



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

IN RE:

APPLICATION OF 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 THE TOWN OF
WILLINGTON, CONNECTICUT

DOCKET NO. _____

July 23, 2012

APPLICATION FOR CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED

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

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8. Copy of legal notice published twice in the Willemantic Chronicle, Notice to Abutting Landowners; Certification of Service; List of Abutting Landowners
9. Connecticut Siting Council Application Guide

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

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

IN RE:

APPLICATION OF NEW CINGULAR WIRELESS DOCKET NO. _____
PCS, LLC (AT&T) FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND
PUBLIC NEED FOR THE CONSTRUCTION, July 23, 2012
MAINTENANCE AND OPERATION OF A
TELECOMMUNICATIONS TOWER FACILITY
AT EITHER TOLLAND TURNPIKE OR
OLD SOUTH WILLINGTON ROAD IN THE
TOWN OF WILLINGTON

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

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, New Cingular Wireless PCS, LLC (“AT&T” or the “Applicant”), hereby submits 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 Willington. A Facility at *one* of the two candidate locations is a necessary component of AT&T’s wireless network and its provision of personal wireless communications services and will allow service to be provided in along Tolland Turnpike (State Route 74), Willington Hill Road, Ruby Road and surrounding areas in the Town of Willington. The candidate facilities are proposed on adjoining parcels owned by Lawrence Becker.

B. Executive Summary

In October of 2010, AT&T submitted a technical report to the Town of Willington to review the candidate facilities which are the subject of this application. Subsequently a meeting and site visit were held with Town officials and an application filed with the Siting Council in May of 2011. The Siting Council scheduled a site visit and public hearing for July 12, 2011. AT&T subsequently withdrew the application without prejudice on June 24, 2011.

Two candidate locations are identified. The site of AT&T's proposed Candidate A Facility is Tolland Turnpike. The proposed Facility consists of a new 160' monopole and associated unmanned equipment. AT&T will mount up to twelve (12) panel antennas and twelve tower mounted amplifiers on a low profile platform at a height of 157' AGL. A 12' by 20' equipment shelter will be installed adjacent to the tower within a 40' x 80' gravel compound. The tower compound would be enclosed by an 8' foot high chain link fence. Vehicular access to the facility would be provided over approximately 331' of existing asphalt driveway and then over 581' of new gravel access drive. Utility connections would extend underground from an existing utility pole on Tolland Turnpike.

The site of AT&T's proposed Candidate B Facility is Old South Willington Road. The proposed Facility consists of a new 190' monopole and associated unmanned equipment. AT&T will mount up to twelve (12) panel antennas and twelve tower mounted amplifiers on a low profile platform at a height of 187' AGL. A 12' by 20' equipment shelter will be installed adjacent to the tower within a 75' x 75' gravel compound. The tower compound would be enclosed by an 8' foot high chain link fence. Vehicular access to the facility would be provided over 958' of new gravel access drive. Utility connections would extend underground from existing utility poles on Old South Willington Road.

Included in this Application and its accompanying attachments are reports, plans and visual materials detailing the proposed candidate Facilities and the environmental effects associated therewith. 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 8.

C. The Applicant

The Applicant, New Cingular Wireless PCS, LLC, 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, 14th 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:

AT&T
500 Enterprise Drive
Rocky Hill, Connecticut
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)

AT&T is not engaged in generating electric power in the State of Connecticut. As such, AT&T's proposed Facility is not subject to Section 16-50r of the Connecticut General Statutes. Furthermore, AT&T's proposed Facility has not been identified in any annual forecast reports, therefore AT&T's proposed Facility is not subject to 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 6. Pursuant to CGS 16-50l(b), notice of the Applicant's intent to submit this application was published on two occasions in the Willemantic Chronicle, the paper utilized for publication of planning and zoning notices in the Town of Willington and of general circulation in the area. A copy of the published legal notice is included in Attachment 7. The publisher's affidavits of service will be forwarded upon receipt. Further, in compliance with CGS 16-50l(b), notices were sent to each person appearing of record as owner of a property which abuts the parcels upon which the candidate Facilities are 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 7.

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.

Sixteen 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]

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 About a year ago, 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

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.

