



STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

IN RE:

APPLICATION OF SBA TOWERS III (SBA)  
AND NEW CINGULAR WIRELESS PCS, LLC  
(AT&T) FOR A CERTIFICATE OF  
ENVIRONMENTAL COMPATIBILITY AND  
PUBLIC NEED FOR THE CONSTRUCTION,  
MAINTENANCE AND OPERATION OF A  
TELECOMMUNICATIONS TOWER  
FACILITY IN  
NORTH STONINGTON, CONNECTICUT

DOCKET NO. \_\_\_\_\_

June 24, 2011

APPLICATION FOR CERTIFICATE OF  
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED

SBA Towers III LLC  
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New Cingular Wireless PCS, LLC  
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## **LIST OF ATTACHMENTS**

1. Statement of Radio Frequency Need with Coverage Plots
2. Site Search Summary with Map Identifying Sites Searched and Existing Tower/Cell Sites Listing
3. Candidate A: 49 Mountain Avenue, North Stonington
  - a. Description and Design of Proposed Facility with Drawings,
  - b. Environmental Assessment Statement with Tree Removal Information, Power Density Report, Wetlands Delineation Report, Aeronautical Study (Determination of No Hazard to Air Navigation)
  - c. Visual Analysis Report
  - d. Correspondence with State Agencies
4. Candidate B: 25 Northwest Corner Road, North Stonington
  - a. Description and Design of Proposed Facility with Drawings
  - b. Environmental Assessment Statement with Environmental Constraints Map, Historical Resource Screen, Power Density Report and TOWAIR report
  - c. Visual Resource Evaluation Report
5. Candidate C: 350B Cossaduck Hill Road, North Stonington
  - a. Description and Design of Proposed Facility with Drawings
  - b. Environmental Assessment Statement with Environmental Constraints Map, Historical Resource Screen, Power Density Report and TOWAIR report
  - c. Visual Analysis Report
6. Aerial Photograph, Topographic Map and Natural Diversity Database Map

7. Correspondence with the Town of North Stonington<sup>1</sup>
8. Certification of Service on Governmental Officials including List of Officials Served
9. Copy of legal notice published in the Westerly Sun; Notice to Abutting Landowners; Certification of Service; List of Abutting Landowners
10. Connecticut Siting Council Application Guide

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<sup>1</sup> A Copy of the Technical Report submitted to the Town is included in the Bulk Filing.

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**I. Introduction**

A. Purpose and Authority

Pursuant to Chapter 277a, Sections 16-50g et seq. of the Connecticut General Statutes (“CGS”), as amended, and Sections 16-50j-1 et seq. of the Regulations of Connecticut State Agencies (“RCSA”), as amended, SBA Towers III (“SBA”) and New Cingular Wireless PCS, LLC (“AT&T”), together, the Applicants, hereby submit an application and supporting documentation (collectively, the “Application”) for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a wireless communications tower facility (the “Facility”) in the Town of North Stonington. The proposed Facility is a necessary component of AT&T’s wireless network and its provision of personal wireless communications services to the public in the northern portion of North Stonington.

B. Executive Summary

Wireless coverage in the northern portion of North Stonington suffers from significant gaps in service due to the overall lack of wireless infrastructure in this area of the State. AT&T identified a site search area centered on the northwestern portion of North Stonington along

Route 201. AT&T's principal coverage objective as part of this site search was to find a location from which to provide service to residents, businesses and visitors to the North Stonington area and along Route 201 and other local roads in the area.

Upon issuance of the site search area, AT&T's real estate and radiofrequency engineering departments conducted field reviews in the area to ascertain the existence of any existing commercial wireless infrastructure, tower sites or other tall structures. Sites were cataloged by AT&T real estate personnel and evaluated by AT&T's radiofrequency engineers. In this area of North Stonington, there are no known commercial wireless sites in existence. As such, AT&T next focused on potential properties on which a new tower could be constructed to provide its wireless service to the public in this area of the State. SBA soon followed with its own investigation for a tower site in this area. Subsequently, AT&T and SBA agreed to work together to identify suitable locations for a telecommunications tower facility.

Due to the terrain in this part of the State, many of the properties presented by the Applicants' real estate personnel for consideration were rejected by AT&T's radiofrequency engineers as possible tower sites because their location would not enable AT&T to adequately meet the service objectives for the area and proposed site. Also, the search area includes the lands of the Pachaug State Forest, which further limited available candidate sites.

SBA subsequently leased property at 49 Mountain Avenue owned by Tucker Village, LLC. This site is an undeveloped parcel approximately 2.24 acres in size, though a number of surrounding properties are in common ownership. The proposed Candidate A Facility consists of a 190' monopole and associated unmanned equipment located in the western portion of the parcel. AT&T will mount up to twelve (12) panel antennas on a low profile platform at a centerline height of 187' above grade level (AGL). A 12' by 20' equipment shelter will be

installed adjacent to the tower within a 45' x 90' fenced gravel compound. Vehicular access to the facility will be provided from Mountain Avenue over a new gravel access drive approximately 400' to the proposed equipment compound. Utilities to serve the proposed facility would extend underground from Mountain Avenue and generally follow the existing access drive.

