

January 15, 2016

**VIA OVERNIGHT DELIVERY**

Hon. Robert Stein, Chairman  
and Members of the Connecticut Siting Council  
10 Franklin Square  
New Britain, Connecticut 06051

Re: Connecticut Siting Council Docket 463  
American Towers, LLC (ATC) & New Cingular Wireless PCS, LLC (AT&T)  
Proposed Wireless Telecommunications Tower Facility  
351A Boston Post Road, Connecticut

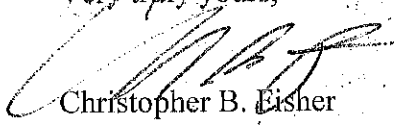
Dear Chairman Stein and Members of the Siting Council:

On behalf of American Towers, LLC (ATC) and New Cingular Wireless PCS, LLC (AT&T) and in connection with the above referenced Certificate Application, we respectfully enclose an original and fifteen copies of the following:

1. AT&T's Responses to BHSO Community Conservancy Interrogatories to Applicant, dated December 23, 2015; and
2. Applicants' Supplemental Information requested by the Siting Council.

Should the Siting Council or Staff have any questions regarding this matter, please do not hesitate to contact us.

Very truly yours,

  
Christopher B. Eisher

cc: Tracy M. Collins, Esq.  
First Selectman Mark C. Nickerson  
Keith R. Ainsworth, Esq.  
Matthew Russell, ATC  
Michele Briggs, AT&T

STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

IN RE:

APPLICATION OF AMERICAN TOWERS LLC (ATC)  
AND NEW CINGULAR WIRELESS PCS, LLC (AT&T)  
FOR A CERTIFICATE OF ENVIRONMENTAL  
COMPATIBILITY AND PUBLIC NEED FOR THE  
CONSTRUCTION, MAINTENANCE AND OPERATION  
OF A TELECOMMUNICATIONS TOWER FACILITY IN  
EAST LYME, CONNECTICUT

DOCKET NO. 463

January 15, 2016

**RESPONSES TO BHSO COMMUNITY CONSERVANCY  
INTERROGATORIES TO THE APPLICANTS**

1. With regard to the site behind Tab #2 of the Application, Site #9, 6 Stone Ranch Road (Military Reservation), please state whether there was more than one location on this 1026-acre parcel that was studied as a possible tower location and specify if that included a site near the end of the airplane runway and the existing state police tower.

*AT&T evaluated the existing tower and the areas of the landing strip at the Stone Ranch Military Reservation. Neither location would provide service to the eastern areas of the coverage gaps which will be created by demolition of the current site in the Orchards. As part of AT&T's assessments of this property, it was determined that there is no location within the Reservation with a higher elevation than the existing tower site location or a location that would propagate wireless signals for AT&T's purposes to any greater extent than the location of the existing tower on this property. The end of the runway on the property is one of the lowest elevations in the area and technically unsuitable for AT&T propagation purposes. See plot annexed as Attachment 1.*

2. If the answer to the previous question is that only one location was modeled for possible location, could the applicant model coverage using the same parameters for existing coverage maps at the highest point on Site #9 and at the State Police tower at 197ft.

*An examination of the surrounding topography reveals that the existing tower at the Stone Ranch Military Reservation was built in a location within that property which affords the greatest ground elevation and coverage achievable for the purposes of the State Police. That existing tower will not work, however, for AT&T, even if it were extended in height to 400 feet AGL. There is no location within the Stone Ranch Military Reservation with a higher elevation than the existing tower site there and no location within that property that would propagate any better for AT&T.*

3. In response to the site search report behind Tab 2 it was noted that co-location on the existing tower (or a replacement tower) was rejected by the CT State Police. Please explain in detail who rejected the concept of co-location, for what reason(s) and please produce any documentation of this rejection.

*In response to this interrogatory question, AT&T representatives contacted Mr. Brian Benito of the Connecticut DESPP and Division of Statewide Emergency Telecommunications who is the person that has managed Connecticut State Police communications infrastructure for years and was previously contacted about this tower site. He referred AT&T to Mr. Timothy J. Tomcho, Lieutenant Colonel, Staff Judge Advocate at the Connecticut Military Department. Mr. Tomcho conferred with Major General Thaddeus J. Martin, Adjutant General of the Connecticut Military Department. A copy of more recent e-mail correspondence documenting rejection of further commercial wireless siting within the Stone Ranch Military Reservation and the reasons why is included in Attachment 2.*

4. With regard to the Site #18 behind Tab 2 in the Application, the existing water tank owned by the Town of East Lyme, please provide a coverage model for that site at 197ft on the assumption that a monopole were co-located at the site and not just antennas attached to the water tank structure?