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.

supported by the FCC's Declaratory Ruling interpreting § 332(c)(7)(B) of the Telecommunications Act and establishing specific time limits for decisions on land use and zoning permit applications.⁹ More recently, the critical importance of timely deployment of wireless infrastructure to American safety and economy was confirmed in the Middle Class Tax Relief and Job Creation Act of 2012, which included a provision, Section 6409, that preempts a discretionary review process for eligible modifications of existing wireless towers or base stations.¹⁰

2. United States Wireless Usage Statistics

Over the past thirty years, wireless communications have revolutionized the way Americans live, work and play.¹¹ The ability to connect with one another in a mobile environment has proven essential to the public's health, safety and welfare. As of June 2011, there were an estimated 322.9 million wireless subscribers in the United States.¹² At the same time, wireless network data traffic was reported at 341.2 billion megabytes, which represents a 111% increase from the prior year.¹³ 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.¹⁴ By 2010, that number grew exponentially to an astonishing 26.6% of all households.¹⁵ Connecticut in contrast lags behind in this statistic with 13.6% wireless only

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 Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, §6409 (2012), available at <http://gpo.gov/fdsys/pkg/BILLS-112hr3630enr/pdf/BILLS-112hr3630enr.pdf>; see also H.R. Rep. No. 112-399 at 132-33 (2012)(Conf. Rep.), available at <http://www.gpo.gov/fdsys/pkg/CRPT-112hrpt399/pdf/CRPT-112hrpt399.pdf>.

¹¹ See, generally, History of Wireless Communications, *available at* http://www.ctia.org/media/industry_info/index.cfm/AID/10388 (2011)

¹² CTIA's Wireless Industry Indices: Semi-Annual Data Survey Results, A Comprehensive Report from CTIA Analyzing the U.S. Wireless Industry, Mid-Year 2011 Results (Semi-Annual Data Survey Results). See also, "CTIA-The Wireless Association Semi-Annual Survey Reveals Historical Wireless Trend" *available at* <http://www.ctia.org/media/press/body.cfm/prid/2133>.

¹³ Id.

¹⁴ 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 2010Fact Sheet

¹⁵ CTIA Fact Sheet

households.¹⁶ These trends continue with many individuals simply foregoing landline service, a pattern potentially accelerated by the country's recent economic downturn.¹⁷ 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.¹⁸

Wireless access has also provided individuals a newfound form of safety. Today, approximately 70% of *all* 9-1-1 calls made each year come from a wireless device.¹⁹ Parents and teens have also benefited from access to wireless service. In a 2010 study conducted by Pew Internet Research, 78% of teens responded that they felt safer when they had access to their cell phone.²⁰ In the same study, 98% of parents of children who 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.²¹

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.²² It was noted in 2010, 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

¹⁶ CTIA Fact Sheet

¹⁷ 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

¹⁸ 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.

¹⁹ Wireless 911 Services, FCC, *available at* <http://www.fcc.gov/guides/wireless-911-services>

²⁰ 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>

²¹ *Id.*

²² Cisco Visual Networking Index: Global Mobile Data Traffic Forecast Update, 2010–2015, February 1, 2011.

persist with Cisco projecting that mobile data traffic will grow at a compound annual growth rate (CAGR) of 92% from 2010 to 2015.²³

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 along Tolland Turnpike (Route 74), Willington Hill Road (State Route 320), Ruby Road and surrounding areas in the Town of Willington. The proposed Facility, in conjunction with other existing facilities in Willington 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 Radio Frequency ("RF") Engineering Report with propagation plots, which identify and demonstrate the specific need for a facility in this area of the State to serve the public and meet its need and demand for wireless services.

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

²³ Id.

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). 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 this area of the State 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 and urban capacity. Accordingly, AT&T has determined that DAS, repeaters, microcell transmitters and other types of transmitting technologies are not viable as an alternative to the need for a macrocell site in this area of the State. The Applicants submit 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 & Town Consultation; Tower Sharing

A. Site Selection

AT&T's investigation of the area has been guided by benchmark data on gaps in its wireless coverage in Willington that was used to establish a "site search area" for the placement of a new facility. This site search area is the general geographical location where the installation of a wireless facility would address an identified service 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 and physical terrain in the area.

In any site search area, 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. There are seventeen (17) existing communications facilities within four (4) miles of the proposed Facility. AT&T already uses a number of these sites. Other existing sites are outside of the site search area and would not provide reliable coverage to the area where service is needed.

