

NORTH ATLANTIC

TOWERS



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

IN RE:

APPLICATION OF NORTH ATLANTIC TOWERS, LLC
and NEW CINGULAR WIRELESS, LLC (AT&T)
FOR A CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AND PUBLIC NEED FOR
THE CONSTRUCTION, MAINTENANCE AND
OPERATION OF A TELECOMMUNICATIONS
TOWER FACILITY AT ROUTE 198 IN THE
TOWN OF WOODSTOCK, CONNECTICUT

DOCKET NO. _____

October 20, 2011

APPLICATION FOR CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED

North Atlantic Towers, LLC
1001 3rd Avenue West, Suite 420
Bradenton, Florida 34205

AND

New Cingular Wireless PCS, LLC ("AT&T")
500 Enterprise Drive
Rocky Hill, Connecticut 06067

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1. Statement of Radio Frequency (RF) Need with Coverage Plots; Verizon Wireless' Letter of Intent to Use the Facility
2. Site Search Summary with Map of Sites Searched and List of Existing Tower/Cell Sites
3. Description and Design of Proposed Facility with Topographical Map, Aerial Map and Drawings; FAA Determination of No Hazard to Air Navigation
4. Environmental Assessment Statement with Tree Removal Information, Power Density Report, Wetlands Delineation Report; NDDB Map and NEPA Screening Information
5. Visual Analysis Report
6. Access Drive Drainage Calculations Report
7. Correspondence with the State Historic Preservation Officer (SHPO)
8. Relevant Correspondence with the Town of Woodstock¹
9. Certification of Service on Governmental Officials including List of Officials Served
10. Legal Notice published in the Woodstock Villager; Notice to Abutting Landowners; Certification of Service; List of Abutting Landowners
11. Connecticut Siting Council Application Guide

¹ A Copy of the Technical Report submitted to the Town is included in the Bulk Filing

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DOCKET NO. _____

October 19, 2011

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

I. Introduction

A. Purpose and Authority

Pursuant to Chapter 277a, § 16-50g et seq. of the Connecticut General Statutes (C.G.S.), as amended, and § 16-50j-1 et seq. of the Regulations of Connecticut State Agencies (R.C.S.A.), as amended, North Atlantic Towers, LLC, and New Cingular Wireless PCS, LLC (“AT&T”), 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 facility (the “Facility”) in the Town of Woodstock. The proposed Facility is a necessary component of AT&T’s wireless network, in that it will enable AT&T to provide personal wireless communications service in the western and southwestern portion of Woodstock along Route 198, Route 171, and the surrounding area. Cellco Partnership, d/b/a/ Verizon Wireless, has also expressed interest in utilizing the proposed Facility to provide its services to this area of Woodstock. The proposed site for the Facility is an approximately 128 acre parcel owned by Woodstock Tower Partners,

LLC and located at Route 198. The Facility will be owned and operated by North Atlantic Towers.

B. Executive Summary

As a wireless infrastructure provider, North Atlantic Towers uses its knowledge and understanding of existing wireless carriers' networks and/or direct consultations with individual carriers to identify areas where wireless services are unreliable. Through this process and in consultation with AT&T, North Atlantic Towers became aware that wireless coverage in the southwestern area of Woodstock in the vicinity of Route 198 has had long standing and significant gaps in service due to the overall lack of wireless infrastructure in this area of the state. North Atlantic Towers conducted field reviews in Woodstock to ascertain whether this gap in service could be remedied by co-location at any existing commercial wireless infrastructure tower sites or existing tall structures. The search conducted by North Atlantic Towers did not reveal any viable commercial wireless sites, existing tower sites, or other tall structures in the area of public need.

Given the lack of available existing infrastructure, North Atlantic Towers and AT&T focused on potential properties upon which a new tower could be constructed to provide wireless service to the public in this area of the state. The area is principally residential and agricultural, with a low population density. North Atlantic Towers eventually identified and entered into an agreement to lease an approximately 10,000 square foot portion of an approximately 128 acre property with access from Route 198 via an easement over an adjacent parcel. The proposed facility consists principally of a new 150' monopole tower and associated unmanned equipment at grade. AT&T will install up to twelve (12) panel antennas on a low profile platform at a centerline of 147' above grade level ("AGL") along with other transmission equipment. The

tower compound will consist of a 75' x 75' fenced area to accommodate AT&T's 12' x 20' radio equipment shelter, a 4' x 8' concrete pad for AT&T's emergency generator and tower sharing.

Access and utilities to the proposed facility will be provided by a combination of an existing easement over an adjacent parcel located at 530 Route 198 and then through the underlying parcel. Access will extend southwardly from Route 198 (Black Pond Road) via the easement along the existing driveway on the adjacent parcel located at 530 Route 198 for approximately 425 feet, and then along a new twelve (12) foot wide gravel drive on the subject parcel for an additional 4,275 feet. Construction plans for the access drive include minimal grading and the installation of a thirty-six (36) inch concrete bottomless arch culvert to cross a narrow delineated stream and wetland located on the subject site. Utilities to serve the proposed facility will extend from a utility pole on the property.

