Figure 5: Cellco's Cellular Coverage with Proposed Site



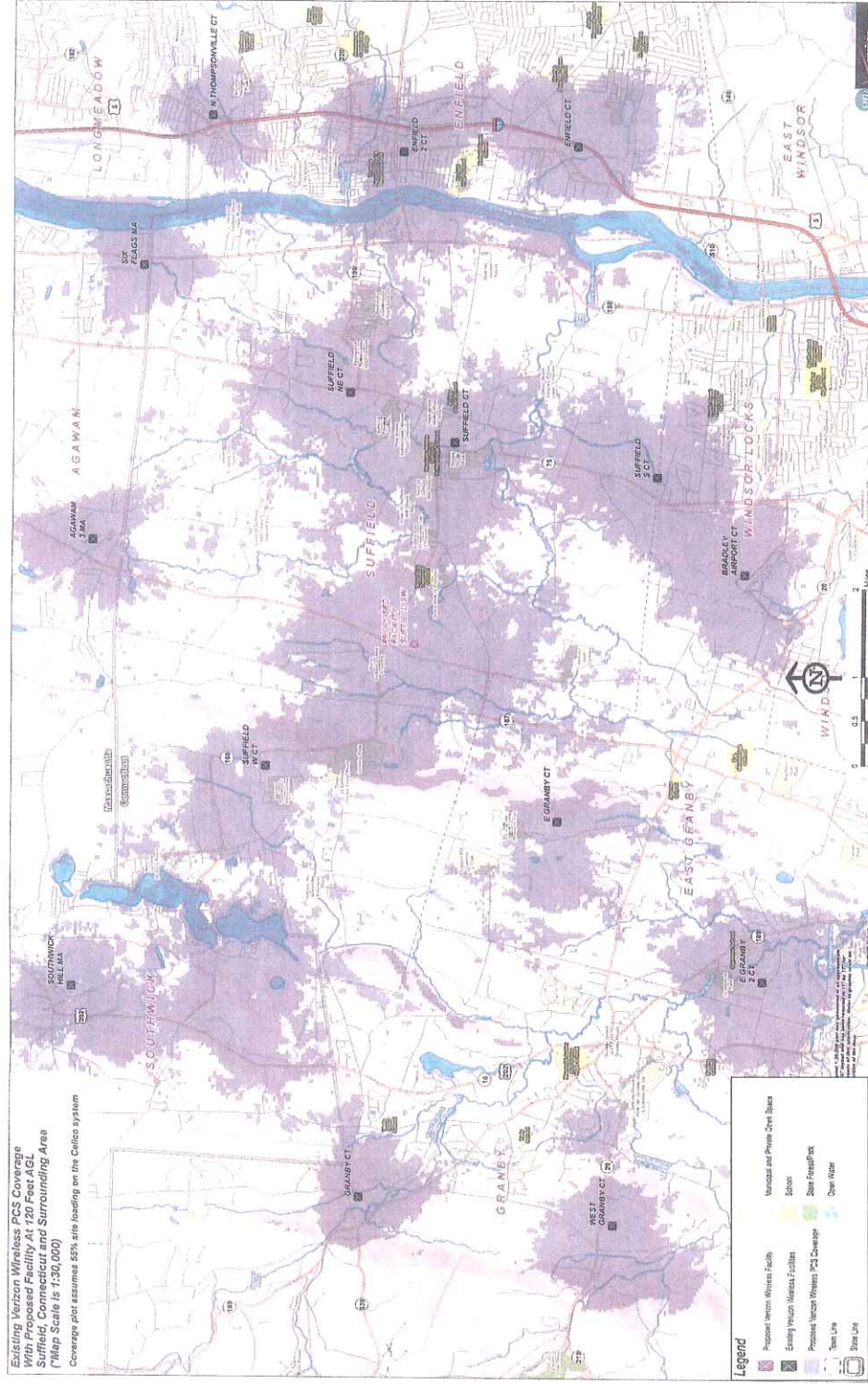
(Cellco 1, Attachment 6)