Representatives for AT&T originally identified eight (8) parcels for a potential facility ultimately identifying the Candidate A location as one which could host a facility and provided reliable service to the targeted coverage area. As originally contemplated this location would have hosted a 180' tall monopole which was reviewed by the State Historic Preservation Officer. A monopole at 180' at the candidate location was deemed by the SHPO to have a potentially adverse impact on a historic resource, namely the local Willington Green located near the intersection of Routes 302 and 72. The Town of Willington Conservation Commission also noted its objection to a 180' facility at the Candidate facility for similar reasons.²⁴ AT&T was able to reduce the height of the proposed monopole at the Candidate A location to 160'. The SHPO re-reviewed this proposal at that height but still found that the views from Willington Green would be adversely impacted.

Subsequently AT&T subsequently identified a new alternate location proposed here as the Candidate B Facility. A Technical Report providing details of both candidate facilities was provided to the Town of Willington by letter dated October 4, 2011. Subsequent discussions with the First Selectman and Town Staff indicated a preference for the proposed Candidate A Facility noting that the reduced height (160') appeared to minimally impact the Willington Green and the proposed location was in an existing gravel mining operation near other commercial

²⁴ The Conservation Commission's comments were received as part of the National Environmental Protection Act procedures associated with a Federally licensed facility and were received prior to the filing of a Technical Report with the Town.

ventures. The Candidate B Facility is less preferred by the Town of Willington due to its proximity to residential homes and Old Willington Road, a local dirt road of generally rural nature. The Town also requested that AT&T investigate an alternate access for the Candidate B Facility, located on an adjacent parcel over an existing driveway. AT&T contacted the adjacent parcel owners, who were not willing to allow access for AT&T's proposed Candidate B Facility.

The Candidate A Facility provides AT&T with superior coverage along Route 74 and is AT&T's preferred Candidate. Given the Town preference for the Candidate A Facility, the proximity and visibility of other utility infrastructure in the area, representatives for AT&T are asking the SHPO to once again review the proposal.

B. Tower Sharing

Both the Candidate A and B Facilities are designed to accommodate three additional carriers' antennas and ground equipment.

V. Candidate Facility Designs

A. Candidate A Facility Tolland Turnpike

AT&T has leased a 100' x 100' area on an approximately 47.7-acre parcel of property owned by Lawrence Becker on Tolland Turnpike. The proposed Facility at Candidate A would consist of a 160' AGL high self-supporting monopole within a 40' x 80' fenced equipment compound located in the north central portion of the parcel. AT&T would install up to twelve (12) panel antennas on a platform at a centerline height of 157' AGL and unmanned equipment within the compound. The compound would be enclosed by an 8' chain link fence.

Both the monopole and the equipment compound are designed to accommodate the facilities of three other wireless carriers and equipment. Vehicle access to the facility would be provided first by an existing asphalt access drive off of Tolland Turnpike (Route 74). Utility

connections would be extended underground from a utility pole along Tolland Turnpike. Attachment 3(A) contains the specifications for the proposed Facility including a site access map, a compound plan, tower elevation, and other relevant details of the proposed Facility. Also included is a Visual Analysis Report (Attachment 3(B)) and information related to the Environmental Assessment of the Candidate A Facility (Attachments 3(C)). Some of the relevant information included in Attachment 3 (and its sub-tabs) reveals that:

- The property is classified locally in the R-80 zoning district;
- Minimal grading and clearing of the proposed compound area would be required for the construction of the proposed Facility;
- The proposed Facility will have no impact on water flow, water quality, or air quality;
- Topography and vegetation screen visibility of the tower from a large portion of the viewshed analysis study area;
- Visibility of the tower is largely limited to upper portions of the tower, and
- Year-round visibility of the proposed tower is limited to approximately .9% or 71.7 acres of the 8,053 acre study area.

B. Candidate B Facility Old South Willington Road

AT&T has leased a 100' x 100' area on an approximately 170-acre parcel of property owned by Lawrence Becker on Old South Willington Road. The proposed Facility at Candidate B would consist of a 190' AGL high self-supporting monopole within a 75' x 75' fenced equipment compound located in the southern portion of the parcel. AT&T would install up to twelve (12) panel antennas on a platform at a centerline height of 187' AGL and unmanned equipment within the compound. The compound would be enclosed by an 8' chain link fence.