Included in this Application and its accompanying Attachments are reports, plans and visual materials detailing the proposed Facility and the associated environmental effects. A copy of the Council's Community Antennas Television and Telecommunication Facilities Application Guide with page references from this Application is also included as Attachment 11.

C. The Applicants

Florida Tower Partners d/b/a North Atlantic Towers, LLC, is a Delaware limited liability company with an office at 1001 3rd Ave West, Suite 420, Bradenton, Florida 34205. North Atlantic Towers will construct and maintain the proposed Facility and be the Certificate Holder. 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 C.G.S. § 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 Applicants:

Cuddy & Feder LLP
445 Hamilton Avenue, 14th Floor
White Plains, New York 10601
(914) 761-1300
Attention: Lucia Chiochio, Esq.
Christopher B. Fisher, Esq.

A copy of all correspondence shall also be sent to:

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

North Atlantic Towers, LLC
1001 3rd Ave West, Suite 420
Bradenton, Florida 34250
Attention: John S. Stevens

D. Application Fee

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

E. Compliance with C.G.S. § 16-50/(c)

North Atlantic Towers, LLC, and AT&T are not engaged in generating electric power in the State of Connecticut. Accordingly, the proposed Facility is not subject to C.G.S. § 16-50r. Furthermore, the proposed Facility has not been identified in any annual forecast reports; therefore, the proposed Facility is not subject to C.G.S. § 16-50/(c).

II. Service and Notice Required by C.G.S. § 16-50/(b)

Pursuant to C.G.S. § 16-50/(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 9. Pursuant to C.G.S. § 16-50/(b), notice of the Applicants' intent to submit this

Application was published on two occasions in the Woodstock Villager, the paper utilized for publication of planning and zoning notices in the Town of Woodstock. A copy of the published legal notice is included as Attachment 10. The publisher's affidavits of service will be forwarded upon receipt. Further, in compliance with C.G.S. § 16-50(b), notices were sent to each person appearing of record as owner of a property that abuts the parcels upon which planned 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 as Attachment 10.

III. Statements of Need and Benefits

A. Statement of Need

1. United States Policy & Law

United States policy and laws continue to support the growth of wireless networks. In 1996, the United States Congress recognized the important public need for high quality wireless communications service throughout the United States in part through adoption of the Telecommunications Act (the "Act"). A core purpose of the 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. Rep. No. 104-458, at 206 (1996) (Conf. Rep.). With respect to wireless communications services, the Act 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.

Fifteen years later, it remains clear that the current White House administration, The Congress and the FCC continue to take a strong stance and act in favor of the provision of wireless service to all Americans. In December 2009, President Obama issued Proclamation 8460 which included wireless facilities within his definition of the nation's critical infrastructure and declared in part:

Critical infrastructure protection is an essential element of a resilient and secure nation. Critical infrastructure are the assets, systems, and networks, whether physical or virtual, so vital to the United States that their incapacitation or destruction would have a debilitating effect on security, national economic security, public health or safety. From water systems to computer networks, power grids to cellular phone towers, risks to critical infrastructure can result from a complex combination of threats and hazards, including terrorist attacks, accidents, and natural disasters.²

President Obama further identified the critical role of robust mobile broadband networks in his 2011 State of the Union address.³ In 2009, The Congress directed the FCC to develop a national broadband plan to ensure that every American would have access to “broadband capability” whether by wire or wireless. What resulted in 2010 is a document entitled “Connecting America: The National Broadband Plan” (the “Plan”).⁴ Although broad in scope, the Plan's goal is undeniably clear:

[A]dvance consumer welfare, civic participation, public safety and homeland security, community development, health care delivery, energy independence and efficiency, education, employee training, private sector investment, entrepreneurial activity, job creation and economic growth, and other national purposes.⁵ [internal quotes omitted]

² Presidential Proclamation No. 8460, 74 C.F.R. 234 (2009).

³ Cong. Rec. H459 (Jan. 25, 2011), also *available at* <http://www.whitehouse.gov/the-press-office/2011/01/25/remarks-president-state-union-address>. Specifically the President stressed that in order “[t]o attract new businesses to our shores, we need the fastest, most reliable ways to move people, goods, and information—from high-speed rail to high-speed Internet.”

⁴ Connecting America: The National Broadband Plan, Federal Communications Commission (2010), *available at* <http://www.broadband.gov/plan/>.

⁵ *Id.* at XI.