In response to the Technical Consultation with the Town, an alternative Candidate B Facility was developed at 25 Northwest Corner Road with access via 23 Northwest Corner Road. At this facility a 190' monopole would be needed. Access would be provided over 1,875' of existing access drive and new/extended access over approximately 380'. Approximately 500' of the existing drive and any new access would need to be improved as a gravel access drive approximately 12' in width. A fenced-in compound for equipment to operate the antennas would be approximately 75' x 75' in size.

An alternative Candidate C was also developed and is located at 350B Cossaduck Hill Road (Tax Assessor Parcel Identification Number 57-6637) and would also host a 190' monopole and associated unmanned equipment in a 75' x 75' fenced compound in the central portion of the parcel. Vehicular access to the facility will be provided from Cossaduck Hill Road over an existing drive and then over a new gravel access drive approximately 510' to the proposed equipment compound. Utilities to serve the proposed facility would extend underground and generally follow the access drive.

Included in this Application and its accompanying attachments are reports, plans and visual materials detailing the proposed Candidate Facilities, the environmental effects associated therewith, a summary of SBA's and AT&T's technical consultation and other correspondence with governmental agencies. A copy of the Council's Community Antennas Television and

Telecommunication Facilities Application Guide with page references from this Application is also included in Attachment 10.

C. The Applicants

The Applicant SBA Towers III (“SBA”) is a Delaware limited liability company. SBA is a subsidiary of SBA Communications Corporation, a publicly traded company and a leading independent owner and operator of wireless infrastructure nationwide. SBA owns and maintains over 7,800 telecommunications facilities nationwide. SBA maintains offices at One Research Drive, Suite 200C, Westborough Massachusetts 01581. SBA will construct and maintain the proposed tower, compound and associated access improvements and AT&T will install its equipment and antennas.

Applicant New Cingular Wireless PCS, LLC (“AT&T”), is a Delaware limited liability company with an office at 500 Enterprise Drive, Rocky Hill, Connecticut 06067. The company’s member corporation is licensed by the Federal Communications Commission (“FCC”) to construct and operate a personal wireless services system, which has been interpreted as a “cellular system”, within the meaning of CGS Section 16-50i(a)(6). The company does not conduct any other business in the State of Connecticut other than the provision of personal wireless services under FCC rules and regulations.

Correspondence and/or communications regarding this Application shall be addressed to the attorneys for the applicant:

Cuddy & Feder LLP  
445 Hamilton Avenue, 14<sup>th</sup> Floor  
White Plains, New York 10601  
(914) 761-1300  
Attention: Daniel M. Laub, Esq.  
Christopher B. Fisher, Esq.

A copy of all correspondence shall also be sent to:



SBA  
One Research Drive  
Suite 200C  
Westborough, MA 01581  
Attention: Hollis Redding

AT&T  
500 Enterprise Drive  
Rocky Hill, Connecticut 06067  
Attention: Michele Briggs

D. Application Fee

Pursuant to RCSA Section 16-50v-1a(b), a check made payable to the Siting Council in the amount of \$1,250 accompanies this Application.

E. Compliance with CGS Section 16-50l(c)

Neither AT&T nor SBA is engaged in generating electric power in the State of Connecticut. As such, the proposed Facility is not subject to CGS Section 16-50r. Furthermore, the proposed Facility has not been identified in any annual forecast reports therefore is not subject to CGS Section 16-50l(c).

**II. Service and Notice Required by CGS Section 16-50l(b)**

Pursuant to CGS Section 16-50l(b), copies of this Application have been sent by certified mail, return receipt requested, to municipal, regional, State, and Federal officials. A certificate of service, along with a list of the parties served with a copy of the Application is included in Attachment 8. Pursuant to CGS 16-50l(b), notice of the Applicant's intent to submit this application was published on two occasions in the Westerly Sun, a newspaper of general circulation in the Town of North Stonington. A copy of the published legal notice is included in Attachment 9. The publisher's affidavits of publication will be forwarded upon receipt. Further, in compliance with CGS 16-50l(b), notices were sent by certified, return receipt mail to each person appearing of record as owner of a property which abuts the property on which the facility

is proposed. Certification of such notice, a sample notice letter, and the list of property owners to whom the notice was mailed are included in Attachment 9.

