

# MCM HOLDINGS, LLC (MCM) CELLCO PARTNERSHIP (VERIZON WIRELESS)

Application to the State of Connecticut Siting Council

For a Certificate of Environmental Compatibility and Public Need

-WATER TANK FACILITY REPLACEMENT
CANDIDATE A: 1542 BOSTON POST ROAD
CANDIDATE B: KIRTLAND STREETDocket No. \_\_\_\_\_

MCM HOLDINGS, LLC.
40 WOODLAND STREET
HARTFORD, CT 06105

CELLCO PARTNERSHIP (VERIZON WIRELESS)

20 ALEXANDER DRIVE

WALLINGFORD, CT 06492

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# STATE OF CONNECTICUT CONNECTICUT SITING COUNCIL

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APPLICATION OF MCM HOLDINGS, LLC (MCM) and CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS (CELLCO) FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF A TELECOMMUNICATIONS TOWER FACILITY AT ONE OF TWO SITES IN THE TOWN OF WESTBROOK

DOCKET NO.\_\_\_\_

# 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 ("C.G.S."), as amended, and Sections 16-50j-1 et seq. of the Regulations of Connecticut State Agencies ("RCSA"), as amended, MCM Holdings, LLC ("MCM") and Cellco Partnership d/b/a Verizon Wireless ("Cellco") as the applicants (together "Applicants"), hereby submit 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 Westbrook (the "Town" or "Westbrook"). A Facility at *one* of the two candidate locations is a necessary component of Cellco's and other wireless carriers' networks for the provision of personal wireless communications services and will allow wireless carriers to continue providing reliable wireless communications services in the area of Route 1, Water's Edge Resort and Spa, numerous residences and coastal portions of Long Island Sound.

#### **B.** Executive Summary

A new tower Facility is specifically needed to replace a Connecticut Water Company water tank that was taken out of service and which had supported wireless facilities for several years. The water tank was fully decommissioned by the Connecticut Water Company in August of 2018 and subsequently demolished. MCM currently maintains a 163' tall temporary telecommunication tower (171' overall facility height to top of a whip antenna) at the site of the former water tank, 1542 Boston Post Road, which was approved by the Connecticut Siting Council ("CSC") by decision included in Attachment 1 dated December 7, 2017. Currently, the Old Saybrook Police Department ("OSPD"), AT&T, T-Mobile and Cellco all maintain communications equipment at the temporary facility. These facilities are relied on by the surrounding community in Westbrook for both emergency communications and wireless services.

As noted in the CSC's Decision in Petition No. 1330, the temporary tower was approved for continued emergency and wireless communications services while MCM proceeded with plans for a permanent tower facility to replace the Connecticut Water Company water tank. In October of 2018, MCM submitted a Technical Report included in the Bulk Filing to the Town of Westbrook to review two site locations for the permanent facility and an informational hearing was conducted by the Town's Board of Selectmen on December 11, 2018. The Town adopted a resolution and issued a letter stating a preference for Site A included in **Attachment 9**, which is the location of the temporary tower and former water tank, and which property is still owned by the Connecticut Water Company.

The two candidate locations submitted to the CSC are identified throughout this Application as Site A or Site B. Site A, the former site of the water tank and current site

of the temporary facility, has an address of 1542 Boston Post Rd, Westbrook, CT. Site A is an approximately 0.61-acre parcel of land identified as Map 182, Lot 007 on the Town of Westbrook Tax Map and is owned by the Connecticut Water Company. The proposed Facility at Site A consists of a new 130' AGL high self-supporting monopole (with an overall facility height of 138' to the top of the OSPD whip antenna located at the top) and other related equipment shown on the attached drawings all to be located within the existing approximately 6,405 square foot fenced compound. Cellco will mount up to twelve (12) panel antennas and other equipment on a low-profile platform attached to the monopole at a centerline height of 126' AGL. The existing compound enclosed by a 6' high chain link fence will be utilized within which MCM will construct the proposed 130' monopole and Cellco will maintain its existing 11.8'x 30.2' equipment shelter. Additional space will be used by AT&T, T-Mobile and OSPD for their equipment located at the site. Site A has frontage on Boston Post Road and there is an existing gravel access drive providing vehicular access to the existing fenced area. Utility connections serving Site A currently extend underground from an existing utility pole on Boston Post Road.

Site B is comprised of two parcels of land located in close proximity to Site A and located off Kirtland Street in Westbrook bearing no specific site address but identified as Map 182, Lot 003 (0.39 acre) and Map 177, Lot 122 (1.92 acres) on the Town of Westbrook Tax Map. The proposed Facility at Site B consists of a new 130' AGL high self-supporting monopole (with an overall facility height of 138' to the top of the OSPD whip antenna located at the top) and other related equipment shown on the attached drawings all to be located within a new 3,000 square foot fenced compound. Cellco will mount up to twelve (12) panel antennas and other equipment on a low-profile platform at a centerline height of 126' AGL. The proposed compound would be enclosed by an 8' high chain link fence

within which MCM will construct the proposed monopole and Cellco will install equipment on a 9'-4"x16' prefabricated steel platform on concrete piers with steel canopy. Additional space will be used by AT&T, T-Mobile and OSPD for their equipment. Vehicular access between the site and Boston Post Road will be provided via the partially paved and partially gravel private road known as Kirtland Street. Utility connections would extend underground from an existing utility pole at the street.

Included in this Application and its accompanying attachments are reports, plans and visual materials detailing the proposed Sites, Facilities and the environmental effects associated therewith. A table of the Council's Community Antennas Television and Telecommunication Facilities Application guideline with references to this Application is also included in **Attachment 11.** 

### C. The Applicants

Applicant MCM is a Connecticut Limited Liability Company with offices at 40 Woodland Street, Hartford, CT 06105. MCM owns and/or operates numerous facilities in the State of Connecticut. MCM will construct, maintain and own the Facility at whichever Site is approved and will sublease space to tenants such as Cellco, AT&T, T-Mobile, OSPD and others.

Applicant Cellco is a Delaware Partnership with an administrative office located at 20 Alexander Drive, Wallingford, CT 06492. Cellco is licensed by the Federal Communications Commission ("FCC") to operate a wireless telecommunications system in the State of Connecticut within the meaning of C.G.S. Section 16-50i(a)(6). Cellco 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 MCM:

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

A copy of all correspondence shall also be sent to:

Cellco Partnership d/b/a Verizon Wireless 20 Alexander Drive Wallingford, CT 06492 Attention: Anthony Befera

MCM Holdings, LLC 40 Woodland Street Hartford, CT 06105 Attention: Virginia King

#### **D.** Application Fee

Pursuant to RCSA Section 16-50v-1a(b), a check made payable to the Connecticut Siting Council in the amount of \$1,250 accompanies this Application which represents the Application Fee.

# E. Compliance with C.G.S. Section 16-50*l*(c)

Neither MCM nor Cellco are engaged in generating electric power in the State of Connecticut. As such, the proposed Facility is not subject to C.G.S. Section 16-50r of the Connecticut General Statutes. Furthermore, the proposed Facility has not been identified in any annual forecast reports, therefore the proposed Facility is not subject to C.G.S. Section 16-50l(c).

# II. Service and Notice Required by C.G.S. Section 16-50*l*(b)

Pursuant to C.G.S. Section 16-50*l*(b), copies of this Application are being sent 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 10**. Pursuant to C.G.S. 16-50*l*(b), notice of the Applicants' intent to submit this application was published on two occasions in The Harbor News, the paper utilized for publication of planning and zoning notices in the Town of Westbrook and of general circulation in the area. A copy of the published legal notice is included in **Attachment 10**. The publisher's affidavits of service will be forwarded upon receipt. Further, in compliance with C.G.S. 16-50*l*(b), notices were sent to each person appearing of record as owner of a property which abuts the parcels known as Site A and Site B. Certification of such notice, a sample notice letter, and the list of property owners to whom the notice was mailed are also included in **Attachment 10**.