The Plan notes that wireless broadband access is growing rapidly with “the emergence of broad new classes of connected devices and the rollout of fourth-generation (4G) wireless technologies such as Long Term Evolution (LTE) and WiMAX.”⁶ A specific goal of the Plan is that “[t]he United States should lead the world in mobile innovation, with the fastest and most extensive wireless networks of any nation.”⁷ Within just the past few months, the FCC issued a Notice of Inquiry concerning the best practices available to achieve wide-reaching broadband capabilities across the nation including better wireless access for the public.⁸ The public need for timely deployment of wireless infrastructure is further supported by the FCC’s Declaratory Ruling in 2010 interpreting § 332(c)(7)(B) of the Telecommunications Act and establishing specific time limits for decisions on land use and zoning permit applications.⁹

2. United States Wireless Usage Statistics

Over the past thirty years, wireless communications have revolutionized the way Americans live, work and play.¹⁰ The ability to connect with one another in a mobile environment has proven essential to the public’s health, safety and welfare. As of December 2010, there were an estimated 303 million wireless subscribers in the United States.¹¹ In that same year, wireless subscribers used more than 2.3 trillion minutes and sent more than 1.8

⁶ Id. at 76.

⁷ Id. at 25.

⁸ FCC 11-51: Notice of Inquiry, In the Matter of Acceleration of Broadband Deployment: Expanding the Reach and Reducing the Cost of Broadband Deployment by Improving Policies Regarding Public Rights of Way and Wireless Facilities Siting, available at http://transition.fcc.gov/Daily_Releases/Daily_Business/2011/db0407/FCC-11-51A1.pdf.

⁹ WT Docket No. 08-165- Declaratory Ruling on Petition for Declaratory Ruling to Clarify Provisions of Section 332(c)(7)(B) to Ensure Timely Siting Review and to Preempt Under Section 253 State and Local Ordinances that Classify All Wireless Siting Proposals as Requiring a Variance (“Declaratory Ruling”).

¹⁰ See, generally, History of Wireless Communications, *available at* http://www.ctia.org/media/industry_info/index.cfm/AID/10388 (2011)

¹¹ CTIA Fact Sheet (2010), *available at* http://www.ctia.org/media/industry_info/index.cfm/AID/10323 *citing* Wireless Substitution: Early Release of Estimates from the National Health Interview Survey, January - June 2010, National Center for Health Statistics, December 2010.

trillion text messages.¹² Other statistics provide an important sociological understanding of how critical access to wireless services has become. In 2005, 8.4% of households in the United States had cut the cord and were wireless only.¹³ By 2010, that number grew exponentially to an astonishing 26.6% of all households.¹⁴ Connecticut in contrast lags behind in this statistic with 13.6% wireless only households.¹⁵ These trends continue with many individuals simply foregoing landline service, a pattern potentially accelerated by the country's recent economic downturn.¹⁶ Indeed, national data suggests that many households can no longer afford both landline and wireless services and have elected in times of economic hardship to select wireless as their only mode of voice communications.¹⁷

Wireless access has also provided individuals a newfound form of safety. Today, more than 50% of *all* 9-1-1 calls made each year come from a wireless device (approximately 296,000 calls per day).¹⁸ Parents and teens have also benefited from access to wireless service. In a recent study conducted by Pew Internet Research, 78% of teens responded that they felt safer when they had access to their cell phone.¹⁹ In the same study, 98% of parents of children who

¹² CTIA Fact Sheet

¹³ CTIA Fact Sheet

¹⁴ CTIA Fact Sheet

¹⁵ CTIA Fact Sheet

¹⁶ Gina Kim, *Wireless v. Landline: A Cultural Question*, THE CHICAGO TRIBUNE, Jul. 30, 2009, *available at* http://articles.chicagotribune.com/2009-07-30/news/0907290726_1_landline-cell-phone-wireless-only

¹⁷ Stephen J. Blumberg, Ph.D., and Julian V. Luke, Division of Health Interview Statistics, National Center for Health Statistics; Nadarajasundaram Ganesh, Ph.D., and Michael E. Davern, Ph.D., NORC at the University of Chicago; and Michel H. Boudreaux, M.S., and Karen Soderberg, M.S., State Health Access Data Assistance Center, University of Minnesota, "Wireless Substitution: State-level Estimates From the National Health Interview Survey, January 2007–June 2010", National Health Statistics Report, Number 39, April 20, 2011.

