



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

July 11, 2022

Lynn Toomey
Dir. Real Estate
Sector Site, LLC
P.O. Box 118
Convent Station, NJ 07961
ltoomey@sectorsitellc.com

RE: **DOCKET NO. 480** - SectorSite LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility on town-owned property behind the Southwest Fire Station located at 2 Westwoods Drive, Farmington, Connecticut.

Dear Ms. Toomey:

In response to a request for comments on an exempt modification submitted by T-Mobile, the Connecticut Siting Council (Council) received correspondence from the Town of Farmington (Town) regarding the Federal Aviation Administration (FAA)-required lighting scheme at the above-referenced telecommunications facility for which the Council issued a Certificate of Environmental Compatibility and Public Need (Certificate) to SectorSite, LLC on May 18, 2018.

It appears Phoenix Tower International, a different entity than SectorSite, LLC, has been corresponding with the Town on issues related to the FAA lighting scheme for the telecommunications facility. Specifically, Phoenix Tower International submitted correspondence to the Town, dated May 7, 2021, indicating it acquired the telecommunications facility at 2 Westwoods Drive in Farmington from SectorSite, LLC. However, the Council has no record of a transfer of the Certificate for this facility from SectorSite, LLC to Phoenix Tower International.

Condition Nos. 12 and 13 of the Council's May 18, 2018 Certificate for this facility state:

12. This Certificate may be transferred in accordance with Conn. Gen. Stat. §16-50k(b), provided both the Certificate Holder/transferor and the transferee are current with payments to the Council for their respective annual assessments and invoices under Conn. Gen. Stat. §16-50v. In addition, both the Certificate Holder/transferor and the transferee shall provide the Council a written agreement as to the entity responsible for any quarterly assessment charges under Conn. Gen. Stat. §16-50v(b)(2) that may be associated with this facility.
13. The Certificate Holder shall maintain the facility and associated equipment, including but not limited to, the tower, tower foundation, antennas, equipment compound, radio equipment, access road, utility line and landscaping in a reasonable physical and operational condition that is consistent with this Decision and Order and a Development and Management Plan to be approved by the Council.

The Council approved the Development and Management (D&M) Plan for this facility on November 9, 2018. SectorSite, LLC notified the Council of the completion of construction of the facility on September 24, 2020.

Certainly, T-Mobile, as a tenant at the telecommunications facility, is not responsible for compliance with the conditions of the Council's Certificate for this facility. SectorSite, LLC, the Certificate Holder, is responsible for compliance with the conditions of the Council's Certificate issued for this facility. It appears the FAA-required lighting scheme that was ordered by the Council to be employed at this facility is not in compliance with the Council's Certificate or the Council's D&M Plan approval.

If SectorSite, LLC transferred the facility to Phoenix Tower International, please submit a request to transfer the Certificate in accordance with Connecticut General Statutes §16-50k(b) and Condition No. 12 of the Council's Certificate by August 1, 2022.

Also, in accordance with Condition No. 13 of the Council's Certificate, please provide a written explanation as to why the FAA-required lighting scheme at the facility is not in compliance with the Council's Certificate and D&M Plan approval by August 1, 2022.

Thank you for your attention to this very important matter.

Sincerely,



Melanie A. Bachman
Executive Director

MAB/RDM/lm

c: Service List, dated December 28, 2017

The Honorable C.J. Thomas, Chairman, Town of Farmington (towncouncil@farmington-ct.org)

Kathleen A. Blonski, Town Manager, Town of Farmington (blonskik@farmington-ct.org)

Shannon Rutherford, Town Planner, Town of Farmington (RutherfordS@farmington-ct.org)

Russell M. Arnold, Jr., P.E., Director of Public Works, Town of Farmington

(ArnoldR@farmington-ct.org)