### **III. Statements of Need and Benefits**

#### **A. Statement of Need**

As the Council is aware, the United States Congress, through adoption of the Telecommunications Act of 1996, recognized the important public need for high quality telecommunication services throughout the United States. The purpose of the Telecommunication Act was to “provide for a competitive, deregulatory national policy framework designed to accelerate rapidly private sector deployment of advanced telecommunications and information technologies to all Americans.” H.R. Conf. Rep. No. 104-458, 206, 104<sup>th</sup> Cong., Sess. 1 (1996). With respect to wireless communications services, the Telecommunications Act of 1996 expressly preserved State and/or local land use authority over wireless facilities, placed several requirements and legal limitations on the exercise of such authority and preempted State or local regulatory oversight in the area of emissions as more fully set forth in 47 U.S.C. § 332(c)(7). In essence, Congress struck a balance between legitimate areas of State and/or local regulatory control over wireless infrastructure and the public’s interest in its timely deployment to meet the public need for wireless services. The importance of wireless service was recently recognized by President Barack Obama. In a December 2, 2009 proclamation, the President proclaimed that cellular phone towers (among other assets) are critical infrastructure vital to the United States. (See Proclamation 8460-Critical Infrastructure Protection Month, December 2, 2009).

The Facility proposed in this Application is an integral component of AT&T’s network in its FCC licensed areas in the State. Currently, gaps in reliable coverage exist in the northern portion of North Stonington and southern Griswold along Route 201 and other local roads and

surrounding areas. The proposed Facility, in conjunction with other existing and proposed facilities in North Stonington and Griswold, is needed by AT&T to provide its wireless services to people living, working and traveling through this area of the State. Attachment 1 of this Application includes a Statement of Radio Frequency (“RF”) Need and propagation plots which identify and demonstrate the specific AT&T need for a wireless transmitting facility in this area of North Stonington.

B. Statement of Benefits

Carriers have seen the public’s demand for traditional cellular telephone services in a mobile setting develop into the requirement for anytime-anywhere wireless connectivity with the ability to send and receive voice, text, image and video. Wireless devices have become integral to the telecommunications needs of the public and their benefits are no longer considered a luxury. People today are using their wireless devices more and more as their primary form of communication for both personal and business needs. Modern devices allow for calls to be made, the internet to be reached and other services to be provided irrespective of whether a user is mobile or stationary and provided network service is available. The Facility as proposed by AT&T would allow it and other carriers to provide these benefits to the public.

Moreover, AT&T will provide Enhanced 911 services from the site as required by the Wireless Communications and Public Safety Act of 1999 (the “911 Act”). The purpose of this Federal legislation was to promote public safety through the deployment of a seamless, nationwide emergency communications infrastructure that includes wireless communications services. In enacting the 911 Act, Congress recognized that networks that provide for the rapid, efficient deployment of emergency services would enable faster delivery of emergency care with reduced fatalities and severity of injuries. With each year since passage of the 911 Act, additional anecdotal evidence supports the public safety value of improved wireless

communications in aiding lost, ill or injured individuals such as motorists and hikers. Carriers are simply able to help 911 public safety dispatchers identify wireless caller's geographical locations within several hundred feet, a significant benefit to the community associated with any new wireless site.

C. Technological Alternatives

The FCC licenses granted to AT&T authorize it to provide wireless services in this area of the State through deployment of a network of wireless transmitting sites. The proposed Facility is a necessary component of AT&T's wireless network. Repeaters, microcell transmitters, distributed antenna systems and other types of transmitting technologies are not a practicable or feasible means of providing coverage within the service area for this site. These technologies are suited for small, specifically-defined areas where new coverage is needed, such as commercial buildings, shopping malls or tunnels. Closing the coverage gap in the northern portion of North Stonington involves the provision of coverage along Route 201 and providing coverage to the widely dispersed homes in the area. As such, these technologies are not viable as an alternative to the need for a macrocell site in this area of the State. The Applicant submits that there are no effective technological alternatives to construction of a new cell site facility for providing reliable personal wireless services in this area of Connecticut.

**IV. Site Selection and Tower Sharing**

A. Site Selection

AT&T began its investigation of the area with benchmark drive data on a gap in its wireless coverage in the northern portion of North Stonington and southern part of Griswold. AT&T then established a search area in the general geographical location where the installation of a wireless facility would potentially address the identified coverage problem while still allowing for orderly integration of a site into AT&T's network, based on the engineering criteria

of hand-off, frequency reuse and interference avoidance. In any site search, AT&T seeks to avoid the unnecessary proliferation of towers and to reduce the potential adverse environmental effects of a needed facility, while at the same time ensuring the quality of service provided by the site to users of its network. In this case, the search area is largely wooded with low density residential uses. This area also includes sections of Pachaug State Forest and leasing State park and forest lands for the development of wireless telecommunications facilities is restricted by State law. No tall structures were identified in and around the search area that could provide service for AT&T were identified.

AT&T and SBA also searched the Siting Council's database to identify other existing or proposed wireless sites outside of its site search area to understand how they might interact with AT&T's proposed site in North Stonington. AT&T radio frequency engineers reviewed the approved Verizon Wireless facility in Voluntown but that location largely services portions of Voluntown and areas north and east of the North Stonington gap in reliable service. As such, that proposed Voluntown facility is not deemed an alternative to the proposed tower in this Application as that tower would not service the coverage objectives of the Facility in this Application. As described in further detail below, an existing site in Griswold will not provide the necessary service but could be used by AT&T to augment the coverage provided by the B and C Candidate Facility Sites.

