



STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL & CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

December 6, 2024

Kenneth C. Baldwin, Esq.  
Robinson & Cole LLP  
One State Street  
Hartford, CT 06103  
[kbaldwin@rc.com](mailto:kbaldwin@rc.com)

RE: **DOCKET NO. 414** – Cellco Partnership d/b/a Verizon Wireless Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 36 Ritch Avenue, Greenwich, Connecticut. **Enforcement Action Consent Order.**

Dear Attorney Baldwin:

On October 2, 2024, pursuant to CGS §16-50u, the Connecticut Siting Council (Council) initiated an Enforcement Action related to Condition No. 14 of the Council's July 14, 2011 Decision and Order for the above-referenced facility. Cellco Partnership d/b/a Verizon Wireless (Cellco) is the Certificate Holder of record.

On October 22, 2024, the Council received correspondence from Cellco requesting a modification to the Council's October 2, 2024 Enforcement Action. Cellco did not request a public hearing.

During a public meeting held on December 5, 2024, the Council voted to approve a consent order for the Docket No. 414 facility as follows:

1. Add **Condition No. 16** to the July 14, 2011 D&O in Docket No. 414 – “The Certificate Holder shall provide the Council with written notice of any management agreement, a copy of any management agreement and contact information for the entity responsible for management of the facility site;”
2. Add **Condition No. 17** to the July 14, 2011 D&O in Docket No. 414 – “The Certificate Holder or Tower Manager, as applicable, shall comply with the October 29, 2024 maintenance plan submitted into the record of the Council's October 2, 2024 Enforcement Action related to the facility site;”
3. Add **Condition No. 18** to the July 14, 2011 D&O in Docket No. 414 – “This Certificate may be surrendered by the Certificate Holder upon written notification and acknowledgment by the Council;”
4. Add **Condition No. 19** to the July 14, 2011 D&O in Docket No. 414 – “Deployment of any 5G services must comply with Federal Communications Commission and Federal Aviation Administration guidance relative to air navigation, as applicable;”
5. Add **Condition No. 20** to the July 14, 2011 D&O in Docket No. 414 – “Radio frequency access restriction and caution signage shall be installed at the site in compliance with FCC guidance;”
6. Add **Condition No. 21** to the July 14, 2011 D&O in Docket No. 414 – “The Certificate Holder or Tower Manager shall submit a Maintenance Plan Inspection Report every 6

- months for the first year beginning in 2025 and annually thereafter that shall identify who conducted the inspection, the date of the inspection, and the maintenance actions taken, including photographic documentation;
7. Cellco shall submit a copy of the Project Sequoia Agreement for the Docket No. 414 facility site and confirm the contact information for American Tower Corporation and its responsibilities for management of the facility site **no later than January 31, 2025**; and
  8. No fines shall be imposed if Cellco complies with Item No. 6 above. If Cellco does not comply with Item No. 6 above, the Council shall reopen and modify this consent order in accordance with the provisions of CGS §16-50u, which include, but are not limited to, imposition of fines.

Enclosed are the Council's Enforcement Action Staff Report and Consent Order.

Thank you for your attention to this very important matter.

Sincerely,



Executive Director

Enclosures: Staff Report, dated December 5, 2024  
Consent Order, dated December 5, 2024

c: Brigitte Spillane, American Tower Corporation, [Brigitte.spillane@americantower.com](mailto:Brigitte.spillane@americantower.com)  
Robert Karam, American Tower Corporation [Robert.Karam@americantower.com](mailto:Robert.Karam@americantower.com)  
Jason Hastie, Sales Account Manager, American Tower Corporation,  
[Jason.hastie@americantower.com](mailto:Jason.hastie@americantower.com)  
Alan Meilinggaard, [Alanmeil@verizon.net](mailto:Alanmeil@verizon.net)

MAB/RDM/laf



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*CONNECTICUT SITING COUNCIL*

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Web Site: [portal.ct.gov/csc](http://portal.ct.gov/csc)

**DOCKET NO. 414** – Cellco Partnership d/b/a Verizon Wireless Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 36 Ritch Avenue, Greenwich, Connecticut. **Enforcement Action.**