#### III. Statements of Need and Benefits

#### A. Statement of Need

### 1. <u>United States Policy & Law</u>

United States policy and laws continue to underscore the need for wireless networks in serving the public. 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 certain 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). 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. It remains clear that the provision of wireless services to all Americans is a goal of the federal government.

Nearly a decade ago, then President Obama issued Proclamation 8460 which included wireless facilities within the 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.<sup>1</sup>

Congress and the Federal Communications Commission further developed a national plan entitled "Connecting America: The National Broadband Plan" (the "Plan").<sup>2</sup> 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.<sup>3</sup> [internal quotes omitted]

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." 4

<sup>&</sup>lt;sup>1</sup> Presidential Proclamation No. 8460, 74 C.F.R. 234 (2009).

<sup>&</sup>lt;sup>2</sup> Connecting America: The National Broadband Plan, Federal Communications Commission (2010), *available at* http://www.broadband.gov/plan/.

<sup>&</sup>lt;sup>3</sup> Id. at XI.

<sup>&</sup>lt;sup>4</sup> Id. at 25.

Shortly after adoption of the Plan, and in April 2011, 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.<sup>5</sup> The FCC also adopted various orders in furtherance of the public need for the deployment of wireless infrastructure including specific time limits for decisions on land use and zoning permit applications.<sup>6</sup> Congress also acted again when it passed the Middle Class Tax Relief and Job Creation Act of 2012, which included a provision, Section 6409 in the Spectrum Act which preempts a discretionary review process for eligible modifications of existing wireless towers or base stations.<sup>7</sup>

More recently in 2018, the FCC adopted two separate orders incorporating several declaratory rulings and a set of new regulations to specifically address various areas of state and municipal oversight of wireless facility siting including towers and small cells.<sup>8</sup> The first order prohibits any actual or de facto moratoria on the siting of wireless facilities. The second, intended to streamline the siting of current 4G LTE and future 5G wireless infrastructure, addressed numerous provisions of the Telecommunications Act and focused on any state or local siting requirements that might materially inhibit the deployment of wireless facilities including small cells. The Trump Administration has

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<sup>&</sup>lt;sup>5</sup> 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.

<sup>&</sup>lt;sup>6</sup> 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.

Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, §6409 (2012), available at <a href="http://gpo.gov/fdsys/pkg/BILLS-112hr3630enr/pdf/BILLS-112hr3630enr.pdf">http://gpo.gov/fdsys/pkg/BILLS-112hr3630enr/pdf/BILLS-112hr3630enr.pdf</a>; see also H.R. Rep. No. 112-399 at 132-33 (2012)(Conf. Rep.), available at <a href="http://www.gpo.gov/fdsys/pkg/CRPT-112hrt399/pdf/CRPT-112hrt399.pdf">http://www.gpo.gov/fdsys/pkg/CRPT-112hrt399/pdf/CRPT-112hrt399.pdf</a>.
 WT Docket No. 17-79 – Declaratory Ruling and Third Report and Order, Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment.

further developed a national strategy for the United States to win the 5G global race and continue American leadership in wireless technology.<sup>9</sup>

#### 2. <u>United States Wireless Usage Statistics</u>

Over the past thirty plus years, wireless communications have revolutionized the way Americans live, work and play. The ability to connect with one another in a mobile environment has proven essential to the public's health, safety and welfare. As of July 2018, there were an estimated over 400 million wireless devices in the United States amounting to approximately 1.2 devices per person. Of those devices, 273 million are data-intensive smartphones (a 56% increase since 2008). The United States also saw a record-setting amount of data-traffic with over 15 trillion megabytes carried over U.S. wireless networks in 2017. The ever-increasing number of households transitioning to mobile voice connection only (i.e. abandoning land lines) has now grown to approximately 52.5% of households nationwide. Connecticut in contrast lags behind in this statistic with approximately 33.4% wireless only households.

Wireless access has also provided individuals a newfound form of safety. Up to 80% of *all* 9-1-1 calls made each year come from a wireless device. Beginning May 15, 2015, wireless carriers in the U.S. voluntarily supported Text-to-911, a program that

<sup>&</sup>lt;sup>9</sup> See <a href="https://www.whitehouse.gov/presidential-actions/presidential-memorandum-developing-sustainable-spectrum-strategy-americas-future">https://www.whitehouse.gov/presidential-actions/presidential-memorandum-developing-sustainable-spectrum-strategy-americas-future</a> and <a href="https://www.whitehouse.gov/articles/america-will-win-global-race-5g">https://www.whitehouse.gov/presidential-actions/presidential-memorandum-developing-sustainable-spectrum-strategy-americas-future</a> and <a href="https://www.whitehouse.gov/articles/america-will-win-global-race-5g">https://www.whitehouse.gov/articles/america-will-win-global-race-5g</a>

<sup>&</sup>lt;sup>10</sup> See, generally, History of Wireless Communications, *available at* http://www.ctia.org/media/industry\_info/index.cfm/AID/10388 (2011)

<sup>&</sup>lt;sup>11</sup> CTIA Annual "The State of Wireless 2018" available at <a href="https://api.ctia.org/wp-content/uploads/2018/07/CTIA">https://api.ctia.org/wp-content/uploads/2018/07/CTIA</a> State-of-Wireless-2018 0710.pdf.

<sup>&</sup>lt;sup>12</sup> Id.

<sup>&</sup>lt;sup>13</sup> Id.

<sup>14</sup> Id.

<sup>&</sup>lt;sup>15</sup> See Modeled Estimates of the percent distribution of household telephone status for adults aged 18 and over, by state: United States, 2016 available at <a href="https://www.cdc.gov/nchs/data/nhis/earlyrelease/Wireless\_state\_201712.pdf">https://www.cdc.gov/nchs/data/nhis/earlyrelease/Wireless\_state\_201712.pdf</a>. <sup>16</sup> 911 Wireless Services Guide last reviewed November 2, 2015 available at

https://transition.fcc.gov/cgb/consumerfacts/wireless911srvc.pdf.

allows users to send text messages to emergency services as an alternative to placing a phone call.<sup>17</sup>

Wireless access to the internet has also grown exponentially since the advent of the truly "smartphone" device. Cisco reports that in 2016 global mobile data traffic reached 7.2 exabytes per month at the end of 2016, up from 4.4 exabytes per month at the end of 2015. Notably, mobile data traffic has grown 18-fold over the past 5 years. Indeed Cisco projects that "mobile data traffic will grow at a compound annual growth rate (CAGR) of 47 percent from 2016 to 2021, reaching 49.0 exabytes per month by 2021. As of 2018, smartphone data traffic has surpassed that of fixed broadband.