¹⁸ Wireless 911 Services, FCC, *available at* <http://www.fcc.gov/guides/wireless-911-services>

¹⁹ Amanda Lenhart, *Attitudes Towards Cell Phones*, Pew Research, *available at* <http://www.pewinternet.org/Reports/2010/Teens-and-Mobile-Phones/Chapter-3/Overall-assessment-of-the-role-of-cell-phones.aspx>

owned cell phones stated that the main reason they have allowed their children with access to a wireless device is for the safety and protection that these devices offer.²⁰

Wireless access to the internet has also grown exponentially since the advent of the truly “smartphone” device. Cisco reported in 2011 that global mobile data traffic grew in 2010 at a rate faster than anticipated and nearly tripling again for the third year in a row.²¹ It was noted that last year's mobile data traffic alone was three times greater than all global Internet traffic in 2000. Indeed, with the recent introduction of tablets and netbooks to the marketplace, this type of growth is expected to persist with Cisco projecting that mobile data traffic will grow at a compound annual growth rate (CAGR) of 92% from 2010 to 2015.²²

3. Site Specific Public Need

The Facility proposed in this Application is an integral component of AT&T's network in its FCC licensed areas throughout the state. Currently, a gap in coverage exists in the southwestern portion of Woodstock along Route 198 and in the surrounding area and local roads. The proposed Facility, in conjunction with other existing and proposed facilities in Woodstock, is needed by AT&T to provide its wireless services to people living in 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 need for a facility at a minimum height of 110' AGL in this area of Woodstock to serve the public and meet its need and demand for wireless services. In addition, a letter of intent from Verizon Wireless, indicating its need for future shared use of the proposed Facility is included in Attachment 1.

²⁰ Id.

²¹ Cisco Visual Networking Index: Global Mobile Data Traffic Forecast Update, 2010–2015, February 1 2011.

²² Id.

B. Statement of Benefits

Carriers have seen the public's demand for traditional cellular telephone services in a mobile setting develop into a requirement for anytime-anywhere wireless connectivity with critical reliance placed on the ability to send and receive, voice, text, image and video. Provided that network service is available, modern devices allow for interpersonal and internet connectivity, irrespective of whether a user is mobile or stationary, which has led to an increasing percentage of the population to rely on their wireless devices as their primary form of communication for personal, business and emergency needs. The Facility proposed by North Atlantic Towers would allow AT&T and other carriers to provide these benefits to the public that are not offered by any other form of communication system.

Moreover, AT&T will provide "Enhanced 911" services from the facility, as required by the Wireless Communications and Public Safety Act of 1999, Pub. L. No. 106-81, 113 Stat. 1286 (codified in relevant part at 47 U.S.C. § 222) ("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 able to help 911 public safety dispatchers identify wireless callers' geographical locations within several hundred feet, a significant benefit to the community associated with any new wireless site.

In 2009, Connecticut became the first state in the nation to establish a statewide emergency notification system. The CT Alert ENS system utilizes the state Enhanced 911

services database to allow the Connecticut Department of Homeland Security and Connecticut State Police to provide targeted alerts to the public and local emergency response personnel alike during life-threatening emergencies, including potential terrorist attacks, Amber Alerts and natural disasters. Pursuant to the Warning, Alert and Response Network Act, Pub. L. No. 109-437, 120 Stat. 1936 (2006) (codified at 47 U.S.C. § 332(d)(1) (WARN), the FCC has established the Personal Localized Alerting Network (PLAN). Starting in April of 2012, PLAN will require wireless service providers to issue text message alerts from the President of the United States, the U.S. Department of Homeland Security, the Federal Emergency Management Agency and the National Weather Service using their networks that include facilities such as the one proposed in this Application. Telecommunications facilities like the one proposed in this Application enable the public to receive e-mails and text messages from the CT Alert ENS system on their mobile devices. The ability of the public to receive targeted alerts based on their geographic location at any given time represents the next evolution in public safety, which will adapt to unanticipated conditions to save lives.

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. Closing the coverage gap in southwestern Woodstock requires technology that can reach a coverage footprint that spans thousands of acres. Repeaters, microcell transmitters, distributed antenna systems (DAS) and other types of transmitting technologies are not a practicable or feasible means to providing service within the service area for this site. These technologies are better suited for specifically defined areas where new coverage is necessary, such as commercial buildings, shopping malls, and tunnels or highway capacity. Therefore, the Applicants submit that there are no equally

effective technological alternatives to the construction of the proposed Facility for providing reliable personal wireless services in this area of Connecticut.

IV. Site Selection & Tower Sharing

A. Site Selection

As a tower infrastructure provider, North Atlantic Towers uses its overall knowledge and understanding of existing wireless carrier networks and/or direct consultations with individual carriers to identify areas where wireless services are unreliable. North Atlantic Towers only pursues a tower site search when it is clear that a new tower facility will likely be required for the provision of reliable wireless services by independent carriers. In conducting a site search, North Atlantic Towers' radiofrequency engineers, often in consultation with wireless carrier radiofrequency engineers, identify search areas central to the geographic area in which a new tower facility will be required for the provision of coverage and/or capacity in carrier networks. Similarly, 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 to users of its network.