After determining that no existing structures could be used to provide the needed coverage in this area, AT&T commenced a search for potential tower sites. SBA also conducted its own independent search of the area. Subsequently AT&T and SBA agreed to work together in searching for a potential tower site including review by AT&T radiofrequency engineers and investigative visits by SBA personnel. The Applicants' reviewed several properties in the area

as potential candidates. For various reasons, a majority of the properties reviewed were rejected by AT&T's radiofrequency engineers largely due to intervening terrain that obstructs or otherwise limits service to the intended coverage area.

As such, and as part of the Applicants' due diligence, the tower site at 49 Mountain Avenue was identified and provided to the Town of North Stonington as part of the Applicants' pre-filing Technical Consultation. As a result of the consultation with the Town, alternative sites were identified by the Town for the Applicants' review. SBA and AT&T reviewed the ability of these locations to provide the necessary service and the feasibility of constructing a facility at these recommended locations. As part of this process, alternate sites at 25 Northwest Corner Road and 350B Cossaduck Road were identified as potential alternatives. The coverage provided by either site is less than the primary candidate at 49 Mountain Avenue. Indeed AT&T would have to utilize these sites in addition well as a new installation on the existing tower facility in Griswold to the north. Even as a "two-site" solution the coverage of Candidate Facility Site A and B would be inferior to the primary candidate site at 49 Mountain Avenue. In short, while this combination does not work as well as the proposed 49 Mountain Avenue single-site solution and results in less than reliable service along portions of Route 201, a Facility at one of the proposed alternate locations could be utilized by AT&T.

#### B. Tower Sharing

To maximize co-location opportunities and minimize the potential for towers needed by other carriers, all of the proposed candidates provide for monopole tower and facility compounds that can accommodate at least three additional carriers' antenna platforms.

## V. Facility Designs

### A. Candidate A: 49 Mountain Avenue (Original Candidate)

SBA has leased a 10,000 square foot area in the western portion of an approximately 2.24 acre parcel owned by Tucker Village LLC. The proposed Facility would consist of a 190' high self-supporting monopole within a 45' x 90' fenced equipment compound. AT&T would install up to twelve (12) panel antennas on a platform at a centerline height of approximately 187' AGL and unmanned equipment within a 12' x 20' shelter located within the equipment compound. The compound would be enclosed by an 8' tall chain link fence.

Both the monopole and the equipment compound are designed to accommodate the facilities of at least three other wireless carriers. Vehicle access to the compound will extend from Mountain Avenue westerly along a new gravel access drive approximately 400' to the equipment compound. Utilities to serve the proposed facility would extend underground from Mountain Avenue and generally follow the access drive to the site.

Attachment 3 and its sub tabs contain the specifications for the Candidate A Facility. Included therein are plans and other materials providing relevant details of the proposed Facility. Attachment 3(B) is an environmental assessment statement and associated materials while Attachment 3(C) includes a visual resource evaluation. Some of the relevant information included in Attachment reveals that:

- The property is classified locally in the Town of North Stonington R-80 zoning district;
- Grading and clearing of the proposed access drive and compound area will be required for the construction of the proposed Facility;
- The nearest wetland is located approximately 400' from the proposed project area and as such, no impacts to wetlands are anticipated;

- Year-round, above the tree canopy visibility of the proposed tower is limited to approximately 104 acres of the more than 8,000 acre study area;
- Estimated seasonal visibility is approximately 32 acres of the more than 8,000 acre study area;
- The Connecticut Department of Environmental Protection (“DEP”) confirmed that there are no known extant populations of Federal or State endangered, threatened or special concern species occurring at the site.
- The State Historic and Preservation Officer has determined that a tower at the proposed location will have no adverse effect on historic or cultural resources.

B. Candidate B: 25 Northwest Corner Road (Access via 23 Northwest Corner Road)

This site was evaluated as part of a two site solution using the existing SBA Tower at 2461 Glasgo Road, in Griswold. A 190' monopole would be needed at this location. Access would be provided over 1,875' of existing access drive and new/extended access over approximately 380'. Approximately 500' of the existing drive and any new access would need to be improved as a gravel access drive approximately 12' in width. This access drive would utilize an existing wetlands/watercourse crossing. This host parcel also hosts a Wetland/vernal pool approximately 350' from the proposed tower compound. It is estimated that approximately 15 to 25 trees (at least 6” in diameter at breast height) would have to be removed. A fenced-in compound for equipment to operate the antennas would be approximately 75' x 75' in size. The compound would be enclosed by an 8' tall chain link fence.

