DOCKET NO. 445 - Homeland Towers, LLC and New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at Ridgefield Town Assessor Map Parcel #D08-124, southwest of the intersection of Old Stagecoach Road and Aspen Ledges Road, Ridgefield, Connecticut.	}	Connecticut
	}	Siting
	}	Council
		September 4, 2014

Opinion

On February 18, 2014, Homeland Towers, LLC (HT) and New Cingular Wireless PCS, LLC (AT&T) applied to the Connecticut Siting Council (Council) for a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, maintenance and operation of a wireless telecommunications facility to be located on a property identified as Town Assessor Map Parcel #D08-124, which is located southwest of the intersection of Old Stagecoach Road and Aspen Ledges Road in Ridgefield, Connecticut. The property on which the proposed facility would be located is owned by Insite Towers. The property comprises 3.19 acres and is currently undeveloped. The purpose of the proposed facility would be to enable AT&T and other wireless carriers to provide reliable emergency communications and wireless services to residents, businesses, schools, municipal facilities, and visitors in northwestern Ridgefield and to improve the wireless communication capabilities of the Town of Ridgefield's police, fire and other emergency services departments.

The Town of Ridgefield and HT and AT&T held a dialogue for over six years to site a tower in this part of Ridgefield. Development of sites for telecommunications facilities requires a willing landowner to lease or sell land. The proposed site lies between a residential area and town open space within the RAAA zoning district (single family residential with three acre minimum lot size). Telecommunications facilities and towers are permitted in the RAAA zoning district as a special permit use.

After reviewing the record in this proceeding, the Council finds a definite need for wireless coverage in the area that would be served by the proposed facility, a need both for commercial wireless services and for the Town's emergency services. The Council's jurisdiction lies with the cellular frequencies on the proposed tower. Currently, AT&T's coverage in this portion of Ridgefield is virtually non-existent. The proposed facility would add significant coverage area, particularly near schools and recreational locations. It would provide coverage to significant numbers of potential users. Indeed, the Council notes that if the proposed site were not available, AT&T would require up to three towers to achieve equivalent coverage. As to the Town's plan to use the proposed tower for its public safety network, this complies with the tower-sharing policy of the State. The Council commends the collaborative effort between the Town and HT/AT&T, which will substantially improve the Town's public safety communications capabilities.

On the host property, HT would lease a 75-foot by 75-foot parcel, within which it would install a 62-foot by 75-foot compound. The compound would include a 150-foot monopole tower, an 11.5-foot by 20-foot shelter for AT&T's ground equipment and a 10-foot by 12-foot shelter for the town's ground equipment. With the Town's antennas installed at the top of the tower, its overall height would reach 161.5 feet. AT&T's emergency backup power would be provided by a 50 kW diesel generator, which would be capable of running approximately 48 hours based upon a 100% load and 200 gallons of available fuel. At a 50% load, the

generator would be capable of running for approximately 86 hours. For its backup power, the Town of Ridgefield would install a 32 kW propane generator with an approximately 500 gallon fuel tank. The generator would be capable of running 72 hours on a full tank of propane. This is another instance of different tenants operating their own separate generators. In keeping with the conclusions of Docket 432 — a feasibility study of back-up power requirements for telecommunications facilities, the Council encourages HT to provide for the possibility of a backup generator that could be shared by its tenants.

The setback radius of the proposed tower would encroach by approximately 56 feet on an abutting property to the north that is owned by the Town and used as open space. For this reason, HT would design its tower with a yield point at 56 feet above grade.

The proposed tower would be at least partially visible above the tree canopy on a year-round basis from approximately 141 acres in the surrounding vicinity. It would be seasonally visible (during "leaf-off" times of the year) from approximately 199± additional acres. In this circumstance testimony suggested that a two-tone color scheme for the tower would aid in reducing its visual impact. The Council concurs and will order the tower to have a two color scheme designed to blend in better with its surrounding environment and to soften the visual impact of the tower, especially for its closest residential neighbors.

To develop the proposed facility, HT would remove 15 trees with a diameter at breast height of six inches or more. The closest wetland to the proposed facility is located approximately 89 feet west of the tower compound and approximately 40 feet from the nearest grading and areas of disturbance. It consists of a hillside seep associated with a seasonal intermittent watercourse. The Town's combined Planning and Zoning Commission and Inland Wetlands Board submitted concerns about storm water management and the proper deployment of erosion and sedimentation control measures during construction. Prior to construction the Council shall order HT/AT&T to submit a Development and Management (D&M) Plan for review and approval. Such a D&M plan would include, but not be limited to, soil erosion and sedimentation control measures and details for constructing the tower foundation, access road, and utility installation. These measures should prevent adverse impacts to the wetland.

The box turtle (*Terrapene carolina carolina*), a State species of special concern, may occur in the vicinity of this project. In recognition of the potential presence of these turtles, HT agreed to a turtle protective measures program to be incorporated as part of the project's construction protocols.

The proposed facility would have no adverse effect on historic structures eligible for the National Register of Historic Places. For this site, HT had a Phase I archeological reconnaissance survey done per the request of the State Historic Preservation Office. Based upon the results of this survey, the area that would be affected by the proposed facility does not appear to retain any archaeological integrity, and the proposed project would have no effect on the State's cultural resources.

According to a methodology prescribed by the Federal Communications Commission (FCC) Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997), the worst-case combined radio frequency power density levels of the antennas proposed to be installed on the proposed tower have been calculated by Council staff to amount to 20.14% of the FCC's Maximum Permissible Exposure, as measured at the base of the tower. This percentage is well below federal and state standards established for the

frequencies used by wireless companies. If federal or state standards change, the Council will require that the tower be brought into compliance with such standards. The Council will require that the power densities be recalculated in the event other carriers add antennas to the tower. The Telecommunications Act of 1996 prohibits any state or local agency from regulating telecommunications towers on the basis of the environmental effects of radio frequency emissions to the extent that such towers and equipment comply with FCC regulations concerning such emissions. Regarding potential harm to wildlife from radio emission: this, like the matter of potential hazard to human health, is a matter of federal jurisdiction. The Council's role is to ensure that the tower meets federal permissible exposure limits.

Based on the record in this proceeding, the Council finds that the effects associated with the construction, maintenance and operation of the proposed telecommunications facility, including effects on the natural environment; ecological integrity and balance; public health and safety; scenic, historic, and recreational values; forests and parks; air and water purity; and fish and wildlife are not disproportionate either alone or cumulatively with other effects when compared to need, are not in conflict with policies of the State concerning such effects, and are not sufficient reason to deny this application. Therefore, the Council will issue a Certificate for the construction, maintenance, and operation of a telecommunications facility with a 150-foot monopole, with a two-tone color scheme, on the property identified as Town Assessor Map Parcel #D08-124 and located southwest of the intersection of Old Stagecoach Road and Aspen Ledges Road in Ridgefield, Connecticut.