Figure 6: Cellco's Existing Coverage at PCS Frequencies



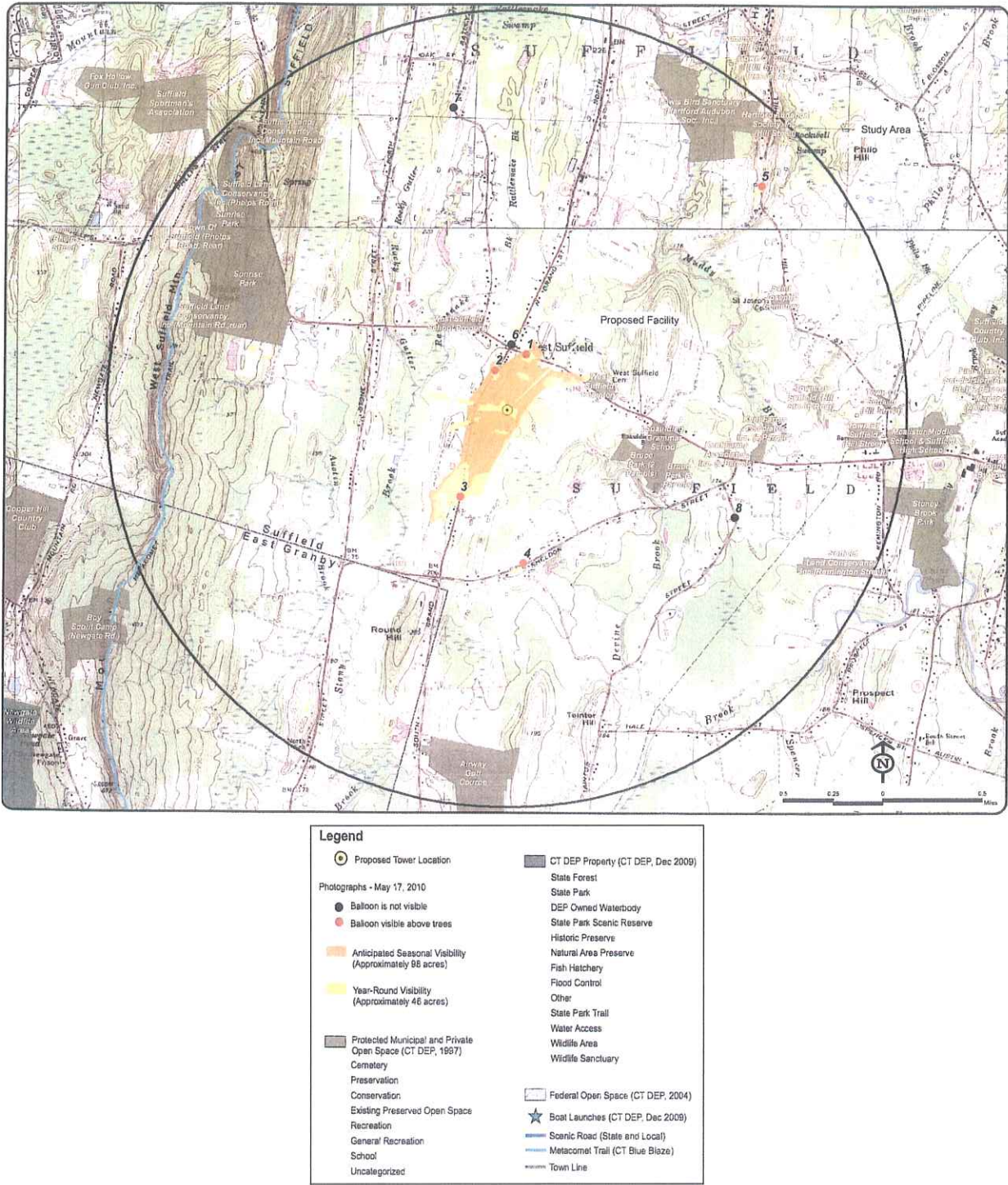
(Cellco 1, Attachment 6)

Figure 7: Cellco's PCS Coverage with Proposed Site



(Cellco 1, Attachment 6)

Figure 8: Visual Analysis of Proposed Facility



(Cellco 1, Attachment 9)