*AT&T has analyzed the Town Water Tank location at 199' AGL and the coverage plot is annexed as Attachment 3. A tower at this location with antennas at 199' AGL would leave a significant coverage gap compared to the existing tower in the Orchards and proposed replacement facility at 351A Boston Post Road. Additionally, the town owned lot on which the approximately 40' tall water tank is located is only slightly larger than the water tank itself, leaving little room if any for a monopole and equipment which would be a few feet from adjacent residential property lines as readily apparent from the attached aerial photos and tax map information sourced from the Town of East Lyme GIS database.*



5. With respect to Site #19 behind Application Tab 2, Marion Drive owned by the Town of East Lyme, please provide any evidence (deeds, conservation restrictions, selectmen's resolution, town meeting vote or minutes, etc) upon which the Applicant relied in stating that this site is not available because it is designated open space – as opposed to unencumbered open land owned by the municipality.

*The statement in the Application by AT&T is that “this town-owned parcel is designated as “Open Space” and was therefore not pursued.” The site acquisition consultant responsible for this statement is no longer working for SAI as a consultant to AT&T. In reviewing the Town’s Plan of Conservation and Development (included in the Applicants’ Bulk Filing), Figure 19 on page 107 entitled “Perceived Open Space” shows this parcel in green and Figure 20 on page 108 entitled “Existing Open Space” shows this parcel is not classified as Existing Open Space.*

*It is possible, but can’t be confirmed that the site acquisition consultant based its conclusion on this information and discussions with local officials in the Town’s building, tax and clerk’s offices. For the record the Applicants’ site search statement is corrected to add the word “Perceived” Open Space. We also defer to the party Town of East Lyme to determine whether the parcel is part of a local “Open Space” designation as part of a prior subdivision and as regulated by the Town’s Planning & Zoning Commission. A title search has not been performed by AT&T. The following additional and updated information from AT&T related to the parcel is supplied in response to this interrogatory given the apparent interest by BHSO in it as a possible alternative site.*

*As noted in the Application, AT&T representatives met with Town officials in 2014 to discuss the need to find a property to relocate the existing tower in the Orchards. At that time, AT&T requested information on any potential municipal properties as alternatives. Alternative sites were also discussed with the Town of East Lyme as part of the 16-501 municipal consultation process. This specific property was not identified by the Town at that time or any other person as a potential tower site alternative.*

*In furtherance of this interrogatory, AT&T's current site acquisition consultant did contact the Town's Planning Director for any further information which might be supplied to the Council directly by the Town in response to other BHSO interrogatories. AT&T then asked the First Selectman if the Town might propose the property as an alternative tower site as part of Docket 463. No definitive response was given and AT&T notes this is in the area of other properties opposed for tower siting by the group known as East Lyme Residents for Responsible Cell tower Placement .*

*Nonetheless, AT&T subsequently evaluated the location technically and its RF Engineers determined that the ground elevation at the extreme southeast corner of the parcel is between 50 and 65 feet lower than the "highest point" on another nearby parcel that was evaluated by AT&T as part of the record. The highest point on that adjacent property still did not provide adequate coverage at 199' AGL, so this Town owned-location would only be worse and was thus "RF rejected" by AT&T.*

6. With respect to Site #19, Marion Drive, mentioned in the previous interrogatory, please provide a coverage map for this site using the same parameters as the existing coverage maps at 197ft at the highest geographic contour of the site and at the most centrally-located sites to the extent they differ.

*Site #19 is in the same general topographic situation as Site #22. Regardless of where it is situated on that parcel, it is blocked to the north by the hill where the original Ancient Highway site was located. A 199' tower on the highest point on the parcel still leaves a 1/4 mile gap on Boston Post Road. See coverage plot annexed as Attachment4.*

7. If Site #19, Marion Drive, were to be made available by the Town of East Lyme, please describe the visual impacts of this site and state the number of homes within 1000 ft of a tower centrally-located on this site.