Attachment 4 and its sub tabs contain the specifications for the Candidate B Facility Site. Included therein a partial site plan and other relevant details of the candidate Facility Site. Attachment 4(B) is an environmental assessment statement and associated materials while



Attachment 4(C) includes a visual resource evaluation. Some of the relevant information included in Attachment reveals that:

- The property is classified locally in the Town of North Stonington R-80 zoning district;
- Grading and clearing of the proposed access drive and compound area will be required for the construction of the proposed Facility;
- An existing wetland crossing will be utilized. Another wetland resource is located approximately 350' from the proposed project area and as such, no impacts to wetlands are anticipated;
- Year-round, above the tree canopy visibility of the proposed tower is limited to approximately 30 acres of the more than 8,000 acre study area;
- The Connecticut NDDB has been reviewed and the Candidate B Facility Site is not within an area of concern (See NDDB map included as Attachment 6.)

C. Candidate C: 350B Cossaduck Hill Road

This site was also evaluated as part of a two-site solution for AT&T also using the existing SBA tower at 2461 Glasgo Road in Griswold. This combination does not work as well as the proposed single-site solution and results in less than reliable service along portions of Route 201, but it could be utilized by AT&T. This site is approximately 700' from an off-site wetland. No crossing is needed and no impacts to this resource would be anticipated. Access would be provided over 1,720' of existing access drive and then over new access drive of approximately 510'. However, approximately 110' of existing drive may require relocation. Such relocation would likely require significant rock removal given the visible ledge in the area. Indeed, at a minimum there are a number of rock outcroppings in the area which would require removal for construction of the site or location of underground utilities. A more extensive analysis of ledge

and sub-surface conditions is required to assess the feasibility and methodology for excavating an access drive in this area. Currently it is estimated that approximately 7 to 12 trees (at least 6' in diameter at breast height) would have to be removed. A fenced compound at the base of the tower for the equipment used to operate the antennas would be approximately 75' x 75' in size. The compound would be surrounded by a fence approximately 8' in height.

Attachment 5 and its sub tabs contain the specifications for the Candidate C Facility Site. Included therein is a partial site plan and other relevant details of the Candidate C Facility Site. Attachment 5(B) is an environmental assessment statement and associated materials while Attachment 5(C) includes a visual resource evaluation. Some of the relevant information included in Attachment reveals that:

- The property is classified locally in the Town of North Stonington R-80 zoning district;
- Grading and clearing of the proposed access drive and compound area will be required for the construction of the proposed Facility;
- The nearest wetland is located approximately 700' from the proposed project area and as such, no impacts to wetlands are anticipated;
- Year-round, above the tree canopy visibility of the proposed tower is limited to approximately 9 acres of the more than 8,000 acre study area;
- The Connecticut NDDB has been reviewed and the Candidate Facility Site is not within an area of concern. (See NDDB map included as Attachment 6.

## **VI. Environmental Compatibility**

Pursuant to CGS Section 16-50p, the Council is required to find and to determine as part of the Application process any probable environmental impact of the facility on the natural environment, ecological balance, public health and safety, scenic, historic and recreational

values, forest and parks, air and water purity and fish and wildlife. As demonstrated in this Application and the accompanying Attachments and documentation, AT&T and SBA submit that the proposed candidates will not have significant adverse environmental effects and/or any such effects are unavoidable in this area of the State in providing reliable service to the public.

A. Visual Assessments

Weather permitting, the Applicants will raise a balloon with a diameter of at least three (3) feet at the proposed candidate facility sites on the day of the Council's first hearing session on this Application, or at a time otherwise specified by the Council. Included in Attachments 3(B), 4(B) and 5(B) are visual reports for the Candidate Facility Sites which all contain a view shed map and photo simulations of off-site views.

It is anticipated that the proposed 190' tall monopole at the Candidate A Facility at 49 Mountain Avenue will be visible above the tree canopy from approximately 104 acres within the 8,042 study area. The majority of anticipated year-round visibility occurs over open water on portions of Billings Lake, Anderson Pond and Wyassup Lake as well as some portions of Cedar Drive, Legend Woods Road and Route 201. Overall, intervening topography, and/or existing vegetation serve to minimize the potential for year-round views of the proposed Facility. No views are anticipated from the portion of the Narragansett Trail contained within the study area.

The proposed 190' tall monopole at the Candidate B Facility at 25 Northwest Corner Road will be visible above the tree canopy from approximately 30 acres within the 8,042 study area. The majority of anticipated year-round visibility occurs over a large area of open space which (appearing to be used for agricultural purposes) as well as over a portion of Northwest Corner Road and at least one residential property. Overall, intervening topography, and/or existing vegetation serve to significantly minimize the potential for year-round views of the

proposed Facility. No views are anticipated from Andersons Pond or the portion of the Narragansett Trail contained within the study area.