DOCKET NO. 403 - Cellco Partnership d/b/a Verizon Wireless	}	Connecticut
application for a Certificate of Environmental Compatibility and		
Public Need for the construction, maintenance and operation of a	}	Siting
telecommunications facility located at 174 South Grand Street,		
Suffield, Connecticut.	}	Council

December 2, 2010

Opinion

On July 9, 2010, Cellco Partnership d/b/a Verizon Wireless (Cellco) applied to the Connecticut Siting Council (Council) for a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, maintenance and operation of a wireless telecommunications facility to be located at 174 South Grand Street in the Town of Suffield, Connecticut. Cellco is seeking to develop a facility on a 17.57-acre parcel owned by Darian and Robert Paganelli, who use it for a residence. Cellco's objective in locating a facility at this location is to provide coverage and capacity relief primarily along portions of Routes 187 and 168 as well as local roads and residential and commercial areas in the southwest portion of Suffield. There were no other parties or intervenors in this proceeding.

Cellco would lease a 100-foot by 100-foot parcel in the northeasterly portion of the Paganelli property. Within its lease space, it would develop a 60-foot by 60-foot compound that would include a 120-foot tall monopole tower. The compound would be enclosed by an eight-foot high chain link fence. Vehicular access to the proposed facility would extend from South Grand Street over an existing driveway for a distance of 300 feet and then over a new driveway to be installed by Cellco for a distance of 600 feet. Utilities would be extended underground from an existing utility pole on South Grand Street.

The tower's setback radius would extend approximately 16 feet onto adjacent property to the east owned by Pamela and Gary Dorman. To prevent the tower from potentially encroaching onto the adjacent property in the event of a collapse, Cellco could design it with a yield point at approximately 80 feet above ground level.

The upper portions of Cellco's proposed tower would be visible above the tree canopy on a year-round basis from approximately 46 acres in the surrounding vicinity. The main areas of visibility occur along portions of South Grand Street (Route 187) and the open fields located immediately adjacent to this road—an area that lies between approximately 0.5 mile to the southwest and approximately 0.2 mile to the northwest. There would also be some areas of visibility along Route 168 east of South Grand Street, approximately 0.3 mile to the north/northeast; along portions of Hill Street and Sheldon Street located approximately 1.7 miles to the northwest and 0.75 mile to the southeast, respectively; and several smaller areas of visibility located to the west and southwest. Most of these areas are generally open and undeveloped. The tower would be seasonally visible from approximately 98 acres located within the general vicinity of the proposed facility, including the host property and areas to the east and west of South Grand Street.

Approximately 17 residential properties could have at least partial year-round views of the proposed tower. This number includes approximately 12 residences located along South Grand Street; three residences along Sheldon Street; and two residences located along Hill Street. Approximately 20 additional residential properties, including 16 residential properties located along South Grand Street and four residential properties located along Route 168, would have seasonal views of the proposed tower.

The nearest wetland system to the proposed facility is located approximately 75 feet to the east of the access road. There is also a watercourse located 230 feet to the south of the proposed tower's location. With appropriate soil erosion and sedimentation controls in place, development of the proposed facility would not result in any adverse impacts on the nearby wetlands and watercourse.

The DEP Natural Diversity Database indicates that two state species of Special Concern, the eastern meadowlark (*Sturnella magna*) and the whip-poor-will (*Caprimulgus vociferous*), occur in the vicinity of Cellco's proposed facility. The eastern meadowlark is a grassland-obligate bird and is unlikely to be impacted by Cellco's proposed facility because the host property consists of residential development, forest, and scrub/shrub habitats. Vanasse Hangen Brustlin (VHB), Cellco's environmental consultant, conducted a nocturnal field survey to determine if whip-poor-wills are present in the vicinity of the proposed facility. The survey did not detect the presence of whip-poor-wills but did detect the presence of owls, which prey on whip-poor-wills. Based on the results of VHB's whip-poor-will survey and owl activity in the area, DEP's Wildlife Division concluded it was unlikely that whip-poor-wills are in the vicinity of the proposed facility.