# 3. <u>Site Specific Public Need</u>

A permanent facility at either Site A or Site B and maintaining a site in this area of Westbrook is an integral component of Cellco and other wireless carrier networks. The Facility, in conjunction with other existing facilities in Westbrook and surrounding towns is needed by Cellco to provide its wireless services to people living in and traveling through this area of the state. The site specific need for one of the two sites presented in this Application is aptly demonstrated by:

<sup>&</sup>lt;sup>17</sup>See Text-to-911: What you need to know available at <a href="https://www.fcc.gov/consumers/guides/what-you-need-know-about-text-911">https://www.fcc.gov/consumers/guides/what-you-need-know-about-text-911</a>. It should be noted that while the carriers have committed to supporting 911 texting in their service areas, text-to-911 is not available everywhere. Emergency call centers, called PSAPs (Public Safety Answering Points), are the bodies in charge of implementing text messageing in their areas. These PSAPs are under the jurisdiction of their local state and counties, not the FCC, which governs the carriers. See also Text-to-911 is now available in Connecticut available at <a href="https://www.text911ct.org/">https://www.text911ct.org/</a>, indicating that the State of Connecticut has recently transitioned to a the Text-to-911.

<sup>&</sup>lt;sup>18</sup> Cisco Visual Networking Index: Global Mobile Data Traffic Forecast Update, 2016-2021, March 28, 2017.

<sup>20</sup> T.1

<sup>&</sup>lt;sup>21</sup> PriceWaterhouseCoopers as reported by CTIA; https://www.ctia.org/the-wireless-industry/infographics-library

- 1) Local zoning approvals for all three wireless carrier antenna attachments to the former Connecticut Water Company water tank which confirmed the public need for such facilities;
- 2) The CSC's 2017 approval of the temporary facility to replace the water tank as provided in **Attachment 1**;
- 3) The fact that all three wireless carriers have developed their wireless networks around the water tank location as an "anchor site", some having done so over a twenty year period from their first establishment of a network facility at the water tank; and
- 4) That the OSPD has specifically stated its facility in this location in Westbrook is crucial to their first responder network that serves western portions of Old Saybrook.

As such, and unlike most new tower applications, the public need for a tower in this Application is best represented by focusing on the major gap in coverage and loss of service the public would suffer along Route 1, in Westbrook, at hundreds of businesses and residences and out along coastal portions of Long Island Sound. The public depends on a site in the area now for service from three wireless carriers and a municipal emergency communications network.

#### **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 relying on their wireless devices as their primary form of communication for personal, business and emergency needs. The Facility proposed by MCM would allow Cellco and other carriers to provide current and future benefits to the public that are not offered by any other form of communication system.

Carriers will also continue to 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 is to promote public safety through the deployment of a seamless, nationwide emergency communications infrastructure that includes wireless communications services. In enacting the 911 Act, Congress recognized that networks providing 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 can 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.

Additionally, the Town of Old Saybrook Police Department Chief of Police Michael A. Spera stated on the record at the Town's Public Information Session that the OSPD has a critical need for a Facility to provide first responder communications during emergencies in Old Saybrook and parts of Westbrook in joint response efforts. OSPD also stated its preference for a tower site at 1542 Boston Post Road (Site A) given the location's history of reliability as part of its municipal emergency communications network infrastructure. **Attachment 9** also includes a letter from Town of Westbrook First Selectman, Noel Bishop, to the Siting Council stating its preference for Site A as part of the continuation of wireless services provided in and for the benefit of the community.

#### C. Technological Alternatives

The FCC licenses granted to Cellco authorize it to provide wireless services in this area of the State through deployment of a network of wireless transmitting sites. The proposed Facility has been and continues to be an essential component of Cellco and other

carriers' wireless networks. Maintaining comprehensive coverage in this area of the State requires a macro cell site that can serve a wide area. Repeaters, microcell transmitters, distributed antenna systems (DAS) and other types of transmitting technologies, some of which are deployed in Westbrook and other parts of Connecticut, are not a practicable or feasible means to providing the type of wide area service this location has provided for years and which is a foundational part of each carriers' network. Technologies like small cells are best suited for specifically defined areas where capacity is necessary. Small cells and other types of transmitting technologies are not viable as an alternative to the need for a replacement macro tower site in this area of Westbrook to continue providing wireless services to the public. The Applicants submit that there are no effective technological alternatives to construction of a new tower facility to replace the water tank site and provide reliable personal wireless services in this area of Connecticut.

#### IV. Site Selection; Tower Sharing

#### A. Site Selection

The location of the former water tank owned by Connecticut Water Company was on a property situated in a portion of Westbrook that is a geographical rise in overall elevation close to the shoreline and along Route 1. MCM's initial introduction to the project was as a result of the water company's decision to decommission the existing water tank site and at the request of the parties to come up with a temporary and permanent solution to meet the needs of the three wireless carriers and OSPD. MCM and the Connecticut Water Company subsequently entered into agreements to effectuate the entire project including the proposed replacement tower at Site A.

In accordance with Connecticut state policy, MCM also conducted a traditional "site search" in this area of Westbrook for potential replacement tower sites. Based on the already established network services for the carriers and the location of their adjacent network sites, the site search area was focused on an area extending out from the water tank site and with similar ground elevations. The later criteria were used by MCM in order to also minimize the overall height of the needed replacement tower and keep any proposal consistent with the height of the demolished water tank. MCM reviewed the CSC's telecommunications databases to determine if there were any other existing or non-tower site alternatives. **Attachment 2** includes a list of all known communications facilities in Westbrook and the adjacent Town of Old Saybrook, which are being used already or which would not provide reliable replacement coverage to the area where service is needed.

As part of its site search, representatives for MCM evaluated twelve (12) parcels in total including Water's Edge as shown on the map and described in the site search summary in **Attachment 2**. An alternative to the logical candidate at Site A was identified and leased as Site B for presentation in this Application. A Technical Report for both Sites was submitted to the Town of Westbrook in October of 2018 and no other viable locations for a replacement tower were identified by the community.

#### B. Tower Sharing

Both the Site A and Site B Facilities are designed to accommodate the existing carriers' and OSPD's antennas and equipment plus capacity for one additional future carrier platform.

# V. Candidate Facility Designs

# A. Site A: 1542 Boston Post Rd, Westbrook

Site A is the former site of the water tank and current site of the temporary facility, 1542 Boston Post Rd, Westbrook, CT. Site A is an approximately 0.61-acre parcel of land identified as Map 182, Lot 007 on the Town of Westbrook Tax Map and is owned by the Connecticut Water Company. The proposed Facility at Site A consists of a new 130' AGL high self-supporting monopole (with OSPD whip antenna to 138') and other related equipment shown on the attached drawings all to be located within the existing 6,405 square foot fenced compound. Carriers will mount up to twelve (12) panel antennas and other equipment on low-profile platforms attached to the monopole at a centerline height of 126' AGL for Cellco, 116' AGL for AT&T, and 106' AGL for T-Mobile. The existing compound is enclosed by a 6' high chain link fence within which MCM will construct the proposed 130' monopole and Cellco and the other carriers and OSPD will maintain their equipment. Site A has frontage on Boston Post Road and there is an existing gravel access drive providing vehicular access to the fenced area. Utility connections serving Site A currently extend underground from an existing utility pole on Boston Post Road. The drawings included in **Attachment 4** fully detail the specifications for the Facility at Site A including a topographic survey, abutters map, site plan, compound plans & tower elevation, and site details.

# B. Site B Facility: Kirtland Street, Westbrook

Site B is located northwest of Site A off of Kirtland Street and is comprised of two parcels identified as Map 182, Lot 003 (0.39 acre) and Map 177, Lot 122 (1.92 acres). The proposed Facility at Site B similarly consists of a new 130' AGL high self-supporting monopole (OSPD whip antenna to 138') and other related equipment shown on the

attached drawings all to be located within a new 3,000 square foot fenced compound. Carriers will mount up to twelve (12) panel antennas and other equipment on low-profile platforms attached to the monopole at centerline heights of 126' AGL for Cellco, 116' AGL for AT&T, and 106' AGL for T-Mobile. The proposed compound would be enclosed by an 8' high chain link fence within which MCM will construct the proposed monopole and Cellco and other carriers and OSPD will install and maintain their equipment. Vehicular access between the site and Boston Post Road will be via the partially paved and partially gravel private road known as Kirtland Street. Utility connections would extend underground from an existing utility pole at the street. The drawings included in Attachment 5 fully detail the specifications for Site B including a topographic survey, abutters map, partial site plan, compound plans & tower elevation, and site details.