The proposed 190' tall monopole at the Candidate C Facility at 350B Cossaduck Hill Road will be visible above the tree canopy from approximately 9 acres within the 8,042 study area. The majority of anticipated year-round visibility occur on portions of the host property, over open water on portions of Andersons Pond and on a large wetland tract/swamp located within the Pachaug State Forest as well as a portion of a residential property on Northwest Corner Road. As with the other Candidate Facility Sites, intervening topography, and/or existing vegetation serve to significantly minimize the potential for year-round views of the proposed Facility. No views are anticipated from the portion of the Narragansett Trail contained within the study area

#### B. Historic and Habitat Assessments

Various consultations with municipal, State and Federal governmental entities and SBA consultant reviews for potential environmental impacts are summarized and included in Attachments 3, 4 and 5. For the original primary Candidate Facility A, SBA submitted requests for review from Federal, State and Tribal entities including the United States Fish & Wildlife (“USFW”) Service, the Connecticut State Historic Preservation Officer (“SHPO”) and the Connecticut Department of Environmental Protection (“DEP”).

SBA's consultants provided SHPO with data regarding the lack of visibility of the proposed Candidate A Facility from any historic resources as well as findings regarding no archeological resources in the area. SHPO issued a "no effect" determination on February 7, 2011. SHPO's "no effect" determination is included in Attachment 3(B). For the Candidate B and C Facility Sites, SBA's consultants have conducted a screening for historic resources and

have identified no historical or cultural resources that would be impacted. SHPO is being consulted for further review.

The Connecticut Environmental Protection Natural Diversity Database (NDDB) map for the Town of North Stonington site has been reviewed and is provided as Attachment 6. The DEP confirmed in correspondence dated September 17, 2010 that there are no known extant populations of Federal or State endangered, threatened or special concern species occurring at the Candidate A site. This letter is included in Attachment 3(B). Similarly, the NDDB map indicates no known extant populations of Federal or State endangered, threatened or special concern species occurring at either the Candidate B or C Facility sites.

C. Power Density

In August 1996, the FCC adopted a standard for exposure to Radio Frequency (“RF”) emissions from telecommunications facilities like those proposed in this Application. To ensure compliance with applicable standards, a maximum power density report for AT&T’s antennas at 187' AGL (centerline) was produced by AT&T’s consulting radio frequency engineers and are included as part of Attachments 3(B), 4(B) and 5(B). As demonstrated in this report, the calculated worst-case emissions from an AT&T facility at 187' (centerline) are approximately 3.5% of the Federally regulated maximum emissions standard.

D. Other Environmental Factors

A Facility built at one (1) of the Candidate Facility Sites would be unmanned, requiring monthly maintenance visits approximately one hour long. AT&T's equipment at the Facility would be monitored 24 hours a day, seven days a week from a remote location. The proposed Facility does not require a water supply or wastewater utilities. No outdoor storage or solid waste receptacles will be needed. Further, the proposed Facility will not generally create or emit any smoke, gas, dust or other air contaminants, noise, odors or vibrations other than installed

heating and ventilation equipment. Temporary power outages could require the limited use of equipment batteries and provisions have been made for a permanent on-site diesel fuel generator. Overall, the construction and operation of the proposed Facility will have no significant impact on the air, water, or noise quality of the Candidate Facility Sites or their surrounding areas.

No lighting or marking is proposed for any of the Candidate Facility Sites. For the Candidate A Facility SBA obtained a “Determination of No Hazard to Air Navigation” from the Federal Aviation Administration (“FAA”). Aeronautical Study number 2010-ANE-838-OE confirms that neither marking and lighting nor registration is necessary for this facility, is included in Attachment 3(B). TOWAIR reports for the Candidate B and C Facilities indicating no registration is necessary for either candidate are included as Attachments 4(B) and 5(B) respectfully.

None of the Candidate Facility Sites have been identified as being within a wilderness area, wildlife preserve, National Park, National Forest, National Parkway, Scenic River, State Designated Scenic River or State Gameland. None of the Candidate Facility Sites is within the Pachaug State Forest, sections of which run from Griswold south into North Stonington. According to available information and field visits, no Federally regulated wetlands or watercourses or threatened or endangered species will be impacted by the proposed Facility.

## **VII. Consistency with the Town of North Stonington's Land Use Regulations**

Pursuant to the Council’s Application Guide, included in this section is a narrative summary of the consistency of the project with the local municipality’s zoning and wetland regulations and plan of conservation and development. A description of the zoning classification of the Site and the planned and existing uses of the proposed site location are also detailed in this Section.

A. North Stonington’s Plan of Conservation and Development

The North Stonington Plan of Conservation and Development, dated 2003 and amended in 2009, does not address wireless facilities.

B. Town of North Stonington's Zoning Regulations and Zoning Classification

All three of the Candidate Facility Sites are classified in the Town of North Stonington’s R-80 Zoning District. The Town of North Stonington Zoning Regulations include Site Requirements and Design Standards. The consistency of the proposed Facility with these requirements and standards is illustrated in the table below. The first column includes the guideline or standards and the second column applies these standards to the proposed Candidate Facility Sites and their designs.