**Staff Report**  
**December 5, 2024**

**Existing Certificated Telecommunications Facility**

On July 14, 2011, the Connecticut Siting Council (Council) issued a Certificate of Environmental Compatibility and Public Need (Certificate) to Cellco Partnership d/b/a Verizon Wireless (Cellco or Certificate Holder) for the construction, maintenance and operation of a 77-foot monopine telecommunications facility at 36 Ritch Avenue in Greenwich, Connecticut.<sup>1</sup> The facility was designed to replace an existing 70-foot flagpole owned by AT&T to accommodate the antennas of Cellco, T-Mobile, AT&T and other entities, both public and private, including, but not limited to, the Town of Greenwich (Town).

Condition No. 2 of the Council's July 14, 2011 Decision and Order (D&O) required Cellco to submit a Development and Management (D&M) Plan for the facility in compliance with Regulations of Connecticut State Agencies (RCSA) §16-50j-75 to §16-50j-77. This included, but was not limited to, submission of a final site plan with specifications for the tower, tower foundation, antennas, equipment compound, radio equipment, access road, utility line and *landscaping*. (Emphasis added).

On October 7, 2011, Cellco submitted the D&M Plan for the certificated facility that included Cellco antennas at the 57-foot level, AT&T antennas at the 67-foot level, T-Mobile antennas at the 77-foot level and Town emergency communications equipment at the top of the tower. In compliance with Condition No. 2 of the Council's D&O, the D&M Plan included a rain garden along the upper portion of the access road outside the equipment compound and a gravel courtyard within the equipment compound.

The Council approved Cellco's D&M Plan for the certificated facility on October 20, 2011. Facility construction commenced on March 1, 2012. During construction, Council staff conducted several site inspections in response to concerns from an abutting property owner<sup>2</sup> associated with erosion control, trespassing and property damage that noted "weed growth." Construction of the facility was completed on July 9, 2013.

Condition No. 14 of the Council's July 14, 2011 D&O requires: "The *Certificate Holder* shall maintain the facility and associated equipment, including but not limited to, the tower, tower foundation, antennas, equipment compound, radio equipment, access road, utility line and *landscaping* in a reasonable physical and operational condition that is consistent with this Decision and Order and a Development and Management Plan to be approved by the Council." (Emphasis added).

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<sup>1</sup> Council Docket No. 414 Record, available at [https://portal.ct.gov/csc/1\\_applications-and-other-pending-matters/applications/3\\_docketnos400s/docket-no-414-verizongreenwich](https://portal.ct.gov/csc/1_applications-and-other-pending-matters/applications/3_docketnos400s/docket-no-414-verizongreenwich)

<sup>2</sup> Mr. John Hartwell owns the property to the south at 123 Byrum Avenue. Mr. Hartwell was a party to the proceedings held in Docket No. 414.

### **Council Jurisdiction**

Pursuant to CGS §16-50i(a)(6) of the Public Utility Environmental Standards Act (PUESA), the Council has jurisdiction over “*facilities*,” such as “telecommunication towers, including associated telecommunications equipment, owned or operated by the state, a public service company or a certified telecommunications provider or used in a cellular system, as defined in the Code of Federal Regulations Title 47, Part 22, as amended,” throughout the state. (Emphasis added). The existing facility located at 36 Ritch Avenue in Greenwich is subject to the Council’s jurisdiction under CGS §16-50i(a)(6) because it is a telecommunications tower that was certificated by the Council with conditions in 2011.

Under CGS §16-50u, “If the council finds that any person... has failed to comply with any certificate..., the council shall fine such person, order such person to pay restitution or order such person to pay a combination of a fine and restitution. The council may assess civil penalties in an amount not less than one thousand dollars per day for each day of... operation in material violation of... any certificate...”

“If the council has reason to believe that a violation has occurred for which a civil penalty is authorized ..., the council shall notify the alleged violator by certified mail, return receipt requested, or by personal service. The notice shall include: (1) A reference to ... any condition or requirement of such certificate; (2) A short and plain statement of the matter asserted or charged; (3) A statement of the prescribed civil penalty for the violation; and (4) A statement of the person's right to a hearing.”