#### VI. Environmental Compatibility

Pursuant to C.G.S. Section 16-50p, the CSC is required to find and 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, neither Site A nor Site B will have a significant adverse environmental impact.

#### A. Visual Assessment

**Attachment** 7 includes a comparative visual analysis of Site A and Site B's relative visibility from numerous locations and includes the approximately 33' taller temporary tower as a reference point. An additional leaf off analysis is being prepared and will be provided to the Council prior to the public hearing on the Application. The visual analysis

indicates that a tower at Site A would have a similar viewshed to the prior water tank and would be intermittently visible approximately 1.5 miles to the southwest and 0.5 miles to the southeast. Given relative ground elevation, height and location, Site B has a similar viewshed to that of Site A. Weather permitting, the Applicants will raise a balloon with a diameter of at least 3' at both of the proposed locations on the day of the CSC's first hearing session on this Application, or at a time otherwise specified by the CSC.

# B. Solicitation of Local, State and Federal Agency Comments

Various consultations with State and Federal governmental entities and consultant reviews for potential environmental impacts have been conducted. As indicated in **Attachment 6.A** and **Attachment 6.B**, The Connecticut Department of Energy and Environmental Protection ("CTDEEP") Natural Diversity Database ("NDDB") maps for both Site A and Site B were reviewed and MCM's consultants concluded that no negative impacts to any state listed species were expected for either facility. As indicated in **Attachment 6.A** and **Attachment 6.B**, as part of MCM's due diligence for compliance with the National Environmental Policy Act ("NEPA"), MCM's consultant All-Points Technology Corporation, P.C. is currently coordinating with the State Historic Preservation Office ("SHPO") to determine whether SHPO has a preference for either candidate site location considering their approximate one-half mile proximity to the Westbrook Town Center Historic District. As required, this Application is being served on State and local agencies that may choose to comment on the Application prior to the close of the Siting Council's public hearing.

#### C. 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, Cellco generated a general power density report for the proposed relocation which is included in **Attachment 8**. As part of any future Development and Management Plan and additional Tower Sharing submissions by AT&T, T-Mobile and OSPD, a cumulative MPE will be provided to demonstrate compliance with FCC requirements.

#### D. Other Environmental Factors

Attachment 3 includes two site location maps (topographic and aerial), Federal Emergency Management Agency ("FEMA") flood zone maps, and farmland soil maps. The maps show that neither Site A nor Site B are located within either 100- or 500-year flood zones or any other areas of flood hazard. Additionally, Site B is outside of any recognized farmland soil area while Site A, which is already disturbed, is located within an area categorized with Prime Farmland Soils.

A Facility at either Site would be unmanned, requiring monthly maintenance visits by each carrier approximately one hour long. All carriers will monitor their equipment 24 hours a day, seven days a week from a remote location. Neither of the Facilities requires water supply or wastewater utilities. No outdoor storage or solid waste receptacles will be needed. Further, neither of the 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 a diesel fuel generator. Overall, the construction and operation of the proposed Facility will have no significant impact on the air, water, or noise quality of the area.

Both Candidate Facilities received a determination of no hazard to air navigation from the Federal Aviation Administration ("FAA"). These determinations are included in **Attachment 6.A** and **Attachment 6.B**. No registration with the FAA is required for

either Candidate Facility. Final review of the Facilities in accordance with the FCC's regulations implementing the National Environmental Policy Act of 1969 ("NEPA") are ongoing and it is noted that neither Site A nor Site B were identified as located in or near a wilderness area, wildlife preserve, National Park, National Forest, National Parkway, Scenic River, State Forest, State Designated Scenic River or State Gameland.

### VII. Consistency with the Town of Westbrook Land Use Regulations

Pursuant to the Council's Application Guide, this section summarizes the consistency of Site A and Site B with Westbrook's zoning and wetland regulations and plan of conservation and development.

#### A. Westbrook Plan of Conservation and Development

The Town of Westbrook Master Plan of Conservation and Development ("Plan"), effective July 2011, is included in the Bulk Filing. Page 66 of the Plan indicates that "improving wireless coverage, in areas where it may be lacking, should be a priority" of the Town. Furthermore, Page 66 of the Plan encourages the implementation of upgraded emergency response communication equipment and improved inter-agency communication. Considering the Facility will provide a permanent solution to wireless carriers' need for infrastructure as well as a suitable replacement location to house the OSPD's necessary communication equipment, this Application is wholly consistent with the goals of the Town of Westbrook.

# B. Westbrook Zoning Regulations and Zoning Classification

Site A is classified in the Town of Westbrook's Neighborhood Commercial (NCD)
Zoning District while portions of Site B are classified in the NCD and Medium Density
Residential (MDR) Zoning Districts. The Town's zoning regulations indicate that neither
NCD nor MDR Zoning Districts are preferred zoning districts for the siting of wireless

telecommunications facilities such as the ones proposed. (See Town of Westbrook Zoning Regulations, Section 8.19.03). Below is a table listing the various Town tower regulations with references to the proposed sites:

Section from the Zoning	Standard	Proposed Candidate Facilities
Regulations		
Section 8.19.06	Lot Size: In all permitted areas, except for the RR District, wireless communication sites which utilize a free-standing tower shall not be located on any lot of less than fifteen thousand (15,000) square feet. In the RR District, the minimum lot area is five (5) acres.	Site A is approximately .61 acres (26,833 square feet) and Site B comprises of two lots totaling approximately 2.31 acres (100,322 square feet).
Section 8.19.07	The maximum height of any free standing tower proposed under this regulation shall be two hundred (200) feet including the antenna and all other appurtenances. The maximum height of any antenna mounted to the side of, or atop, any existing structure shall be fifteen (15) feet above the highest point of such.	Both Facilities are proposed as 130' monopoles with a whip antenna extending to 138' AGL.
Section 8.19.09(1)	No wireless telecommunication site shall be located within two hundred (200) feet of any neighboring residence.	Site A is not within 200' of any neighboring residence. Site B is within 200' of three (3) neighboring residences with the closest being approximately 65'.
Section 8.19.09(7)	All towers shall be monopole design unless otherwise approved by the Commission. A monopole tower shall be designed to collapse upon itself.	Both Facilities are proposed as a monopole design and can be further designed with a yield point.
Section 8.19.09(12)	No proposed wireless telecommunication site shall be designed, located or operated as to interfere with existing or proposed public safety communications.	Both Facilities include OSPD communications equipment which have been collocated and operated without interference at the water tank site for years.
Section 8.19.09(15)	All utilities proposed to serve a wireless telecommunication site shall be installed underground unless otherwise approved by the Commission.	Utilities serving either Site A or Site B will be provided underground.

Section 8.19.09(17)	All equipment or boxes accompanying any free standing antenna or tower shall be screened and fenced as required by the Commission.	Sites A and B will be within fenced enclosures. Additionally, screening can be added if required by the CSC.
Section 8.27.02	Electrical, barbed wire fence, or other fences considered hazardous shall be prohibited in residential districts except when used to provide security to a public utility structure or tower or where constructed as a barrier to animals entering or leaving an enclosed area in conjunction with an agricultural use. For the purposes of this section, such agricultural use shall not include small flower or vegetable gardens.	Site A is not classified in a residential district and Site B, which is only partially within a residential district, does not propose any barbed or other potentially hazardous design.