C. Local Zoning Guidelines and Dimensional Requirements

Town of North Stonington Zoning Code Section 1464.6 Site Requirements:

A. No wireless communications tower shall be sited on a ridgeline, summit or crest of a prominent hill or mountain.	The three Candidate Facility Sites are in general areas of higher elevation which is often necessary for radio frequency signals to overcome other local topographical features.
B. No wireless communications tower shall be located in the Village Preservation Overlay Area.	The proposed Candidate Facility Sites are not within the Village Preservation Overlay Area
D. In the C1, C2, VC, HC, OR, and I Districts, the Communications Tower use shall be allowed on the same lot with other uses provided all requirements of Section 1300 are met. In the R40, R60 and R80 Districts, except on property dedicated to a municipal use, the Communications Tower use shall not be allowed on the same lot with other uses.	The proposed Candidate Facility Sites are located on properties classified in the R-80 zoning district.
F. The minimum lot area, width and yard requirements for the construction of a new tower and facilities shall be that of the district in which it is located, and the lot	The minimum lot, area, width and yard requirements are accommodated at all of the Candidate Facility Sites.

shall meet the Buildable Land requirements of the lot.	
H. Wireless communications towers shall be set back from all property lines a distance equal to the height of the tower plus twenty (20) feet, except that the Commission may approve a lesser distance for a tower that is designed to collapse upon itself in the event of failure.	At any of the Candidate Facility sites the Tower would be at least 210' from the proposed candidate site.
I. Landscaping shall be required outside all fencing, including front property line and driveway entrance fencing, if any. At a minimum, this landscaping shall consist of a row of evergreen trees planted less than ten (10) feet on center. The evergreen trees shall be more than six (6) feet in height at the time of planting and shall be maintained to ensure screening effectiveness	No landscaping/screening is currently proposed but can be incorporated into any D&M plan at the Siting Council's direction.
J. For ground facilities that are otherwise visible from adjacent property or a public road, the Commission may require the construction of a Buffer Area as defined in Section 1800.	No landscaping/screening is currently proposed but can be incorporated into any D&M plan at the Siting Council's direction.
K. Each site shall be served by a driveway with parking for at least one vehicle. The driveway shall be designed to prevent soil erosion.	A tower at any of the proposed Candidate Facilities would be served by an access drive and maintain a parking and sufficient turn around space for one service vehicle.
L. All utilities serving the site shall be installed underground unless approved otherwise by the Commission.	Utilities serving the tower would be installed underground barring any engineering issues (rock or ledge, etc.)
M. Generators, air conditioners, compressors and other machinery installed to serve the site shall comply with State and local noise regulations.	All installed equipment will meet state and local noise standards.

Town of North Stoning Zoning Code section 1464.7 Design Standards.

A. No wireless communications tower shall exceed a Tower Height of one hundred and fifty (150) feet, as defined.	The proposed Candidate Facilities are 190' AGL.
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<p>B. The wireless communications tower shall be a tapered single-unit monopole design unless approved otherwise by the Commission.</p>	<p>The proposed tower is a tapered monopole design.</p>
<p>C. Towers not requiring FAA paintings or markings shall be anodized, galvanized or painted a non-contrasting blue, gray, or other neutral color.</p>	<p>No paintings or markings are proposed and the monopole as proposed would be galvanized and gray in color.</p>
<p>D. The Commission may require that the monopole be designed and treated with architectural materials so that it is camouflaged or made to resemble a large tree, art form, or similar natural or cultural object.</p>	<p>No camouflage or other treatment is proposed.</p>
<p>E. No lights or illumination of any type shall be permitted on any new tower or facilities in North Stonington. The applicant shall provide evidence that such lighting or illumination will not be required by the Federal Aviation Administration (FAA). The installation of strobe lights on a new or existing tower shall be prohibited.</p>	<p>No lighting or illumination is required or proposed on the tower. A 190' tower at any of the Candidate Facility Sites would not require lighting.</p>
<p>F. Except for safety and ownership signs located at ground level, no signs or advertising shall be permitted on any tower, antenna or facilities at any time.</p>	<p>No signs or advertising are proposed on the tower. Small safety and ownership signs will be located at ground level on the perimeter or inside the Facility compound.</p>
<p>G. The proposed antenna support system shall be designed and include internal wire runs to accommodate a minimum of three (3) providers unless it is determined to be technically unfeasible based upon information submitted by the applicant. These providers shall include other wireless communications companies, police, fire, ambulance and commercial operators. The Commission may consider the extent to which the applicant has used Connecticut General Statute 16-50(aa) to promote tower sharing.</p>	<p>The proposed monopole is designed to include internal wire runs and will accommodate up to three (3) additional co-locators.</p>

<p>H. Each ancillary building shall contain no more than seven hundred and fifty (750) square feet of gross floor area or be more than twelve (12) feet in height, and shall not be used for the storage of vehicles. There shall be no outside storage.</p>	<p>AT&amp;T's proposed ground shelter will be approximately 12' x 20' (240 sq. ft.) and no higher than 12'. No storage of vehicles or outside storage is proposed.</p>
<p>J. All ground level ancillary buildings, boxes or cabinets shall be surrounded by a chain link or comparable security fence no less than six (6) feet in height. Towers shall be equipped with anti-climbing features.</p>	<p>A chain link fence 8' in height surrounding the compound is proposed.</p>
<p>K. Tower-mounted panel antennas shall not exceed seventy-two (72) inches in height or eight (8) inches in width, and whip antennas shall not exceed eight (8) feet in height. Mounting of parabolic dish antennas on towers shall be prohibited.</p>	<p>AT&amp;T's panel antennas are within the cited dimensions. No whip or parabolic dish antennas are proposed.</p>