“The person to whom the notice is addressed shall have twenty days from the date of receipt of the notice in which to deliver to the council a written application for a hearing. If a hearing is requested, then, after a hearing and upon a finding that a violation has occurred, the council may issue a final order .... If a hearing is not requested, or if such a request is later withdrawn, then the notice shall, on the first day after the expiration of the twenty-day period or on the first day after the withdrawal of the request for hearing, whichever is later, become a final order of the council and the matters asserted or charged in the notice shall be deemed admitted, unless the notice is modified by a consent order before it becomes a final order. A consent order shall be deemed a final order.”

### **Enforcement Action**

On July 10, 2024, an abutting property owner to the existing certificated telecommunications facility, Alan Meilinggaard (Meilinggaard), submitted correspondence to the Council expressing concerns with the lack of vegetation management at the facility site. On July 11, 2024, the Council responded to Meilinggaard and copied the Certificate Holder.

On September 30, 2024, Meilinggaard submitted additional correspondence to the Council expressing concerns with the lack of communication from the Certificate Holder regarding the vegetation management at the facility site since his first letter was submitted to the Council on July 10, 2024.

On October 2, 2024, pursuant to CGS §16-50u, the Council initiated an Enforcement Action and provided notice via certified mail, return receipt requested to Cellco’s counsel of record. See Attachment 1.

The Council’s October 2, 2024 notice to the Certificate Holder included: (1) A reference to Condition No. 14 of the July 14, 2011 Certificate; (2) A short and plain statement of the history related to lack of vegetation maintenance at the facility site; (3) A statement of the assessment of civil penalties in an amount not less than one thousand dollars per day; and (4) A statement of the Certificate Holder’s right to a hearing.

The Certificate Holder received notice of the Council’s Enforcement Action by certified mail on October 4, 2024. See Attachment 2.

On October 22, 2024, prior to the expiration of the statutory deadline to request a hearing, the Certificate Holder submitted a written request to the Council for modification of its enforcement action notice. The correspondence received from the Certificate Holder did not request a hearing.

Cellco entered into a Master Prepaid Lease (Project Sequoia Agreement) with American Tower Corporation (ATC) on March 27, 2015 that requires ATC to manage, operate and maintain the facility at 36 Ritch Avenue in Greenwich in accordance with the conditions of the Council's final decision in Docket No. 414. However, Cellco has not transferred the Certificate to ATC in compliance with CGS §16-50k(b) and Condition No. 13 of the Council's July 14, 2011 D&O. Therefore, Cellco remains the Certificate Holder for the existing facility, and is responsible for its management, operation and maintenance. See Attachment 3.

In its October 22, 2024 correspondence, Cellco provides photos of completed facility maintenance, references a maintenance plan going forward and requests the Council to modify its October 2, 2024 Enforcement Action as follows: "Upon receipt of notice from ATC that all facility maintenance activities have been completed, including photo-documentation of post-maintenance conditions and the submission of a prospective facility maintenance plan, the Council's enforcement action shall be deemed terminated and the imposition of fines and penalties is suspended."

On October 29, 2024, ATC, as Tower Manager under the Project Sequoia Agreement, submitted correspondence to the Council confirming a maintenance program for the facility with periodic inspections every six months to ensure vegetation is properly maintained at the site. See Attachment 4.

On November 19, 2024, Cellco voluntarily submitted a list of its other existing facilities located throughout Connecticut that are subject to the Project Sequoia Agreement with ATC. See Attachment 5.