*Based on the responses to Questions 5 and 6, the Applicants object to this question. BHSO may issue interrogatories to the Town in this regard if it believes the site is a viable alternative and it may hire its own consultants to put on a direct case with this specific information if so desired.*

8. Please state the number of residences within 1000ft of Site #18, the water tank property.

*Based on the responses to Question 4, the Applicants object to this question. BHSO may issue interrogatories to the Town in this regard if it believes the site is a viable alternative and it may hire its own consultants to put on a direct case with this specific information if so desired.*

9. Please state the number of homes within 1000ft of Site #9 at Stone Ranch.

*Based on the responses to Question 1-3, the Applicants object to this question. BHSO may hire its own consultants to put on a direct case with this specific information if so desired.*

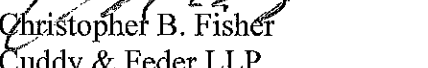
10. With respect to Site #9 at Stone Ranch, please identify the towers with which a 197ft tower would interact if one were to be built.

*If AT&T were ever able to install equipment on the existing or a new tower at the Stone Ranch Military Reservation it would be used to remedy the remaining coverage gap on the west side of Plum Hill and that facility would primarily interact with the proposed tower in this Docket if approved.*

11. Applicant has noted that it may need additional towers in the East Lyme area in the future. Since the proposed location in the Application at 351A Boston Post Road leaves a gap in coverage to the west of the hill from which the existing decommissioning tower is providing service, why wouldn't an extension of the State Police tower at Site #9, plus a second tower at the Town Water tank (Site #18 above) or at Marion Drive (Site #19) provide a complete solution to the coverage needs of the Applicant with less impact.

*AT&T's RF engineer testified at the hearing regarding this line of questioning. To the extent not previously asked and answered, any "two site" solution would be the site proposed coupled with use of the existing Stone Ranch Military Reservation tower. Alone or in combination, neither Site #18 nor Site #19 would provide adequate replacement coverage on the east side of Plum Hill as neither site fully covers the northeast end of Boston Post Road. To the extent necessary, AT&T does not share the opinion incorporated into the question regarding "less impact" based on the information contained in response to Question 4 and the group known as East Lyme Residents for Responsible Cell Tower Placement which previously appeared in Petition No. 1152 and generally opposed all tower siting in the area of Ancient Highway, Wilson Hill and Site 19.*

Dated: January 15, 2016

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

CERTIFICATE OF SERVICE


I hereby certify that on this day, an original and fifteen (15) copies of the foregoing was sent electronically and by overnight mail to the Connecticut Siting Council:

The Town of East Lyme  
First Selectman Mark C. Nickerson  
P.O. Box 519  
108 Pennsylvania Avenue  
Niantic, Connecticut 06357  
[mnickerson@eltownhall.com](mailto:mnickerson@eltownhall.com)

Tracy M. Collins, Esq  
Waller, Smith & Palmer, P.C.  
52 Eugene O'Neill Drive  
New London, CT 06320  
[tmcollins@wallersmithpalmer.com](mailto:tmcollins@wallersmithpalmer.com)

BHSO Community Conservancy  
The Law Offices of Keith R. Ainsworth, Esq., LLC  
51 Elm Street, Suite 201  
New Haven, Connecticut 06510-2049  
[keithrainsworth@live.com](mailto:keithrainsworth@live.com)