Both the monopole and the equipment compound are designed to accommodate the facilities of three other wireless carriers and equipment. Vehicle access to the facility would be provided over a proposed new gravel access drive extending from Old Willington Road. Utility connections would extend above ground from a utility pole along Old Willington Road to a new riser pole and then underground to the proposed compound. Attachment 4(A) contains the specifications for the proposed Facility including a site access map, a compound plan, tower elevation, and other relevant details of the proposed Facility. Also included is a Visual Analysis Report (Attachment 4(B)) and information related to the Environmental Assessment of the Candidate B Facility (Attachments 4(C) and 4(D)). Some of the relevant information included in Attachment 4 and its sub-tabs reveals that:

- The property is classified locally in the R-80 zoning district;
- Grading and clearing of the access road as proposed would be required for the construction of the proposed Facility;
- The proposed Facility is not anticipated to have an impact on water flow, water quality, or air quality;
- Topography and vegetation screen visibility of the tower from a large portion of the view shed analysis study area;
- Visibility of the tower is largely limited to upper portions of the tower, and
- Year-round visibility of the proposed tower above the tree canopy is limited to approximately 0.25% or 20 acres of the 8,053 acre study area;

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, the proposed Facility will not have a significant adverse environmental impact.

A. Visual Assessment: Candidate A Facility Tolland Turnpike

It is anticipated that the proposed 160' AGL monopole will be visible year-round from approximately 0.9% or 71.7 acres of the 8,053 acre study area. The proposed monopole will be seen from 11 residential properties and 2 sensitive visual receptors (Willington Cemetery and old West Cemetery) year-round. Included as Attachment 3(B) is a Visual Analysis Report which contains a viewshed map and photosimulations of off-site views. As shown in the report and photosimulations, areas of visibility are expected primarily distant to the site. As depicted in the Viewshed Analysis included in Attachment 3(B), the majority of anticipated year-round and seasonal visibility of the proposed facility occurs over portions of Glass Factory Road, Willington Hill Road (Route 320), and Tolland Turnpike (Route 74).

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

B. Visual Assessment: Candidate B Facility Old South Willington Road

It is anticipated that the proposed 190' AGL monopole will be visible year-round from approximately 0.25% or 20 acres of the 8,053 acre study area. The proposed monopole will be seen from portions of 6 residential properties within the study area year-round with an additional 3 properties having seasonal views. Included as Attachment 3(B) is a Visual Resource Evaluation Report which contains a view shed map and photo simulations of off-site views. As

shown in the report and photo simulations, areas of visibility are expected primarily distant to the site. As depicted in Attachment 3(B), the majority of anticipated year-round and seasonal visibility of the proposed facility occurs over portions of Willington Hill Road (Route 320) and Lindsey Lane.

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

C. Solicitation of State and Federal Agency Comments

Various consultations with municipal, State and Federal governmental entities and AT&T consultant reviews for potential environmental impacts are summarized and included in Attachments 3 and 4. For both Candidate A and B Facilities, AT&T submitted requests for review from Federal, State and Tribal entities including the United States Fish & Wildlife ("USFW") Service and the Connecticut State Historic Preservation Officer ("SHPO").

As noted above the Candidate A Facility is being resubmitted to the SHPO in response to the Town comments received. In addition, it should be noted that a potential archaeological issue associated with a cemetery/burial ground previously identified as being on the south side of Tolland Turnpike has proven incorrect. The historic cemeteries are to the north of Tolland Turnpike while the proposed Candidate A Facility is to the south. As for the Candidate B Facility, SHPO has issued a letter indicating that it will have no effect on historical, architectural or archeological resources.

No endangered or threatened species habitat was identified based on a review of the CT DEEP Natural Diversity Database for either Candidate Facility. Please see Natural Diversity Database Map information included in Attachments 3(C) and 4(D). As required, this

Application is being served on State and local agencies which may choose to comment on the Application prior to the close of the Siting Council's public hearing.

D. 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, maximum power density reports were produced by AT&T for each Candidate Site and are included in Attachments 3C and 4C. As demonstrated in these reports, the calculated worst-case emissions from the Candidate Facilities site are as follows:

- Candidate A Facility Tolland Turnpike: 5.2% of the Federal MPE standard; and
- Candidate B Facility Old South Willington Rd: 3.6% of the Federal MPE standard.