### Conclusion

Staff recommends the Council vote to approve a consent order **for Docket No. 414** as follows:

1. Add **Condition No. 16** to the July 14, 2011 D&O in Docket No. 414 – "The Certificate Holder shall provide the Council with written notice of any management agreement, a copy of any management agreement and contact information for the entity responsible for management of the facility site;"
2. Add **Condition No. 17** to the July 14, 2011 D&O in Docket No. 414 – "The Certificate Holder or Tower Manager, as applicable, shall comply with the October 29, 2024 maintenance plan submitted into the record of the Council's October 2, 2024 Enforcement Action related to the facility site;"
3. Add **Condition No. 18** to the July 14, 2011 D&O in Docket No. 414 – "This Certificate may be surrendered by the Certificate Holder upon written notification and acknowledgment by the Council;"<sup>3</sup>
4. Add **Condition No. 19** to the July 14, 2011 D&O in Docket No. 414 – "Deployment of any 5G services must comply with Federal Communications Commission and Federal Aviation Administration guidance relative to air navigation, as applicable;"
5. Add **Condition No. 20** to the July 14, 2011 D&O in Docket No. 414 – "Radio frequency access restriction and caution signage shall be installed at the site in compliance with FCC guidance;"

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<sup>3</sup> The July 14, 2011 final decision in Docket No. 414 predates the Council's standard condition related to the surrender of a Certificate that was prompted by the Council's September 24, 2013 final decision in Docket No. 190B, available at: [https://portal.ct.gov/csc/1\\_applications-and-other-pending-matters/applications/1\\_docketnos1-199/docket-no-190b](https://portal.ct.gov/csc/1_applications-and-other-pending-matters/applications/1_docketnos1-199/docket-no-190b)

6. Cellco shall submit a copy of the Project Sequoia Agreement for the Docket No. 414 facility site and confirm the contact information for ATC and its responsibilities for management of the facility site **no later than January 31, 2025**; and
7. No fines shall be imposed if Cellco complies with Item No. 6 above. If Cellco does not comply with Item No. 6 above, the Council shall reopen and modify this consent order in accordance with the provisions of CGS §16-50u, which include, but are not limited to, imposition of fines.

Nothing in the consent order impacts Cellco's existing right to request a transfer of its Certificate pursuant to CGS §16-50k(b) and Condition No. 13 of the Council's July 14, 2011 D&O if it opts to exercise its rights under the statute and Certificate condition in the future.

Nothing in the consent order impacts Cellco's existing right to surrender its Certificate upon written notification and acknowledgment by the Council.

Staff also recommends the Council post Cellco's November 19, 2024 correspondence to the administrative records of the existing Cellco facilities identified in the November 19, 2024 correspondence on the Council's website and consider the addition of **Condition Nos. 16 and 18** referenced above to all future Certificates it issues for new telecommunications facilities.

**Attachment 1 – Council October 2, 2024 Enforcement Action Correspondence**



STATE OF CONNECTICUT  
**CONNECTICUT SITING COUNCIL**  
Ten Franklin Square, New Britain, CT 06051  
Phone: (860) 827-2935 Fax: (860) 827-2950  
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Web Site: [portal.ct.gov/csc](http://portal.ct.gov/csc)

**VIA ELECTRONIC MAIL & CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

October 2, 2024

Kenneth C. Baldwin, Esq.  
Robinson & Cole LLP  
One State Street  
Hartford, CT 06103  
[kbaldwin@rc.com](mailto:kbaldwin@rc.com)

RE: **DOCKET NO. 414** – Cellco Partnership d/b/a Verizon Wireless Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 36 Ritch Avenue, Greenwich, Connecticut. **Enforcement Action.**

Dear Attorney Baldwin:

The Connecticut Siting Council (Council) is in receipt of additional email correspondence, dated September 30, 2024 from Greenwich resident, Alan Meilinggaard, the owner of property at 52 Ritch Avenue West, concerning the lack of vegetative maintenance associated with the above-referenced Council-certificated telecommunications facility site.

Mr. Meilinggaard initially submitted email correspondence to the Council regarding this issue on July 10, 2024. The Council copied Cellco Partnership d/b/a Verizon Wireless (Cellco), the Certificate Holder of record for this facility, and American Tower Corporation (ATC), the management company engaged by Cellco for this facility, on its July 11, 2024 response to Mr. Meilinggaard as notification of the lack of vegetative maintenance at the facility site.