In this area of Woodstock, there are no known existing structures suitable for providing reliable service to the public. Based on the foregoing, and only after determining that no existing suitable facilities or structures could be used to provide the needed coverage in this area, the Applicants conducted a search for tower sites. The search included separate reviews by North Atlantic Towers and AT&T radiofrequency engineers and investigative visits to the area by North Atlantic Towers and AT&T's consultants. The predominant land use in the search area is low density residential and open space. AT&T agreed to pursue the project proposed in this Application jointly with North Atlantic Towers, after its own site search in this area identified no

other reasonable siting opportunities. Indeed, Verizon Wireless has indicated its need for the proposed Facility in a letter of intent to co-locate at the proposed Facility. A copy of Verizon Wireless' letter of intent is included in Attachment 1.

In addition to the proposed facility site, North Atlantic Towers and AT&T reviewed several properties in and out of the search area as potential candidates. As indicated in the Site Search Summary, submitted as Attachment 2, all but one of the properties reviewed were either rejected by AT&T's radiofrequency engineers or unavailable for use as a tower site. Therefore, one potential tower site was identified – the subject site and there are no known alternatives at this time. The proposed site meets AT&T's radiofrequency criteria, and its location on a large tract of undeveloped land minimizes visibility to the greatest extent practicable. Construction of the access drive that crosses a small stream and runs beside a wetland for a short distance will be done in a manner that mitigates potential impacts and as such, the Applicants' have submitted this Application for the Siting Council's consideration.

B. Tower Sharing

To maximize co-location opportunities and minimize the proliferation of towers, North Atlantic Towers proposes a 150' monopole tower and Facility compound that can accommodate AT&T, Verizon and at least four additional carriers' antenna platforms. North Atlantic Towers also submitted a letter to the Town of Woodstock, attached hereto as Attachment 8, which offers to accommodate Town emergency services antennas and equipment at the site rent-free.

V. Facility Design

The proposed Facility consists of a 100' x 100' leased portion on an approximately 128 parcel owned by Woodstock Tower Partners, LLC and located on Route 198.²³ The proposed

²³ The subject site is identified in the Town of Woodstock tax records as Map 5789, Block 37, Lot 24.

Facility would consist of a 150' high self-supporting monopole within a 75' x 75' fenced equipment compound located in the southern portion of the subject site. AT&T would install up to twelve (12) panel antennas and other transmission equipment on a platform at a centerline height of 147' AGL and unmanned equipment within the compound. The compound would be enclosed by a six (6) foot high chain link fence. Both the monopole and the equipment compound are designed to accommodate the facilities and support equipment of AT&T, Verizon Wireless and four other wireless carriers' antennas and equipment.

Vehicular access to the proposed Facility from Route 198 is provided by a combination of an easement over the adjacent parcel located at 530 Route 198 and a new gravel access drive over the subject site. Access from Route 198 (Black Pond Road) would extend south over an existing paved driveway a distance of approximately 425' via the easement over the adjacent parcel, then along a new twelve (12) foot wide gravel access drive on the subject site a distance of approximately 4,275' to the equipment compound. A thirty-six (36) inch concrete bottomless culvert bridge is planned to cross an existing stream and a wetland on the subject site, which will be constructed with strict conformity to the applicable state and federal requirements and regulations.

Electric and telephone utilities would be extended to the proposed Facility from a utility pole on the adjacent parcel. Attachment 3 contains the specifications for the proposed Facility including site access drive plans, a compound plan, tower elevation, and other relevant details of the proposed Facility. Also included is a Visual Analysis Report in Attachment 5 and information related to the environmental impact of the proposed Facility in Attachments 4, 6 and 7. Some of the relevant information included in Attachments 4, 5, 6 and 7 reveals that:

- The property is classified locally in the "Community" zoning district;

- AT&T's minimum height is 110' AGL and a 150' tall monopole is proposed to accommodate collocation;
- Some clearing and grading of the compound area will be required for the construction of the proposed Facility;
- An onsite wetland and proposed stream crossing via a 36" bottomless arch culvert are approximately 2,500' from the proposed Facility;
- The proposed access drive and culvert will be constructed with soil erosion control measures as provided by the Connecticut Soil Erosion Control Guidelines established by the Council of Soil and Water Conservation;
- Topography and vegetation screen visibility of the tower from a large portion of the viewshed study area;
- Year-round visibility of the proposed tower is limited to approximately 134 acres or approximately 1.67% of the 8,042- acre study area; and
- The State Historic Preservation Officer (SHPO) issued a "no effect" determination for the proposed Facility.

VI. Environmental Compatibility

Pursuant to C.G.S. §16-50p(a)(3)(B), the Council is required to find and to determine as part of the Application process any probable 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, the proposed Facility will be constructed in compliance with applicable regulations and guidelines, and best practices will be followed so as to ensure that the construction of the proposed Facility

will not have a significant adverse environmental impact. Subsequently, the regular operation and monthly maintenance of the Facility will not have a significant environmental impact.