Dated: January 15, 2016

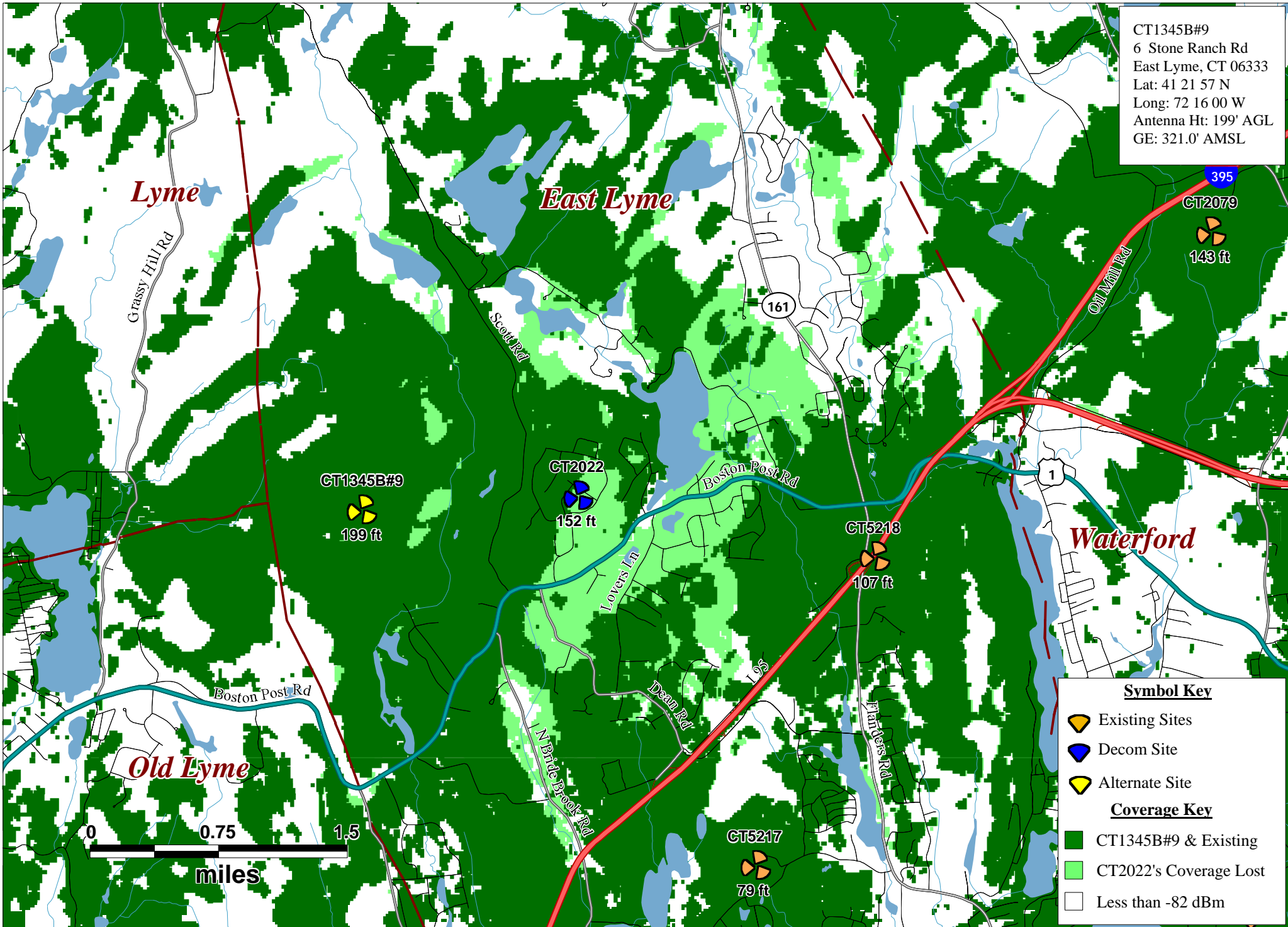
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Christopher B. Fisher

# ATTACHMENT 1



CT1345B#9  
 6 Stone Ranch Rd  
 East Lyme, CT 06333  
 Lat: 41 21 57 N  
 Long: 72 16 00 W  
 Antenna Ht: 199' AGL  
 GE: 321.0' AMSL



CT2022 vs. CT1345B#9 Added  
 850 MHz UMTS Coverage

East Lyme, CT

East Lyme, CT 06333



PREPARED ON  
 DATE: 11/23/2015

REV  
 0

# ATTACHMENT 2

## Vergati, Christine

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**From:** Dan Bilezikian [Dan.Bilezikian@SAI-Comm.com]  
**Sent:** Friday, January 08, 2016 11:04 AM  
**To:** Fisher, Christopher; 'MASON, KEVIN'; 'BRIGGS, MICHELE'  
**Cc:** Vergati, Christine  
**Subject:** FW: INRE: Cell Tower - 6 Stone Ranch Rd., E. Lyme, CT

-----Original Message-----

**From:** Tomcho, Timothy J LTC USARMY NG CTARNG (US) [<mailto:timothy.j.tomcho.mil@mail.mil>]  
**Sent:** Friday, January 08, 2016 10:01 AM  
**To:** Dan Bilezikian  
**Subject:** INRE: Cell Tower - 6 Stone Ranch Rd., E. Lyme, CT

Mr. Bilezikian:

I received your message (below) concerning the proposed construction of a cellphone tower or collation of communication equipment on the existing communication tower at Stones Ranch Military Reservation (SRMR), East Lyme, Connecticut. I forwarded a copy of your message to Major General Thaddeus J. Martin, Adjutant General, Connecticut Military Department. General Martin discussed your proposal with me and asked that I reply on his behalf.