Please be advised that under Connecticut General Statutes (CGS) §16-50u, "If the council finds that any person... has failed to comply with any certificate..., the council shall fine such person, order such person to pay restitution or order such person to pay a combination of a fine and restitution. The council may assess civil penalties in an amount not less than one thousand dollars per day for each day of... operation in material violation of... any certificate..."

Pursuant to CGS §16-50u, the Council hereby provides notice of a reason to believe that a violation of Condition No. 14 of the Council's July 14, 2011 Certificate of Environmental Compatibility and Public Need (Certificate) for this facility has occurred.

Condition No. 14 of the Council's July 14, 2011 Certificate states: "The **Certificate Holder** shall maintain the facility and associated equipment, including but not limited to, the tower, tower foundation, antennas, equipment compound, radio equipment, access road, utility line and **landscaping** in a reasonable physical and operational condition that is consistent with this Decision and Order and a Development and Management Plan to be approved by the Council." (Emphasis added).

Cellco provided notice of commencement of construction of the facility on March 1, 2012. During construction, Council staff conducted several inspections of the site. Cellco provided notice of



completion of construction of the facility on July 9, 2013. Council staff conducted a post-construction site review on October 3, 2014 and issued a Post-Construction Report for the facility on October 7, 2014, which may be accessed at this link: <https://portal.ct.gov/-/media/csc/postconstructionreports/414postconstructionreport100714pdf.pdf>


The photographs and captions on page 4 of the October 7, 2014 Post-Construction Report clearly identify "weed growth." This certificated facility site has not been in compliance and is currently not in compliance with Condition No. 14 of the Council's July 14, 2011 Certificate.

In accordance with CGS §16-50u, the Council shall fine the Certificate Holder \$1,000/day commencing with the date of this notice letter.

Please be advised that pursuant to CGS §16-50u, the Certificate Holder shall have **20 days** from the date of receipt of this notice to submit a written application for a hearing or a written request for modification of this notice to the Council.

Thank you for your attention in this very important matter.

Sincerely,



Executive Director

Enclosures: Meilinggaard Correspondence dated July 10, 2024 and August 7, 2024

c: Gregory Mercier, Esq., American Tower Corporation, [greg.mercier@americantower.com](mailto:greg.mercier@americantower.com)  
Brigitte Spillane, American Tower Corporation, [Brigitte.spillane@americantower.com](mailto:Brigitte.spillane@americantower.com)  
Jason Hastie, Sales Account Manager, American Tower Corporation,  
[Jason.hastie@americantower.com](mailto:Jason.hastie@americantower.com)  
Alan Meilinggaard, [Alanmeil@verizon.net](mailto:Alanmeil@verizon.net)  
Council Members

MAB/RDM/laf

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**Attachment 2 – Council Certified Mail Return Receipt**

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"><li>Complete items 1, 2, and 3.</li><li>Print your name and address on the reverse so that we can return the card to you.</li><li>Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>		A. Signature  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to:  Kenneth C. Baldwin, Esq. Robinson & Cole LLP One State Street Hartford, CT 06103		B. Received by (Printed Name)	C. Date of Delivery
DO414		D. Is delivery address different from item 1? <input type="checkbox"/> Yes if YES, enter delivery address below: <input type="checkbox"/> No	
 9590 9402 7548 2098 0881 46		3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery	
Article Number (Transfer from service label) 7017 2620 0000 5644 8499		all Restricted Delivery	
S Form 3811, July 2020 PSN 7530-02-000-9053		Domestic Return Receipt	

**Attachment 3 – Cellco Response to Enforcement Action**



KENNETH C. BALDWIN

One State Street  
Hartford, CT 06103  
Main (860) 275-8200  
Fax (860) 275-8299  
kbaldwin@rc.com  
Direct (860) 275-8345

Also admitted in Massachusetts  
and New York

October 22, 2024

Melanie Bachman, Esq.  
Executive Director  
Connecticut Siting Council  
Ten Franklin Square  
New Britain, CT 06051

**RE: DOCKET NO. 414 – Cellco Partnership d/b/a Verizon Wireless Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 36 Ritch Avenue, Greenwich, Connecticut**

**Request to Modify the Siting Council’s October 2, 2024 Notice of Enforcement Action**

Dear Attorney Bachman

As you are aware, Cellco Partnership d/b/a Verizon Wireless (“Verizon”) is the Certificate holder for the existing telecommunications facility at 36 Ritch Avenue in Greenwich, Connecticut (the “Facility”). The Siting Council approved the construction of the Facility in December of 2011 in Docket No. 414.