D. Planned and Existing Land Uses

Properties immediately surrounding the Candidate Facility Sites include low-density single family residential homes, and State forest property. Consultation with municipal officials did not indicate any planned changes to the existing or surrounding land uses. A copy of the Town's Zoning Map is included in the Applicants' accompanying Bulk Filing.

E. Town of North Stonington's Inland Wetlands and Watercourses Regulations

The Town of North Stonington's Inland Watercourses Regulations ("Local Wetlands Regulations") regulate certain activities conducted in "Wetlands" and "Watercourses" as defined therein. These regulations are included in Section 4 of the Bulk Filing. No wetlands are located on the parcels of or in close proximity to the Candidate A or C Facility Sites. The Site B Candidate Facility access road will utilize an existing wetlands crossing. In addition, wetlands are delineated on the Candidate B Facility Site property approximately 350' distant from that candidate's proposed compound area. As such a compound/facility at that location would not be

a “Regulated Activity” within 100’ of the wetland boundary and would accordingly be outside the review area under Local Wetlands Regulations Section 2.1(x).

### **VIII. Consultations with Local Officials**

CGS Section 16-50l(e) requires an applicant to consult with the municipality in which a proposed facility may be located and with any adjoining municipality having a boundary of 2,500 feet from the proposed facility concerning the proposed facility. A Technical Report was filed with the North Stonington First Selectman on October 8, 2010. On October 15<sup>th</sup>, representatives of SBA and AT&T spoke with the First Selectman's office. They confirmed receipt of the Technical Report and had some questions regarding the siting council notice procedures. A public meeting to review AT&T’s need and the proposed Candidate A Facility, the only viable candidate identified at that time, was held on November 22, 2010. Pursuant to public comments as well as correspondence from the First Selectman, additional alternative candidates were subsequently explored. The Candidate B and C Facility locations were developed in addition to the proposed Candidate A Facility and an update regarding these candidates was provided to the First Selectman by letter dated April 29, 2011. No further specific comments or recommendations have been received to regarding these Candidate Facility Sites.

Copies of all correspondence with North Stonington are included in Attachment 7.

### **IX. Estimated Cost and Schedule**

#### **A. Overall Estimated Cost**

The total estimated cost of construction for a Facility at one of the proposed is Candidate Facility Sites approximately \$513,000. While costs may differ slightly depending on the final selected location, this estimate includes:

Item	Estimated Cost
Tower & Foundation	\$ 90,000
Site Development	\$ 50,000
Utility Installation	\$ 30,000
Facility Installation	\$ 93,000
Antennas and Equipment	\$ 250,000

**B. Overall Scheduling**

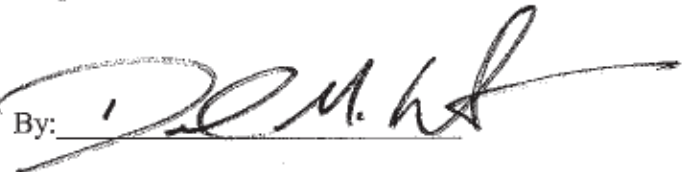
For any of the Candidate Facility Sites, site preparation work would commence immediately following Council approval of a Development and Management (“D&M”) Plan and the issuance of a Building Permit by the Town of North Stonington. The site preparation phase is expected to be completed within six to eight weeks. Potentially this may be longer with the Candidate C facility given some visible ledge in the area. Installation of the monopole, antennas and associated equipment is expected to take an additional two to three weeks. The duration of the total construction schedule is approximately eight to ten weeks. AT&T’s facility integration and system testing is expected to require an additional two weeks after the construction is completed.

**X. Conclusion**

This Application and the accompanying materials and documentation clearly demonstrate that a public need exists in the northern portion of North Stonington and surrounding areas for the provision of wireless services to the public by AT&T. Further, that a new tower facility is required to effectively and reliably provide such services to the public. The Application also documents the considerable terrain limitations in the area and therefore the limited tower siting options in this part of the State for providing services to the public. The Applicants submit that a Facility at one (1) of the proposed Candidate Facility Sites will not have any substantial adverse environmental effect and/or that any such effects are unavoidable and can be mitigated to the

maximum extent possible. As such, the Applicants respectfully submit that the public need for one (1) proposed Facility outweighs any potential environmental effects resulting from the construction of the proposed Facility such that a Certificate of Environmental Compatibility and Public Need should be issued for one (1) of the proposed Candidate Facility Sites in the Town of North Stonington.

Respectfully Submitted,

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