D. Other Environmental Factors

Either of the Candidate Facilities would be unmanned, requiring monthly maintenance visits approximately one hour long. AT&T's equipment would be monitored 24 hours a day, seven days a week from a remote location. Neither of the Candidate Facilities requires water supply or wastewater utilities. No outdoor storage or solid waste receptacles will be needed. Further, neither of the proposed Candidate Facilities will 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 an on-site diesel fuel generator. Overall, the construction and operation of AT&T's proposed Facility will have no significant impact on the air, water, or noise quality of the area.

AT&T utilized the FCC's TOWAIR program to determine if either of the Candidate Facilities would require registration with the Federal Aviation Administration (“FAA”). The

TOWAIR program results for the Candidate Facilities, a copies of which are included in Attachments 3(C) and 4(C), indicate that registration with the FAA is not required let alone FAA review as a potential air navigation obstruction or hazard. As such, no FAA lighting or marking would be required for the either of the Candidate Facilities proposed in this Application.

AT&T has evaluated the Site in accordance with the FCC's regulations implementing the National Environmental Policy Act of 1969 ("NEPA"). Neither host site was 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.

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

Pursuant to the Council's Application Guide, included in this section is a 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. Willington's Plan of Conservation and Development

The Town of Willington Plan of Conservation & Development ("Plan"), effective February 7, 2006 is included in Section 1 of the Bulk Filing. This document does not address the provision of wireless telecommunications facilities as a land use. The Plan does however list as a goal the attraction of new economic development. In order to achieve this objective the Plan calls for the "[u]pgrade [of] telecommunications infrastructure to better attract high-technology facilities." Plan p. 4-47. Also, the facility proposed in this Application will provide needed wireless service along Tolland Turnpike (Route 74), which is listed in the Plan as a "Highway

Primary” and along Willington Hill Road (Route 320), which is classified in the Plan as a “Highway Secondary”. Plan Map No. 4 “Existing Transportation Map”.

B. Willington’s Zoning Regulations and Zoning Classification

Both Candidate Facility sites are classified in the Town of Willington’s R-80 Zoning District. The zoning code sets forth provisions which indicate a wireless telecommunications facility such as the ones proposed would be subject to special exception approval. (See Town of Willington Zoning Regulations Applicant’s Bulk Filing, Section 2). Section 11 of the Zoning Regulations set forth the standards for wireless telecommunications facilities and the consistency of the proposed Facility with these standards is illustrated in the table below. The first two columns include the requirements of the Zoning Regulations and the third column applies these standards to the proposed Candidate Facilities.

C. Local Zoning Standards and Dimensional Requirements

Section from the Zoning Regulations	Standard	Proposed Candidate Facilities
11.13.06.02.01	All utilities serving the facilities shall be underground.	The proposed Candidate Facilities would be served by underground utilities.
11.13.06.02.02	The base area should accommodate parking for technician vehicles and provide a 20’ buffer of screening and/or landscaping around the compound fence perimeter	The Candidate Facilities will be able to accommodate technician vehicles. Given the location interior to the host parcels no screening is currently proposed.
11.13.06.02.03	A tower shall have two time (2x) the fall zone distance from any abutting sensitive area and three times the fall zone from any sensitive area is it is deemed visible. ²⁵	The Candidate A facility approximately 354’ from the nearest property boundary (approximately 2.2x the tower height). Other boundaries range from approximately 520’ to 1,120’ distant from the proposed facility. Views of the lower 50% of the tower will be obscured from view from these surrounding

²⁵ “Sensitive Area” is defined to include historic, residential and other areas including village, riparian corridors and stream belts. “Visible” means that the base, base equipment, and lower 50% of a tower is visible to a higher degree than for a tower that is not visible, as viewed by an observer from a sensitive area.

		properties. The Candidate B Facility is approximately 190' from the nearest property boundary. Other boundaries range from 771' to 1,004'.
11.13.06.02.04	A facility's ground equipment shall not be in a required yard	The location of the ground equipment for both Candidate Facilities is outside any required yard.
11.13.06.03.01	The "support structure" design shall be of a type that blends into the neighborhood architecturally or a monopole design	The proposed tower is a monopole design.
11.13.06.03.02	unless required by the FAA the color of the tower shall be a non-contrasting blue or gray.	The proposed monopole is a (galvanized) matte gray finish.
11.13.06.03.04	Unless required by the FAA, no lights shall be installed above 14' AGL	No lighting is proposed for either of the candidate facilities.
11.13.06.03.04	No signs other than for safety and security directly involving the operation of the facility shall be permitted	No signs other than for safety and security directly involving the operation of the facility are proposed.
11.13.06.03.05	Towers shall be designed to accommodate at least three (3) additional co-locators.	The proposed Candidate Facilities can accommodate up to three (3) additional carriers and are designed for co-location (in accordance with 11.13.06.03.10)
11.13.06.03.06	The maximum size of panel antennas shall be 2' x 8' x 6'	AT&T's antennas are typically within these dimensions.