# C. Planned and Existing Land Uses

As shown on the Town of Westbrook's Existing Land Use Map dated October 2008 included in the Bulk Filing, the existing land uses immediately surrounding the Sites include business, vacant parcels, and single-family residential. MCM understands that residential development is planned for several of the lots adjacent to Site B and to the rear of Site A.

# D. Westbrook Inland Wetlands and Watercourses Regulations

The Town of Westbrook has adopted its "Regulations Concerning Inland Wetlands and Watercourses for The Town of Westbrook in the State of Connecticut" ("Local Wetlands Regulations") to regulate wetlands and watercourses within the Town of Westbrook. The Local Wetlands Regulations typically require a permit from the Westbrook Inland Wetland and Watercourses Committee for any removal/deposit of materials, construction, alteration, or excavation of lands within 100' of a wetland.

As shown in **Attachment 6.A**, two wetland areas were delineated proximate to the existing fenced compound at Site A. Wetland 1 is a small, isolated depressional wetland located just north of the prior water tower's fenced compound. Wetland 2 is a forested wetland located along the north and east sides of the subject property. Wetland 2 drains via sheet flow to the north into a larger forested wetland system located off the subject property. No additional or adverse impacts to these wetlands are anticipated given that Site A is currently developed and was previously developed with a water tower. **Attachment 6.B** indicates that no wetlands were mapped at Site B and the nearest wetland is located on an adjoining parcel approximately 269 feet east.

No adverse impacts to wetlands or water bodies are anticipated given that erosion and sediment controls be installed and maintained during construction in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sedimentation Control. Additional controls are proposed for Site A as set forth in the wetland protection plan included in **Attachment 6.A**. Control Guidelines, as established by the Council of Soil and Water Conservation, soil erosion control measures and other best management practices would be established and maintained throughout the construction of the Facility at either Site.

#### VIII. Consultation with Local Officials

C.G.S. § 16-50*l* generally requires an applicant to consult with the municipality in which a new tower facility may be located for a period of ninety days prior to filing any application with the Siting Council. With respect to the sites in this Application, a Technical Report was filed with the Town of Westbrook on October 18, 2018. Subsequently, an informational hearing was conducted by the Town's Board of Selectmen on December 11, 2018 to review details of the project and answer public questions related

to both proposed sites. **Attachment 9** includes a letter from the Town of Westbrook First Selectman, Noel Bishop, that supports and recommends locating the permanent tower facility at Site A (1542 Boston Post Road) and asking that the Connecticut Siting Council consider the Town's recommendation as part of this Application.

#### IX. Estimated Cost and Schedule

#### A. Overall Estimated Cost

The total estimated cost of construction for the proposed Site A tower facility, excluding subtenant equipment and work, is estimated to be as follows:

Excavation/Foundation	N/A
Structure	\$ 75,000
Structure Erection	\$ 25,000
Utilities	N/A
Grounding	\$ 5,000
Level/Fabric/Gravel	\$ 3,000
Fencing	\$10,000
Landscaping	\$ 17,000
Total Estimated Costs:	\$ 135,000

The total estimated cost of construction for the proposed Site B, excluding subtenant equipment and work, is estimated to be as follows:

Excavation/Foundation	N/A
Structure	\$ 75,000
Structure Erection	\$ 25,000
Utilities	\$ 70,500

Grounding	\$ 5,000
Level/Fabric/Gravel	\$ 3,000
Fencing	\$10,000
Landscaping	\$ 17,000
Total Estimated Costs:	\$ 205,500

# **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 Westbrook. The site preparation and construction for a Facility at either Site A or Site B is expected to take approximately eight (8) weeks. **Attachment 6.A** and **Attachment 6.B** includes the proposed Construction Timelines for Site A and Site B.

#### X. Conclusion

This Application and the accompanying materials and documentation clearly demonstrate that a public need exists in this portion of the Town of Westbrook and surrounding areas to maintain Cellco, AT&T, T-Mobile and OSPD's facilities to provide wireless services to the public. The foregoing information and attachments also demonstrate that neither of the alternative Facilities as proposed would have any substantial adverse environmental effects. The Applicants respectfully submit that the ongoing public need for a facility and permanent tower to replace the water tank location outweighs any potential environmental effects resulting from the construction of a tower at either Site A or Site B. As such, the Applicants respectfully request that the Council grant a Certificate of Environmental Compatibility and Public Need to MCM for the construction of the Facility at one of the proposed sites in the Town of Westbrook.

Respectfully Submitted,

By:

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

# Tab 1

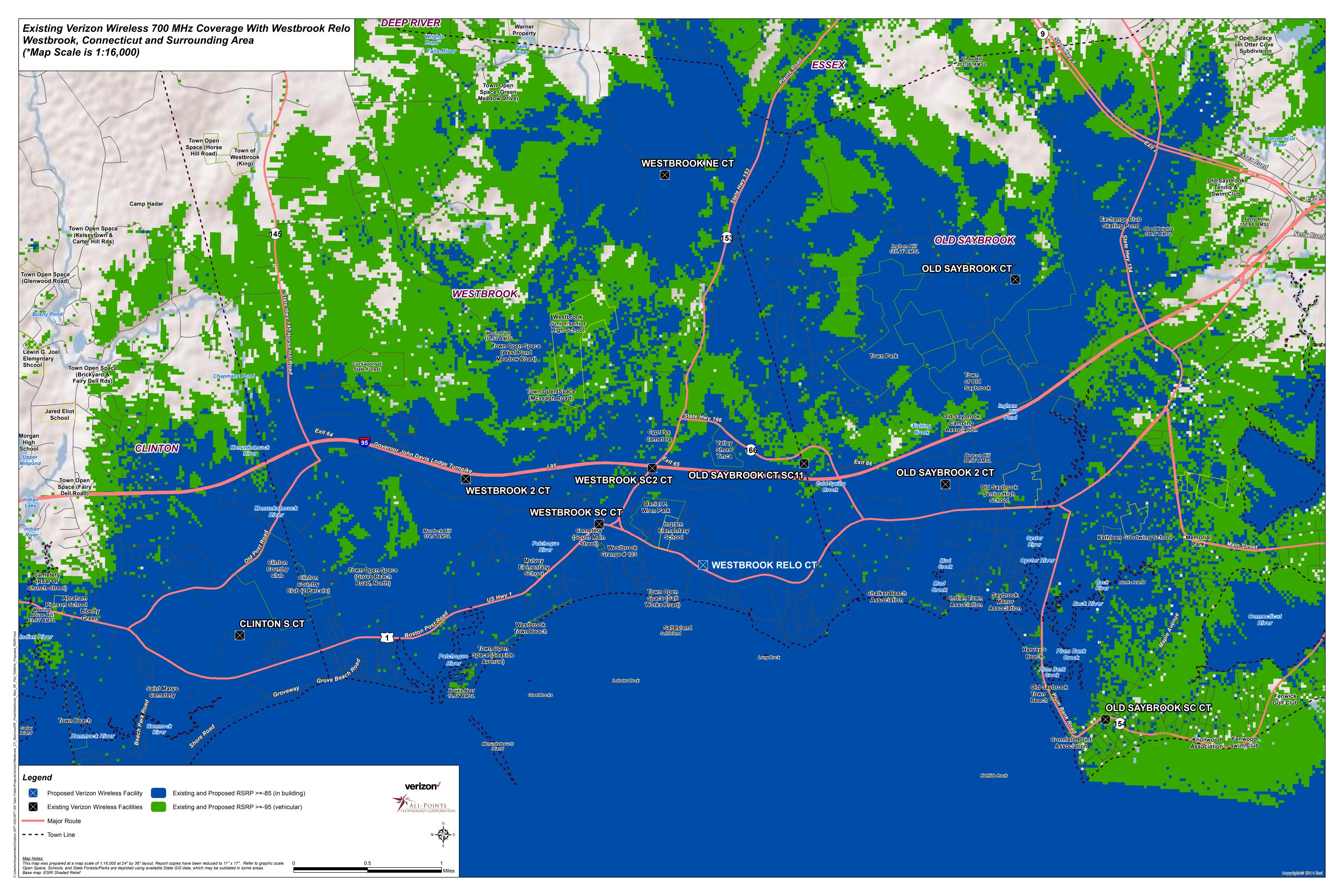
#### **ATTACHMENT 1**

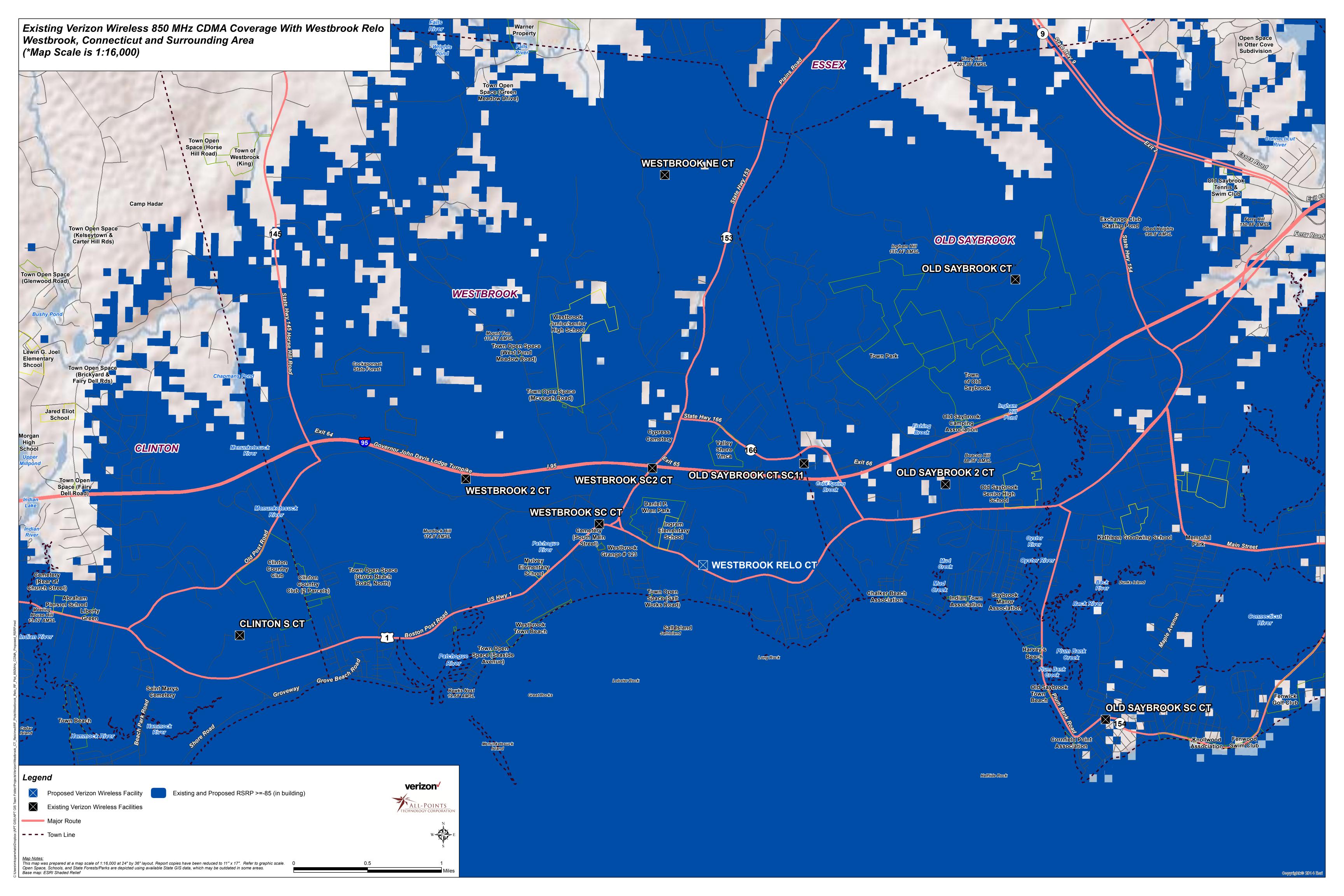
#### Statement of Public Need

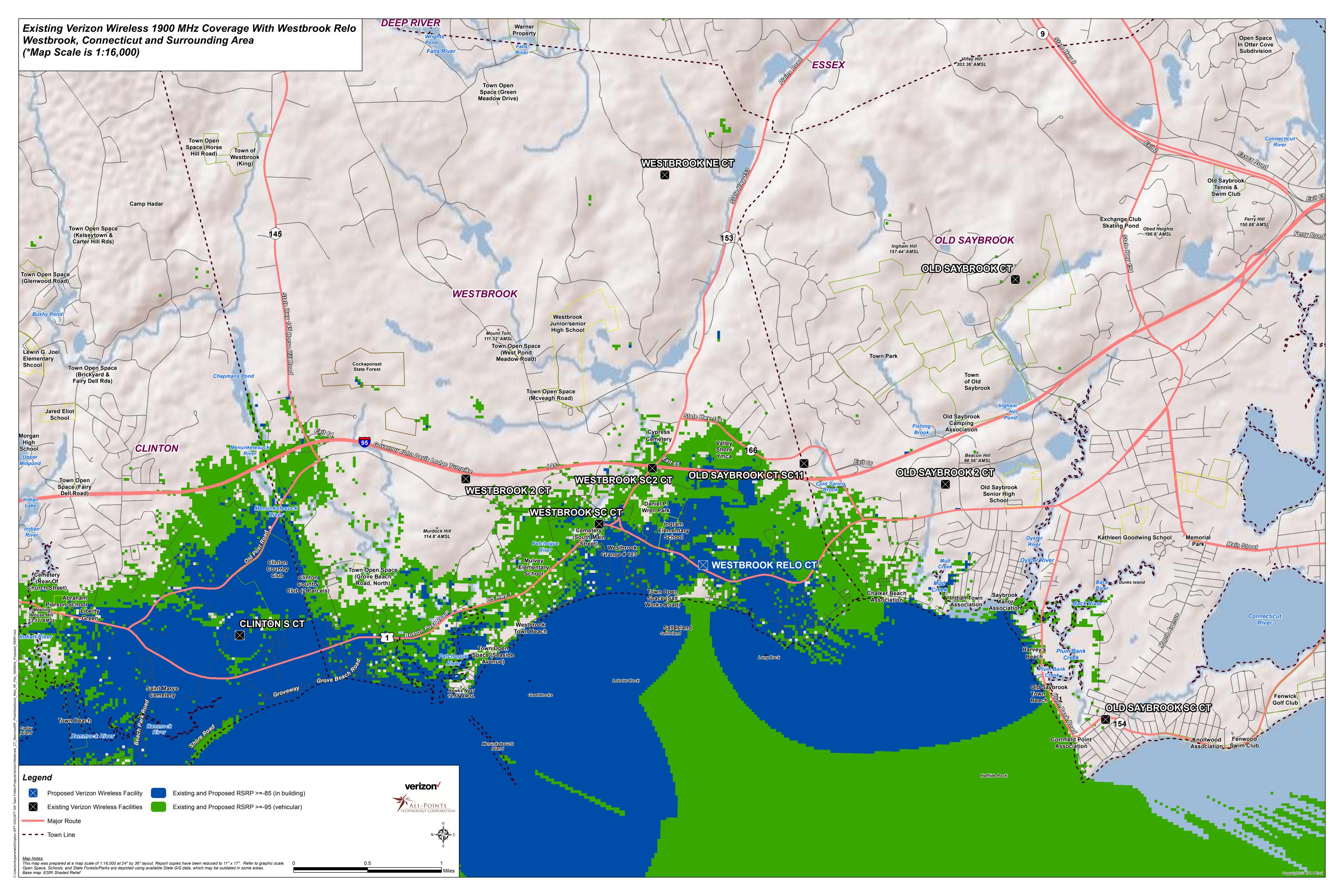
A permanent facility at either Site A or Site B and maintaining a site in this area of Westbrook is an integral component of Cellco and other wireless carrier networks. The Facility, in conjunction with other existing facilities in Westbrook and surrounding towns is needed by Cellco to provide its wireless services to people living in and traveling through this area of the state. The site specific need for one of the two sites presented in this Application is aptly demonstrated by:

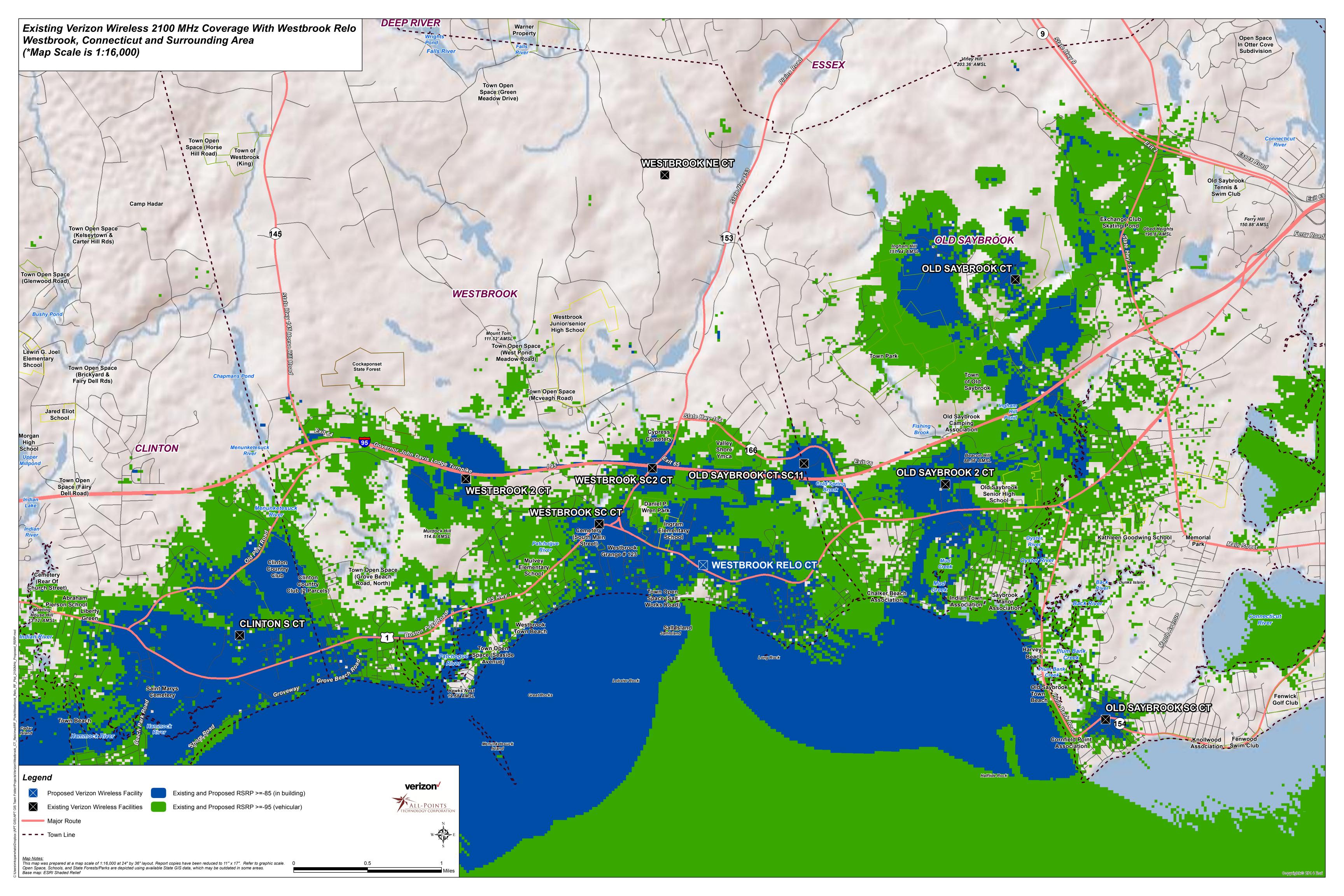
- Local zoning approvals for all three wireless carrier antenna attachments to the former Connecticut Water Company water tank which confirmed the public need for such facilities;
- The CSC's 2017 attached approval of the temporary facility to replace the water tank;
- 3) The fact that all three wireless carriers have developed their wireless networks around the water tank location as an "anchor site", some having done so over a twenty-year period from their first establishment of a network facility at the water tank; and
- 4) That the OSPD has specifically stated its facility in this location in Westbrook is crucial to their first responder network that serves western portions of Old Saybrook.