A. Visual Assessment

Included as Attachment 5 is a Visual Analysis Report, which contains a viewshed map, photo location maps, field-verified visibility maps and photosimulations of off-site views. The visual report also includes a comparison of visibility between a 150' monopole and a 110' monopole (AT&T's minimum required height). It is anticipated that approximately 134 acres of the 8,024 acre study area (2 mile radius study area) will have at least partial year-round visibility of the proposed Facility above the tree canopy.

The Visual Analysis Report indicates that five residences will have year-round limited views of the upper portions of a 150' monopole. An additional residence may have partial obstructed views of the 150' tall monopole during leaf-off conditions. As shown in the enclosed report, many of these views currently contain existing utility poles and overhead lines. Visibility from these residences is significantly reduced or eliminated for a 110' tall monopole, which is the minimum height required by AT&T.

As reflected in the Visual Analysis Report included in Attachment 5, visibility is not expected at locally designated historic sites known as the Chamberlain Mill Site and the Stoggy Hollow Restaurant and General Store. Only limited intermittent visibility of the top portion of the proposed Facility, approximately ¼ mile away, is anticipated from the western portion of Barber Road a Town-designated scenic road. Along a 50-foot section of the Crooked Trail Extension, partial views of the upper portion of the tower are anticipated while traveling south.

Weather permitting, AT&T will raise a balloon with a diameter of at least three (3) feet at the proposed Site on the day of the Council's first hearing session on this Application, or at a time otherwise specified by the Council.

B. Solicitation of State and Federal Agency Comments

Various consultations with municipal, state and federal governmental entities and the Applicants' consultant reviews for potential environmental impacts are summarized and included in Attachments 4 and 7. North Atlantic Towers submitted requests for review from federal, state and tribal entities, and the Connecticut State Historic Preservation Officer (SHPO).

On October 6, 2011, SHPO issued a letter indicating that the proposed project will have no effect on historical, architectural or archeological resources. No endangered or threatened species habitat was identified based on a review of the Connecticut Department of Environmental Protection Natural Diversity Database (NDDDB) as shown in the NDDDB Map included in Attachment 4. As required, this Application is being served on state and local agencies that may choose to comment on the Application prior to the close of the Siting Council's public hearing.

C. Power Density

In August of 1996, the FCC adopted a standard for Maximum Permissible Exposure (MPE) to RF emissions from telecommunications facilities like the one proposed in this Application. To ensure compliance with the applicable standards, a maximum power density report was produced by C² Systems, LLC, and is included herein as part of Attachment 4. The report concludes that the calculated worst-case emissions from the proposed Facility are only 5.96% of the MPE standard.

D. Wetlands & Watercourses

A delineated stream and a wetland exist approximately 2,500' feet from the proposed equipment compound, which would be traversed by the proposed access drive atop a proposed concrete 36" bottomless arch culvert. No other surface waters or wetlands were identified in the area of study. The United States Army Corps of Engineers (ACOE) determined that a Category

1 Programmatic General Permit for Minimal Impacts Projects is applicable to the proposed stream and wetland crossing. Accordingly, the proposed access drive and concrete bottomless arch culvert would be subject to the applicable conditions as set forth in the ACOE permit. With regard to environmental impact, the ACOE conditions require that the planned culvert: (1) be backfilled with natural substrate material matching upstream and downstream streambed substrate; (2) not impede the passage of fish and other aquatic organisms; (3) allow for continuous flow of the fifty-year frequency storm flows; (4) not be within a FEMA floodplain; (5) not impact any threatened or endangered species; and, (6) not impact vernal pools. A letter from a North Atlantic Towers environmental consultant, which outlines compliance with ACOE conditions, is included as Attachment 4.

It is anticipated that once construction of the proposed Facility is complete, the access drive will be used only monthly. Furthermore, the distance of the equipment compound from the delineated stream and wetland mitigate any impact that the operation of the proposed Facility would have on those environmental resources. Therefore, the Applicants submit that access to the site by the proposed access drive and culvert, constructed within the ACOE guidelines, utilizing soil erosion control measures and other best management practices established and maintained throughout the construction of the proposed Facility, presents the most prudent and effective means to traverse the delineated stream and wetland with as little impact to these resources as possible.

E. Other Environmental Factors

The proposed Facility would be unmanned, requiring monthly maintenance visits, each 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. Furthermore, the proposed Facility will neither create nor emit any smoke, gas, dust, nor other air contaminants, noise, odors, nor vibrations other than those created by installed heating and ventilation equipment. Temporary power outages could require the limited use of an on-site diesel-fueled generator. Overall, the construction and operation of AT&T's proposed Facility will not have a significant impact on the air, water, or noise quality of the area.

The Federal Aviation Administration (FAA) determined that the proposed Facility is not a potential air navigation obstruction or hazard. Therefore, no FAA lighting or marking is required for the tower proposed in this Application. A copy of the FAA determination is included in Attachment 3.