Pursuant to an agreement dated March 27, 2015, Cellco Partnership d/b/a Verizon Wireless entered into a Master Prepaid Lease with ATC Sequoia LLC (a wholly owned subsidiary of American Tower Corporation, hereafter “American Tower”) which requires American Tower to manage, operate, and maintain the Facility at 36 Ritch Road in Greenwich, CT in accordance with the Council’s final approval.

Earlier this year, the Council received an email from the owner of the adjacent parcel at 52 Ritch Avenue expressing concern for the maintenance of the Facility, in particular, vegetative management within the Facility compound adjacent to his property. Verizon immediately notified American Tower of these concerns and asked that they be rectified. We regret that the site has not been maintained to an acceptable standard and American Tower has assured us that it will take full responsibility for the cost to remedy this situation.

# Robinson+Cole

Melanie A. Bachman, Esq.  
October 22, 2024  
Page 2

According to information Verizon received from American Tower recently, a site maintenance contractor began work this week removing the overgrown ground cover vegetation. American Tower has provided Verizon with some progress photographs for your review. *See Exhibit A attached.* American Tower has also assured us that it will be implementing a more rigorous site maintenance plan which includes greater vigilance and more frequent visits to the Facility to ensure that these problems do not occur again. American Tower has confirmed that it will submit its site maintenance plan directly to the Council by October 31, 2024.

In light of the ongoing maintenance activity at the Facility and American Tower's commitment to execute a more robust maintenance plan for the Facility going forward, Verizon respectfully requests that the Council's October 2, 2024 Enforcement Action be modified as follows: Upon receipt of notice from American Tower that all Facility maintenance activities have been completed, including photo-documentation of post-maintenance conditions and the submission of a prospective Facility Maintenance Plan, the Council's enforcement action shall be deemed termination and the imposition of fines and penalties is suspended.

Thank you in advance for your consideration of this request.

Sincerely,



Kenneth C. Baldwin

Copy to:

Brigette Spillane, Esq., American Tower  
Jason Hastie, American Tower  
Andrew Candiello, Verizon Wireless  
Tim Parks, Verizon Wireless  
Jackie Walker, Verizon Wireless

**Attachment 4 – ATC Proposed Maintenance Plan**



October 28, 2024

Melanie Bachman, Esq.  
Executive Director  
Connecticut Siting Council  
Ten Franklin Square  
New Britain, CT 06051

**RE: Confirmation of Maintenance for the tower facility located at 36 Ritch Avenue in Greenwich, CT  
ATC Tower # 414240 Byram Park CT / Docket No. 414**

Pursuant to an agreement dated March 27, 2015, Cellco Partnership d/b/a Verizon Wireless entered into a Master Prepaid Lease with ATC Sequoia LLC (a wholly owned subsidiary of American Tower Corporation, hereafter "American Tower" and "Tower Manager") for the purpose of American Tower managing, operating, and maintaining the tower facility located at 36 Ritch Road in Greenwich, CT (the "Tower Facility") in accordance with the Council's final approval. The Siting Council approved the construction of the Facility in December of 2011 in Docket No. 414.

We received notice of the Council's Enforcement Action on October 2<sup>nd</sup>, 2024. In order to ensure that future maintenance concerns do not arise at the Tower Facility, American Tower is providing this letter as confirmation of our maintenance schedule for the Tower Facility. The Tower Facility and site shall be operated and maintained in compliance with all applicable ordinances and in compliance with any other required approval through our regular maintenance program. American Tower will periodically inspect the property every six months and maintain the Tower Facility and the area between the neighbor at 52 Ritch Road and our compound, ensuring any weeds and debris are removed and that the decorative ground cover is maintained.