The proposed facility would have no effect on archaeological resources listed or eligible for listing in the National Register of Historic Places and no adverse effect on the historic character of West Suffield.

After reviewing the record in this proceeding, the Council finds that there is a need for additional coverage in the vicinity of the proposed facility and that the facility would not cause any significant environmental impacts. We also find that the visual presence of the proposed tower would not be unduly disruptive in the surrounding vicinity. Furthermore, the Council feels that Cellco made good faith efforts to ascertain if any species of Special Concern are present in the vicinity of the proposed facility and is satisfied with the results of these efforts.

According to a methodology prescribed by the FCC Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997), the worst case combined radio frequency power density levels of the antennas proposed to be installed on the tower have been calculated by Council staff to amount to 23.13% 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 site, 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 120-foot monopole telecommunications facility at 174 South Grand Street, Suffield, Connecticut.

DOCKET NO. 403 - Cellco Partnership d/b/a Verizon Wireless	}	Connecticut
application for a Certificate of Environmental Compatibility and		
Public Need for the construction, maintenance and operation of a	}	Siting
telecommunications facility located at 174 South Grand Street,		
Suffield, Connecticut.	}	Council

December 2, 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 Cellco Partnership d/b/a Verizon Wireless, hereinafter referred to as the Certificate Holder, for a telecommunications facility located at 174 South Grand Street, Suffield, Connecticut.

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

1. The tower shall be constructed as a monopole, no taller than necessary to provide the proposed telecommunications services, sufficient to accommodate the antennas of the Certificate Holder and other entities, both public and private, but such tower shall not exceed a height of 120 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 Suffield 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, 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 Suffield 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 Suffield. 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.
14. The Certificate Holder shall maintain the facility and associated equipment in a reasonable physical and operational condition, including but not limited to, the tower, tower foundation, antennas, equipment compound, radio equipment, access road, utility line and landscaping, that is consistent with this Decision and Order and a Development and Management Plan to be approved by the Council.

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 Journal Inquirer.

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

Cellco Partnership d/b/a
Verizon Wireless

Its Representative

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

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. 403** - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 174 South Grand Street, Suffield, Connecticut, and voted as follows to approve the proposed Site located at 174 South Grand Street, Suffield, Connecticut:

Council Members

Vote Cast



Daniel F. Caruso, Chairman

Yes




Colin C. Tait, Vice Chairman

Yes

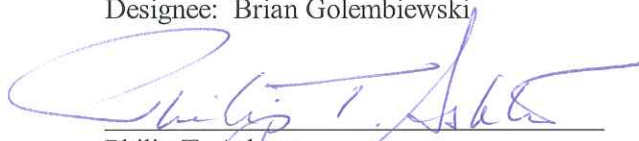
Commissioner Kevin M. DelGobbo
Designee: Larry P. Levesque

Absent



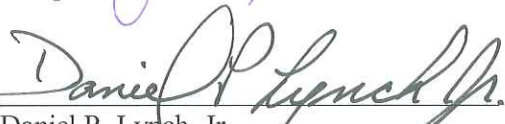
Commissioner Amey Marrella
Designee: Brian Golembiewski

Yes



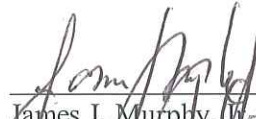
Philip T. Ashton

Yes




Daniel P. Lynch, Jr.

Yes



James J. Murphy, Jr.

Yes



Dr. Barbara Currier Bell

Yes



Edward S. Wilensky

Yes

Dated at New Britain, Connecticut, December 2, 2010.



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

December 10, 2010

TO: Classified/Legal Supervisor
351080512
Journal Inquirer
P.O. Box 510
Manchester, CT 06045-0510

FROM: Jessica Brito-Weston, Secretary I 

RE: **DOCKET NO. 403** - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 174 South Grand Street, Suffield, 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 December 2, 2010, the Council issued Findings of Fact, an Opinion, and a Decision and Order approving an application from Cellco Partnership d/b/a Verizon Wireless for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 174 South Grand Street, Suffield, Connecticut. This application record is available for public inspection in the Council's office, Ten Franklin Square, New Britain, Connecticut.