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VIA ELECTRONIC MAIL AND HAND DELIVERY

Attorney Melanie Bachman
Acting Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

Re: DOCKET NO. 451 – 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 the Cheshire Wastewater Treatment Plant – Letter in lieu of Brief for Town of Cheshire

Dear Attorney Bachman:

On behalf of the Town of Cheshire (the “Town”), please accept this letter in lieu of a brief to the Connecticut Siting Council (the “Siting Council”) concerning the referenced docket.

The Town very much appreciates the opportunity afforded it by the Siting Council to participate in this proceeding. The record overwhelmingly demonstrates that the Siting Council’s approval of the application is very important to the Town, particularly as it relates to the Town’s critical emergency services communications needs. It is uncontroverted that the Cheshire Police Department, the Cheshire Fire Department and the Town’s Department of Public Works will be relying on the proposed telecommunications facility for their remote communications needs as soon as the tower is constructed. Further, the Town’s not-too-distant-in-the-future needs to upgrade its emergency services communications system to deploy point-to-point transmission technology supports the Siting Council’s approval of this application as proposed.

The Town would also respectfully request that the Siting Council take into consideration several other factors in evaluating the application:

1. The environmental impacts of the proposed tower, from the Town's perspective, are minimal.¹ The tower will be sited on the Town's property that is part of the compound for the Cheshire Wastewater Treatment Plant, which was initially made operational in 1971 and is operated by the Cheshire Public Works Department.² Most of the closest streets to the site were constructed after the plant was fully operational.³ Further, the record demonstrates that the proposed site is located in one of the less densely populated areas of Cheshire.⁴ Finally, the Town's responsibility concerning the siting of this particular tower was not to expend scarce municipal resources on evaluating all possible alternatives, but rather to find the most cost-effective way to improve its emergency communications network to the benefit of all the residents of Cheshire.

2. The record in this proceeding amply demonstrates that the coverage needs of the Town's emergency services communications system will be greatly enhanced by the proposed tower. In the near term, the radio frequency ("RF") coverage will be significantly improved enhanced by the elevation provided by being at the top of the 170 foot tower.⁵ Gaps in current coverage will be significantly reduced, thereby eliminating many of the "dropped" communications that Cheshire's police and fire department personnel have experienced and continue to experience in the northeastern section of Town.⁶ Significantly, as has been reiterated in written and oral testimony, the plans for transitioning the emergency services communications system to a point-to-point system, as being done by many other Connecticut municipalities,⁷ is necessary, not only to ensure that the Town's public safety personnel are able to communicate among themselves during major storm-related service outages but also to address the obsolescence of the current communications equipment.⁸

3. The Town's Public Works Department also utilizes the emergency services communications system and will greatly benefit from the significant improvements that will occur upon the construction of the tower. With responsibility for operations of public roads in a municipality of over 33 square miles, the Public Works Department's duties particularly in periods of snow and ice removal, as well as other

¹ Any telecommunications tower facility will be visible, wherever it might be sited. Transcript of Oct. 28, 2014 hearing (Tr.) at 207-09.

² Town Exhibit 8.b. (Prefiled testimony of W. Gancarz).

³ Town Exhibit 8.b. (Prefiled testimony of W. Gancarz). Thus, virtually all of the residences in the area were constructed subsequent to the construction of the original Cheshire Wastewater Treatment Plant.

⁴ Town Exhibit 8.a. (Prefiled testimony of Town Manager M. Milone); Town Exhibit 7 (Town of Cheshire Color-coded Population Density Map).

⁵ Town Exhibits 8.c. (Prefiled testimony of Fire Chief J. Casner); Town Exhibit 8.d. (Prefiled joint testimony of Police Chief N. Dryfe and Deputy Chief R. Vignola), and 8.e. (Prefiled testimony of E. Fine). See also Tr. at 185-86, 191-92..

⁶ Town Exhibit 8.c. (Prefiled testimony of Fire Chief J. Casner); Town Exhibit 8.d. (Prefiled joint testimony of Police Chief N. Dryfe and Deputy Chief R. Vignola).

⁷ Town Exhibit 8.e. (Prefiled testimony of E. Fine). Tr. at 187-89.

⁸ Town Exhibit 8.d. (Prefiled joint testimony of Police Chief N. Dryfe and Deputy Chief R. Vignola); Tr. at 232-33..

significant weather and disaster situations, require the reliable and uninterrupted communications that will result from the upgrades that the proposed tower will bring.⁹

4. The elected representatives of the Town of Cheshire, its Town Council, overwhelmingly voted in support of the lease document that allows the applicants to construct and operate a wireless communications facility, with a 170 foot tower, at the proposed site.¹⁰ The record reflects that, although it was recognized that the Siting Council would have to approve the proposed facility, the Town Council, by its vote, explicitly endorsed and approved the site for the tower facility as part of its approval of the lease agreement with Homeland Towers.¹¹

5. The Town is a municipality that provides essential services to nearly 30,000 residents. The Town is not in the business of constructing, operating and maintaining a wireless telecommunications tower, nor does it have the staff to do so, as was suggested during a recent hearing.¹² The Town's agreement with Homeland Towers represents a very favorable opportunity to enhance the emergency services communications system and to control where the tower is going to be sited, subject to the Siting Council's determination in this docket.

In sum, the Town has fully reviewed and considered the issues and endorses the application for the Siting Council's approval of the construction of a 170 foot telecommunications tower facility on the Town's Waste Water Treatment Plant property.¹³ The Town respectfully requests that the Siting Council approve the application as submitted.

Please contact the undersigned if you have questions regarding this submission. Thank you for your consideration.

⁹ See Tr. at 187-190.

¹⁰ See Town Exhibits 4 (Town of Cheshire Notice of Agenda of Special Council Meeting for 1/23/13), 5 (Town of Cheshire Excerpt of the Minutes of the 1/23/13 Special Town Council Meeting), and 8.a. (Prefiled testimony of M.Milone, Town Manager).

¹¹ Town Exhibit 5 (Town of Cheshire Excerpt of the Minutes of the 1/23/13 Special Town Council Meeting).

¹² See Tr. at 204.

¹³ See Municipal Comments, Town of Cheshire, dated Aug. 14, 2014.

I certify that a copy hereof have been furnished on this date via first-class mail, via email delivery to all parties, intervenors and participants of record as evidenced on the Council's service list as of this date.

Respectfully submitted,

TOWN OF CHESHIRE, CONNECTICUT



By: _____
Burton B. Cohen
Its Attorney

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