In case any issues are encountered, please contact the American Tower Network Operations Center ("ATC NOC") at (877) 518-6937.

Should you have any questions on the above, do not hesitate to contact Robert Karam at (781) 926-7161 or [Robert.Karam@AmericanTower.com](mailto:Robert.Karam@AmericanTower.com).

Signature of Tower Manager:

A handwritten signature in blue ink, appearing to read "Robert Karam", written over a horizontal line.

ATC Sequoia LLC

By: Robert Karam, Supervising Attorney, for ATC Sequoia LLC



**Attachment 5 – Cellco November 19, 2024 Correspondence**



KENNETH C. BALDWIN

One State Street  
Hartford, CT 06103  
Main (860) 275-8200  
Fax (860) 275-8299  
kbaldwin@rc.com  
Direct (860) 275-8345

Also admitted in Massachusetts  
and New York

November 19, 2024

*Via Electronic and U.S. First Class Mail*

Melanie A. Bachman, Esq.  
Executive Director/Staff Attorney  
Connecticut Siting Council  
10 Franklin Square  
New Britain, CT 06051

**Re: Existing Verizon Wireless Certificated Facilities Subject to a Maintenance Agreement  
with American Tower Corporation**

Dear Attorney Bachman:

Pursuant to our recent telephone conversation, I thought it might be prudent for me to identify for you those existing tower sites that are currently subject to the "Project Sequoia Agreement" between Cellco Partnership d/b/a Verizon Wireless ("Cellco") and American Tower Corporation ("ATC"). The sites subject to the Project Sequoia Agreement are listed on the attached spreadsheet.

Pursuant to the Project Sequoia Agreement, maintenance of the listed wireless facilities is the responsibility of ATC. If any of these facilities is deemed to be out of compliance with the Council's approval, the Council should contact Robert Karam, Supervising Attorney for ATC Sequoia, LLC. [Robert.karam@americantower.com](mailto:Robert.karam@americantower.com).

If you have any questions or need any additional information regarding these cell sites, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth C. Baldwin".

Kenneth C. Baldwin

Enclosure

Copy to:

Andrew Candiello  
Tim Parks  
Robert Karam, Esq.

30759798-v1

Docket Number	Site Address	Town	State	Tower Height	Tower Type
Docket No. 305	5 Old Farm Road	Barkhamstead	CT	145	Monopole
Docket No. 202	40 Buttenball Road	Old Lyme	CT	160	Monopole
Docket No. 218	856 Middlebwn Road	Colchester	CT	180	Monopole
Docket No. 183	478 Good Hill Road	Woodbury	CT	175	Monopole
Docket No. 182A	50 Rust Road	Barkhamstead	CT	145	Monopole
Docket No. 184A	20 Antoini Road	New Hartford	CT	168	Monopole
Docket No. 198	399 West Road	Salem	CT	180	Monopole
Docket No. 405	422 Rockville Road	Voluntown	CT	160	Monopole
Docket No. 263	8 Upper Meadow	Granby	CT	150	Monopole
Docket No. 336	811 Blue Hills Avenue	Bloomfield	CT	110	Self-Support
Docket No. 325	111 Upper Fishrock Road	Southbury	CT	103	Monopole
Docket No. 188	2 Sunny Lane	Westport	CT	130	Monopole
Docket No. 211	31 Ridge Road	Chaplin	CT	150	Monopole
Docket No. 43	353 Pumpkin Hill Road	Ashford	CT	300	Self-Support
Docket No. 62	14 Canton Spring Road	Canton	CT	140	Monopole
Docket No. 206	191 Middle Haddam Road	Portland	CT	130	Monopole
Docket No. 374	199 Town Farm Road	Farmington	CT	117	Self-Support
Docket No. 204	650 Albany Turnpike	Collinsville (Canton)	CT	120	Monopole
Docket No. 223	484 Meriden Road	Middletfield	CT	150	Monopole
Petition No. 750	100 Berlin Road	Cromwell	CT	100	Other Stealth
Docket No. 332	6 Mountain Road	Washington	CT	160	Monopole
Docket No. 353	38 Maple Street	Kent	CT	150	Monopole
Docket No. 361	32 Norfolk Road	Winchester	CT	150	Tree Monopole
Docket No. 337	North Street	Goshen	CT	157	Monopole
Docket No. 414	36 Ritch Avenue	Greenwich	CT	77	Other Stealth
Docket No. 341	Ashford Center Road and 174 Ashford Center Road	Ashford	CT	120	Monopole
Docket No. 360	188 Route 7 South	Falls Village (Canaan)	CT	150	Tree Monopole
Docket No. 382	15 Soundview Avenue	Shelton	CT	120	Self-Support
Docket No. 369	40 Sherman Road	Woodstock	CT	140	Monopole
Docket No. 397	445 Prospect Street	Woodstock	CT	160	Monopole
Docket No. 362	165 Elmwood Hill Road	Puhatam	CT	150	Monopole
Docket No. 185	70 Herb Road	Sharon	CT	111	Monopole
Docket No. 403	174 South Grand Street	West Suffield	CT	135	Monopole
Docket No. 415	87 West Quassett Road	Woodstock	CT	147	Monopole
Docket No. 438	596 Pendleton Hill Road	Voluntown	CT	150	Monopole