SRMR is federally supported military training area. The site is secured and access is restricted to military personnel. The existing communication tower is emplaced solely for emergency communications. No commercial utilization of the tower is authorized. Access to the tower is limited and coordinated through the Connecticut State Police and the Connecticut Army National Guard. Due to the nature of the military training conducted at the site, commercial activity on the site or construction of an additional tower would interfere with military operations and training. Such activities are incompatible with the purpose of the land.

The Connecticut Military Department appreciates your interest in SRMR and wishes you every success in finding a suitable location for your business activities in the area.

Timothy J. Tomcho  
Lieutenant Colonel  
Staff Judge Advocate

-----Original Message-----

**From:** Dan Bilezikian [<mailto:Dan.Bilezikian@SAI-Comm.com>]  
**Sent:** Monday, January 04, 2016 11:57 AM  
**To:** Tomcho, Timothy J LTC USARMY NG CTARNG (US) <[timothy.j.tomcho.mil@mail.mil](mailto:timothy.j.tomcho.mil@mail.mil)>  
**Subject:** [Non-DoD Source] Cell Tower - 6 Stone Ranch Rd., E. Lyme, CT

All active links contained in this email were disabled. Please verify the identity of the sender, and confirm the authenticity of all links contained within the message prior to copying and pasting the address to a Web browser.

Dear Sir,

Brian Benito forwarded your name to me as a contact person for the referenced property. I'm hoping you will be able to assist me, or direct me to the appropriate individual if not yourself.

The CT Siting Council (CSC) is currently conducting a hearing on an Application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at 351A Boston Post rd., E. Lyme, CT. I am a site acquisition consultant for New Cingular Wireless PCS, LLC (a/k/a AT&T Mobility) one of the applicants.

The CSC has submitted interrogatories to the applicants which consist of questions posed by counsel on behalf of a local group of abutters, the BHSO Conservancy Community. Several questions concern the military reservation located at 6 Stone Ranch Rd. (parcel 28.0 1 consisting of 1026 acres). They want to know why AT&T can't collocate on the existing tower located there, to which Mr. Benito has provided the answer below. They also want to know if it would be possible to construct another tower somewhere on the 1026 acre parcel? Would the State of Connecticut, or whomever controls the use of the site, be agreeable to lease ground space to commercial wireless communications carriers such as AT&T for that purpose.

Thank you for your attention to this request. Please call or e-mail me if you have any questions.