North Atlantic Towers has evaluated the site in accordance with the FCC's regulations implementing the National Environmental Policy Act of 1969 (NEPA). The proposed site was not identified as a wilderness area, wildlife preserve, National Park, National Forest, National Parkway, Scenic River, State Forest, State Designated Scenic River or State Gameland. Further, according to the site survey and field investigations, no federally regulated wetlands or watercourses or threatened or endangered species will be impacted by the proposed Facility. As detailed herein, the proposed stream crossing along the access drive will meet the Army Corp of Engineers (ACOE) Category 1 Programmatic General Permit requirements for minimal impact projects. Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps of the proposed site indicate that the site is not located within a 100-year or 500-year floodplain.

VII. Consistency with the Town of Woodstock's Land Use Regulations

Pursuant to the Council's Application Guide, included in this section is a narrative summary of the consistency of the proposed Facility with the local municipality's zoning and

wetland regulations and plan of conservation and development. A description of the zoning classification of each site and the planned and existing uses of each proposed site location are also addressed in this section.

A. Woodstock’s Plan of Conservation and Development

The Town of Woodstock Plan of Conservation & Development (“Plan”), 2002 Update, is included in the Bulk Filing. This document does not address the provision of wireless telecommunications services as a land use. The Plan of Conservation & Development does, however, identify that “[a]dequate telecommunication and related support services and capabilities should be extended to meet the needs of the resident business enterprises.” (Plan of Conservation & Development, pg. 21). The Plan of Conservation & Development also identifies the overall land use patterns in the area of the proposed Facility as agricultural, residential and open space.

B. Local Zoning Standards and Dimensional Requirements

Article 1, Section 17, of the Town of Woodstock Zoning Regulations, Revised to August, 16, 2007, sets forth standards for “Wireless Telecommunications Facilities.” New tower facilities are specially permitted uses in all zoning districts. The consistency of the proposed Facility with the standards in Section 17 of the Woodstock Zoning Regulations is illustrated in the table below.

Section of the Zoning Regulations	Text of the Section	Candidate Facility Compliance
§ 17.2 (B)	A tower must be separated from all boundary lines by the greater of (i) the applicable front yard, side yard, and rear yard set back requirements or (ii) to the height of the tower.	The proposal calls for a 150’ monopole tower, which will be set back at least 150’ from all boundary lines, exceeding all applicable set back requirements.

Section of the Zoning Regulations	Text of the Section	Candidate Facility Compliance
§ 17.2 (C)	Minimum lot area for the construction of a new tower shall be two acres.	The acreage of the parcel upon which the candidate facility is proposed is approximately 128 acres.
§ 17.3 (D)	All towers in residential areas shall be a monopole design and subject to the Commission's request for camouflage.	The proposed tower is a monopole. No comments regarding the tower design were received. The tower design is at the discretion of the Siting Council.
§ 17.3 (E)	Towers shall be painted non-contrasting blue, gray, or other color unless required by the FAA.	The exterior finish of the tower is at the discretion of the Siting Council.
§ 17.3 (F)	No lights or illumination shall be permitted unless required by the FAA.	Per the FAA determination, no lighting or illumination is required for the facility.
§ 17.3 (G)	No signs or advertising shall be permitted except that "no trespassing," "warning," and ownership signs are permitted up to 7' AGL.	The facility will not be used for advertising or signage.
§ 17.3 (H)	Proposed support structure shall be designed to accommodate a minimum of three users, including local emergency services.	The proposed Facility is designed to accommodate up to six users.
§ 17.6 (A)	Ancillary buildings shall not occupy more than 150 square feet of gross floor area or be more than eight feet in height.	The planned equipment shelter exceeds this local regulation and has a floor area of approximately 230', and is approximately 10' in height.
§ 17.3 (D)	All ground level buildings, boxes, or cabinets shall be surrounded by a fence and appropriately landscaped.	The proposed facility will be surrounded by a fence. Areas disturbed during construction will be seeded and mulched. Existing vegetation and topography will screen the proposed equipment compound from off-site view.

C. Planned and Existing Land Uses

The proposed Facility will be located on an approximately 128 acre site that is mostly undeveloped and wooded. The site is larger than most other parcels in the area. Properties in the area immediately surrounding the subject site include low-density single family residential homes and open space. Consultation with municipal officials did not indicate any planned changes to the existing or surrounding land uses.