**DOCKET NO. 414** - 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 36 Ritch Avenue, } Council  
Greenwich, Connecticut. }

December 5, 2024

### **Modified Decision and Order per Consent Order**

Pursuant to an Enforcement Action initiated under Connecticut General Statutes (CGS) §16-50u, the Connecticut Siting Council (Council) issued a Consent Order for the above-referenced certificated telecommunications facility on December 5, 2024, and hereby rescinds the Decision and Order issued by the Council in Docket No. 414 on July 14, 2011 and issues this new Decision and Order for the certificated telecommunications facility located at 36 Ritch Avenue, Greenwich, 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 77-foot monopole, designed as a simulated pine tree. Simulated branches shall not extend higher than 84 feet above ground level. The tower shall be no taller than necessary to provide the proposed telecommunications services, sufficient to accommodate the antennas of Cellco, T-Mobile, AT&T and other entities, both public and private.
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 Greenwich 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.
  - c) simulated pine tree tower designs and photographs of actual installations from various manufacturers.
  - d) construction schedule.
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, and at the nearest point of abutting property lines consistent with Federal Communications Commission, Office of Engineering and Technology, Bulletin No. 65, August 1997. Additionally, 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 Greenwich 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 Greenwich. 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, including but not limited to, the tower, tower foundation, antennas, equipment compound, radio equipment, access road, utility line and landscaping in a reasonable physical and operational condition that is consistent with this

Decision and Order and the Development and Management Plan approved by the Council on October 20, 2011.

15. If the Certificate Holder is a wholly-owned subsidiary of a corporation or other entity and is sold/transferred to another corporation or other entity, the Council shall be notified of such sale and/or transfer and of any change in contact information for the individual or representative responsible for management and operations of the Certificate Holder within 30 days of the sale and/or transfer.
16. The Certificate Holder shall provide the Council with written notice of any management agreement, a copy of any management agreement and contact information for the entity responsible for management of the facility site.
17. The Certificate Holder or Tower Manager, as applicable, shall comply with the October 29, 2024 maintenance plan submitted into the record of the Council's October 2, 2024 Enforcement Action related to the facility site.
18. This Certificate may be surrendered by the Certificate Holder upon written notification and acknowledgment by the Council.
19. Deployment of any 5G services must comply with Federal Communications Commission and Federal Aviation Administration guidance relative to air navigation, as applicable.
20. Radio frequency access restriction and caution signage shall be installed at the site in compliance with FCC guidance.
21. The Certificate Holder or Tower Manager shall submit a Maintenance Plan Inspection Report every 6 months for the first year beginning in 2025 and annually thereafter that shall identify who conducted the inspection, the date of the inspection, and the maintenance actions taken, including photographic documentation.

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 and CGS §16-50u.