Sincerely,

Dan Bilezikian

Site Acquisition Specialist

SAI Communications, Inc./for AT&T Mobility

260 Cedar Hill St.

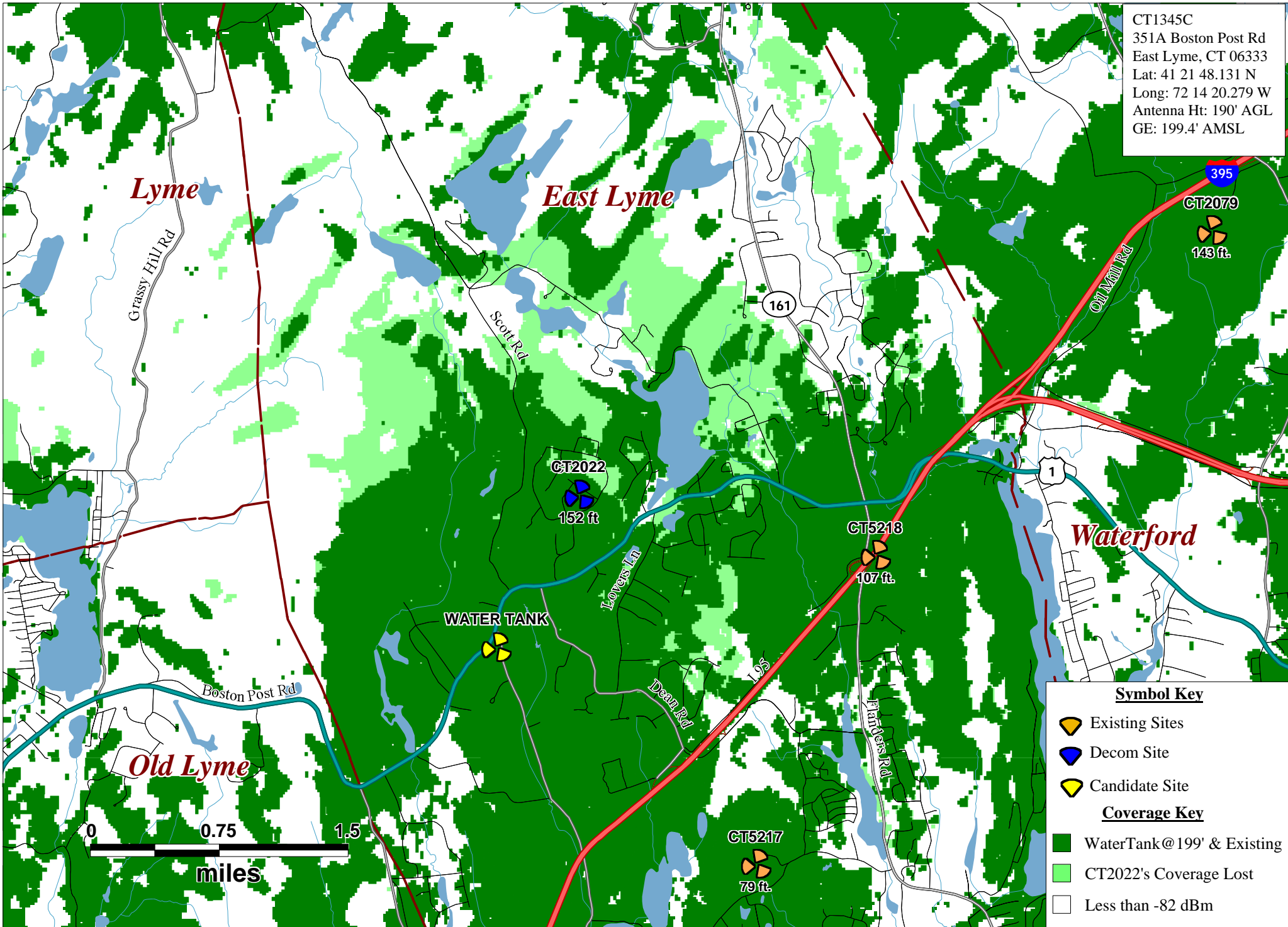
Marlboro, MA 10752

401.368.0006: M | 508-252-5888: F

[dan.bilezikian@sai-comm.com](mailto:dan.bilezikian@sai-comm.com) < Caution-mailto:dan.bilezikian@sai-comm.com >

# ATTACHMENT 3

CT1345C  
 351A Boston Post Rd  
 East Lyme, CT 06333  
 Lat: 41 21 48.131 N  
 Long: 72 14 20.279 W  
 Antenna Ht: 190' AGL  
 GE: 199.4' AMSL