D. Woodstock's Inland Wetlands and Watercourses Regulations

The Town of Woodstock's Inland Wetlands and Watercourses Regulations ("Local Wetlands Regulations") regulate certain activities within the Town conducted in "wetlands" and "watercourses" as defined therein. While local wetlands permits would not be required for this tower project, the following considerations are incorporated in the Local Wetlands Regulations: (1) overall environmental impact; (2) any feasible and prudent alternatives to the proposed regulated activity that would cause less or no environmental impact; (3) short term and long term impacts of the proposed regulated activity; (4) any irreversible and irretrievable loss of wetland or watercourse resources; and, (5) any mitigation measures that may be considered including those undertaken to prevent or minimize pollution or environmental damage and those taken to maintain or enhance existing environmental quality.

The Applicants submit that there are no alternatives to a crossing for accessing the proposed tower site. Further, that the considerations set forth in the Local Wetlands Regulations are similar to those of the ACOE and that the overall impacts from the crossing are not significant as evidenced by the project's qualification for a General Permit. Furthermore, the proposed access drive and culvert would be constructed with soil erosion control measures as

provided by the Connecticut Soil Erosion Control Guidelines established by the Council of Soil and Water Conservation.

VIII. Consultations with Local Officials

C.G.S. § 16-50/(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 with 2,500 feet of the proposed facility at least 60 days prior to filing of an application with the Siting Council. The Applicants initial communications were with the Town of Woodstock Telecommunications Taskforce in September of 2010. A meeting in October of 2010 with the Telecommunications Taskforce did not result in any recommendations or suggestions from the Telecommunications Taskforce, however, it served as a helpful exchange of information between the Applicants, the appropriate Town officials, and Town residents. Thereafter the Applicants continued to conduct due diligence with regard to the design of the proposed Facility and any alternatives.

On March 7, 2011, the Applicants submitted a Technical Report²⁴ to the Town of Woodstock First Selectman, Mr. Walker, to officially commence the Section 16-50/(e) municipal consultation. Thereafter, the Town's Telecommunications Taskforce coordinated another meeting with the Applicants' representatives on May 9, 2011, during which meeting, the Telecommunications Taskforce provided comments on the Applicants' proposal and requested information regarding potential alternative sites.

Specifically, the Telecommunications Taskforce inquired about the feasibility of collocating on an existing tower at Sherman Road and on a proposed tower at Swedetown Road. The Telecommunications Taskforce also inquired about visibility of the site from a Town-

²⁴ A copy of the Technical Report is included in the Bulk Filing.

designated historic site, Chamberlain Mill, and Barber Road, a Town-designated scenic road. Lastly, the Telecommunications Taskforce inquired about the location of the proposed Facility in relation to the Toutant Airport.

AT&T's RF engineers previously analyzed the Sherman Road and Swedetown Road locations and concluded that they were not viable for the provision of service to the identified gap in AT&T's coverage. The visual analysis for the project also verified that the proposed Facility would not be visible from the Chamberlain Mill site, and that the top of the tower would be visible only from the westernmost portion of Barber Road. The Applicants also confirmed the information presented in the Technical Report by the FAA, which concluded that the proposed 150' AGL tower would not require FAA markings or illumination so long as it remained under 190' AGL. The results of these investigations and the data collected in the process thereof were relayed to the Telecommunications Taskforce in a supplemental submission, dated June 6, 2011.

The First Selectman's office forwarded a letter to the Applicants on July 6, 2011, which included a letter from a Town resident that the First Selectman's office had received and which incorporated the Telecommunications Taskforce comments. The July 6, 2011 First Selectman's letter also included a request that any feasible alternatives be explored, however, no specific alternatives were identified by the Town. In a response dated July 19, 2011, the Applicants detailed their site search efforts, which resulted in the subject site as the only feasible location for the needed facility. Copies of all relevant correspondence with the Town of Woodstock are provided in Attachment 8.

IX. Estimated Cost and Schedule

A. Overall Estimated Cost

The total estimated cost of construction for the proposed Facility is represented in the table below.

Requisite Component:	Cost
Tower & Foundation	\$95,000
Site Development	\$65,000
Utility Installation	\$50,000
Facility Installation	\$195,000
Antennas and Equipment	\$250,000
Total Cost	\$655,000

B. Overall Scheduling

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 Woodstock. The site preparation phase for the proposed Facility is expected to be completed within three (3) to four (4) weeks. Installation of the monopole, antennas and associated equipment is expected to take an additional two (2) weeks. The duration of the total construction schedule is approximately six (6) weeks. Facility integration and system testing is expected to require an additional two (2) 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 southwestern portion of the Town of Woodstock and surrounding areas for the provision of wireless services to the public. The foregoing information and attachments also demonstrate that the proposed Facility will not have any substantial adverse environmental effects. The Applicants respectfully submit that the public need for the proposed Facility outweighs any potential environmental effects resulting from the construction of the

proposed Facility at the site. Accordingly, the Applicants respectfully request that the Council grant a Certificate of Environmental Compatibility and Public Need to North Atlantic Towers for the proposed wireless telecommunications Facility on Route 198 in the Town of Woodstock.

Respectfully Submitted,

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