D. Planned and Existing Land Uses

The proposed Candidate A Facility Tolland Turnpike will be located on an approximately 47.7 acre parcel and the proposed Candidate B Facility Old South Willington Road will be located on an approximately 170 acre parcel. Properties in the area immediately surrounding the subject site include single family residential homes, commercial business, and open space. 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 Attachment 3 of the Bulk Filing.

E. Willington's Inland Wetlands and Watercourses Regulations

The Town of Willington's Inland Wetlands Regulations ("Local Wetlands Regulations") regulate certain activities conducted in "wetlands" and "watercourses" as defined therein.

A review of available information regarding the site through Federal, State and local databases and a field visit indicates the parcel hosting the Candidate A Facility has one nearby wetland system. The access drive for the Candidate A Facility is approximately 47' from the nearest flagged wetland area with no activity occurring directly within the delineated wetland area. Construction of the proposed facility and the associated access drive will not occupy any portion of this flagged wetland/watercourse area.

A review of available information regarding the site through Federal, State and local databases and a field visit indicates that the host parcel of the Candidate B Facility has one nearby wetland system which demonstrates features supportive of vernal pool habitat. The access drive is approximately 100' from this resource and the proposed compound is over 500' distant. No activity occurs any nearer to this delineated wetland area. Construction of the proposed facility and its associated access drive will not occupy any portion of this flagged wetland/watercourse area.

In accordance with the Connecticut Soil Erosion Control Guidelines, as established by the Council of Soil and Water Conservation, soil erosion control measures and other best management practices will be established and maintained throughout the construction of either Candidate Facility. No adverse impact to these wetland or water resources is anticipated erosion control measures and other best management practices will be implemented.

VIII. Consultation with Local Officials

A technical consultation process regarding the candidate locations with the Town of Willington was commenced in October 2010. A meeting and site visit with Town officials on

December 2, 2012. As part of that consultation the Town expressed a general preference for Site A on Tolland Turnpike but noting that if Site B were to be selected the Town wanted AT&T investigate the use of an existing driveway near the proposed site for access. Subsequently a full application was submitted to the Siting Council with copies to state and local officials. That application was subsequently withdrawn without prejudice. In May of 2012 AT&T again contacted the Town of Willington to indicate that it would again seek approval for a facility at one of the two candidate locations. In subsequent correspondence the Town of Willington indicated that while no further consultation was necessary, the Town prefers that an “ultimate height” stipulation of 160’ given proximity to the Willington Historic District. See Attachment 6.

IX. Estimated Cost and Schedule

A. Overall Estimated Cost

The total estimated cost of construction for the proposed Candidate Facilities is as follows:

	Tolland Turnpike Candidate A Facility	Old South Willington Road Candidate B Facility
Tower & Foundation	\$ 90,000	\$ 90,000
Site Development	\$ 45,000	\$ 47,900
Utility Installation	\$ 27, 360	\$ 28,740
Facility Installation	\$ 93,000	\$ 93,000
Antennas and Equipment	\$ 250,000	\$ 250,000
	\$ 505,960	\$ 509,640

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 Willington. The site preparation phase for either Candidate 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 this central portion of Town of Willington and surrounding areas for the provision of AT&T's wireless services to the public. The foregoing information and attachments also demonstrate that one of the Candidate Facilities proposed will not have any substantial adverse environmental effects. The Applicant respectfully submits that the public need for the proposed Facility outweighs any potential environmental effects resulting from the construction of the proposed Facility at either Candidate Site. As such, the Applicant respectfully requests that the Council grant a Certificate of Environmental Compatibility and Public Need to AT&T for one of the proposed Candidate Facilities in the Town of Willington.

Respectfully Submitted,

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