**Symbol Key**

- Existing Sites
- Decom Site
- Candidate Site

**Coverage Key**

- WaterTank@199' & Existing
- CT2022's Coverage Lost
- Less than -82 dBm

Existing 850 MHz UMS Coverage  
 with Water Tank Site at 199 feet AGL

**East Lyme, CT**

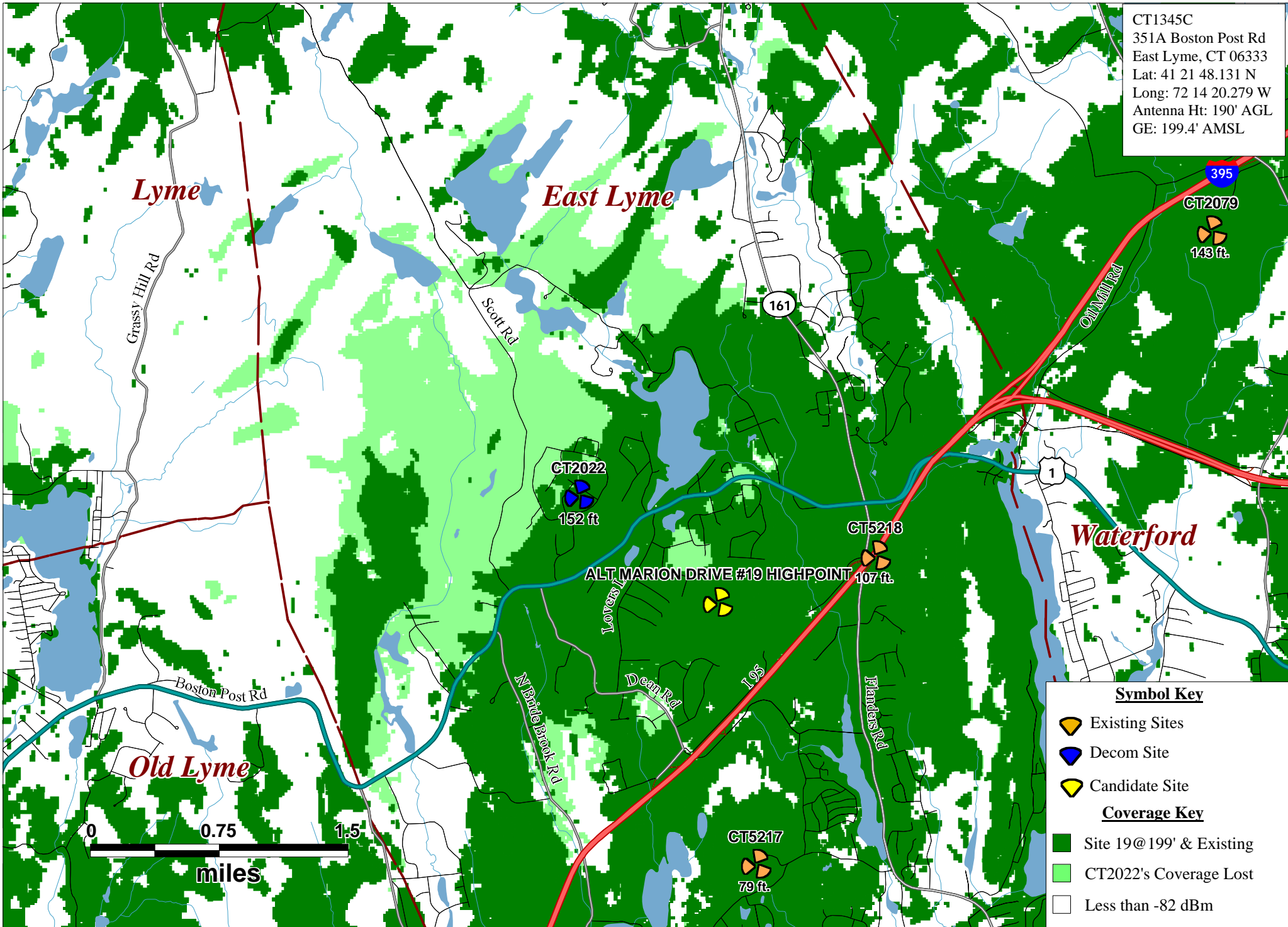
**351A Boston Post Road  
 East Lyme, CT 06333**



PREPARED ON	
DATE: 12/21/2015	REV 0

# ATTACHMENT 4

CT1345C  
 351A Boston Post Rd  
 East Lyme, CT 06333  
 Lat: 41 21 48.131 N  
 Long: 72 14 20.279 W  
 Antenna Ht: 190' AGL  
 GE: 199.4' AMSL



**Symbol Key**

- Existing Sites
- Decom Site
- Candidate Site

**Coverage Key**

- Site 19@199' & Existing
- CT2022's Coverage Lost
- Less than -82 dBm

Existing 850 MHz UMTS Coverage  
 with Site 19 Highpoint at 199 feet AGL

**East Lyme, CT**

**351A Boston Post Road  
 East Lyme, CT 06333**



PREPARED ON \_\_\_\_\_  
 DATE: 01/04/2016

REV 0