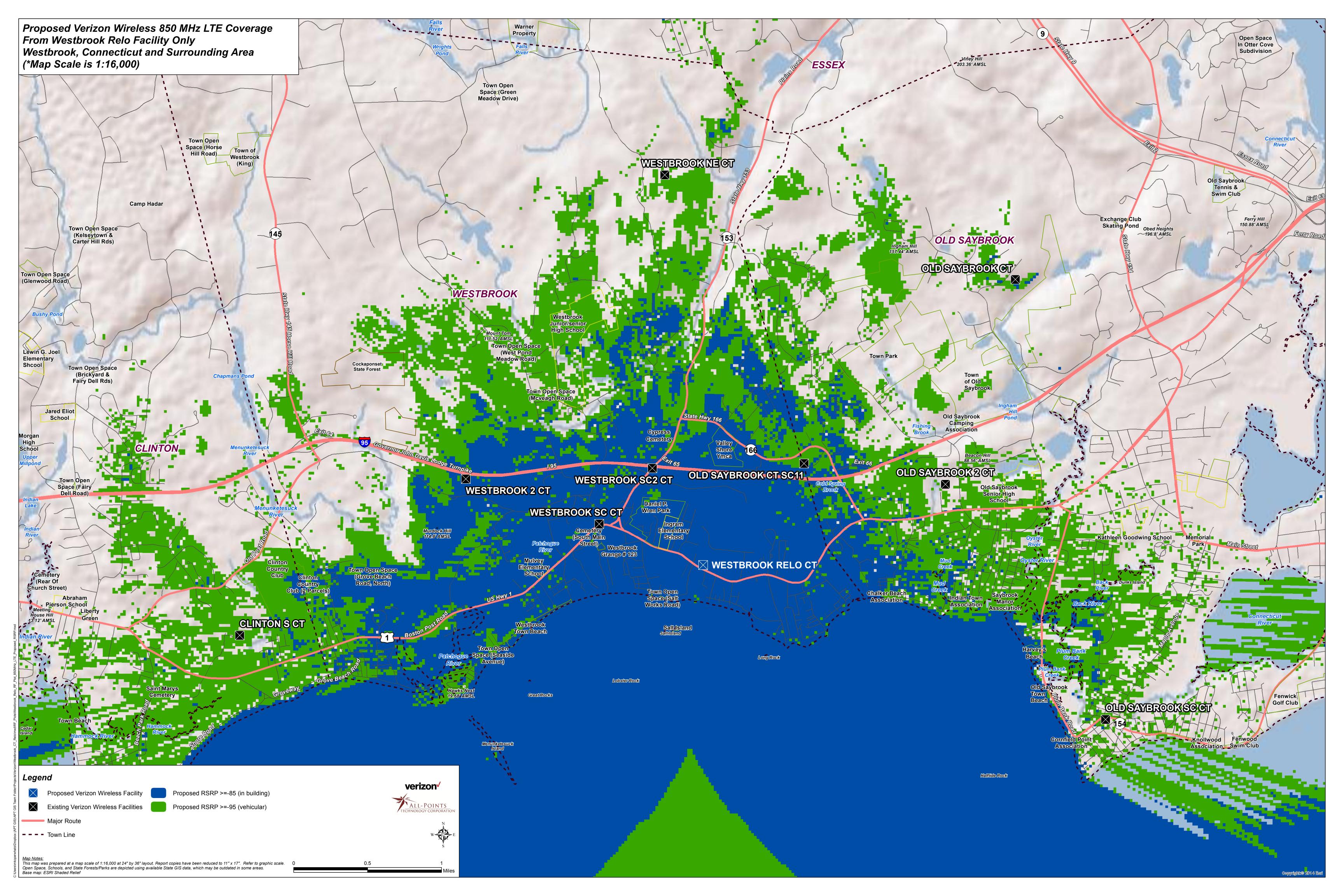
As such, and unlike most new tower applications, this public need for a tower in this Application is best represented by focusing on the major gap in coverage and loss of service the public would suffer along Route 1, in Westbrook, at hundreds of businesses and residences and out along coastal portions of Long Island Sound. The public depends on a site in the area now for service from three wireless carriers and a municipal emergency communications network.













#### STATE OF CONNECTICUT

#### CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051
Phone: (860) 827-2935 Fax: (860) 827-2950
E-Mail: siting.council@ct.gov
www.ct.gov/csc

## CERTIFIED MAIL RETURN RECEIPT REQUESTED

December 7, 2017

Daniel M. Laub, Esq. Cudy & Feder LLP 445 Hamilton Avenue, 14th Floor White Plains, New York 10601

RE: PETITION NO. 1330 MCM Communications, LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed installation of a temporary tower facility and associated equipment to be located on Connecticut Water Company property at 1542 Boston Post Road, Westbrook, Connecticut.

#### Dear Attorney Laub:

At a public meeting held on December 7, 2017, the Connecticut Siting Council (Council) considered and ruled that the above-referenced proposal would not have a substantial adverse environmental effect, and pursuant to Connecticut General Statutes § 16-50k, would not require a Certificate of Environmental Compatibility and Public Need with the following conditions:

- 1. Approval of any minor project changes be delegated to Council staff;
- 2. Unless otherwise approved by the Council, if the temporary facility authorized herein is not fully constructed within eighteen months from the date of the mailing of the Council's decision, this decision shall be void, and the facility owner/operator shall dismantle the facility and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made. The time between the filing and resolution of any appeals of the Council's decision shall not be counted in calculating this deadline. Authority to monitor and modify this schedule, as necessary, is delegated to the Executive Director. The facility owner/operator shall provide written notice to the Executive Director of any schedule changes as soon as is practicable;
- 3. Any request for extension of the time period to fully construct the facility shall be filed with the Council not later than 60 days prior to the expiration date of this decision and shall be served on all parties and intervenors, if applicable, and the Town of Westbrook.
- 4. Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed;



- 5. Any nonfunctioning antenna and associated antenna mounting equipment on this facility owned and operated by the Petitioner shall be removed within 60 days of the date the antenna ceased to function;
- The facility owner/operator shall remit timely payments associated with annual assessments and invoices submitted by the Council for expenses attributable to the facility under Conn. Gen. Stat. §16-50v;
- 7. If the facility ceases to provide wireless services for a period of one year the Petitioner shall dismantle the tower and remove all associated equipment or reapply for any continued or new use to the Council within 90 days from the one year period of cessation of service. The Petitioner may submit a written request to the Council for an extension of the 90 day period not later than 60 days prior to the expiration of the 90 day period; and
- 8. This Declaratory Ruling may be transferred or partially transferred, provided both the facility owner/operator/transferor and the transferee are current with payments to the Council for their respective annual assessments and invoices under Conn. Gen. Stat. §16-50v. The Council shall be notified of such sale and/or transfer and of any change in contact information for the individual or representative responsible for management and operations of the facility within 30 days of the sale and/or transfer. Both the facility owner/operator/transferor and the transferee shall provide the Council with 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.

This decision is under the exclusive jurisdiction of the Council and is not applicable to any other modification or construction. All work is to be implemented as specified in the petition dated October 9, 2017 and additional information received October 18, 2017.

Enclosed for your information is a copy of the staff report on this project.

Very truly yours,

Robert Stein Chairman

RS/MB/CMW/bm

Enclosure: Staff Report dated December 7, 2017

c: The Honorable Noel Bishop, First Selectman, Town of Westbrook Meg Parulis, AICP, Town Planner, Town of Westbrook Christopher B. Fisher, Esq., Cuddy & Feder



#### STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051
Phone: (860) 827-2935 Fax: (860) 827-2950
E-Mail: siting.council@ct.gov
www.ct.gov/csc

Petition No. 1330
MCM Communications, LLC
1542 Boston Post Road, Westbrook
Temporary Tower
Staff Report
December 7, 2017

On October 10, 2017, the Connecticut Siting Council (Council) received a petition (Petition) from MCM Communications, LLC (MCM) for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed installation of a temporary tower facility on Connecticut Water Company property at 1542 Boston Post Road in Westbrook, Connecticut.

A 121-foot water tank, owned by Connecticut Water Company, currently exists on the property. The water tank supports the Old Saybrook Police Department, AT&T, T-Mobile and Verizon antennas. The existing communications facilities received approval from the Town of Westbrook. Connecticut Water Company will be demolishing the existing water tank in early 2018, which requires antennas on the structure to be relocated. The existing facility provides coverage for each of the entities to Route 1, Water's Edge Resort and Spa, and nearby residences and coastal areas.

Connecticut Water Company has entered into an agreement with MCM to relocate the existing antennas onto a temporary facility to allow for the demolition of the water tank. The temporary facility is proposed to allow for continuity of service prior to the installation of a permanent facility. At this time, considerations for a permanent tower location include a) a permanent telecommunications tower at the existing water tower site owned by Connecticut Water Company; or b) a tower on a nearby site leased from Dattilo Family Holdings. The proposal for a permanent tower facility would come before the Council as an application for a certificate of environmental compatibility and public need.

The temporary facility would be located on the site of the existing water tank facility at 1542 Boston Post Road in Westbrook. The property is a 0.24 acre parcel within a Neighborhood Commercial District Zone that has frontage on Route 1/Boston Post Road. Surrounding land use is primarily residential with some nearby commercial uses. The Water's Edge Resort & Spa is located across the street from the site. Long Island Sound is approximately 1,300 feet to the south.

The temporary facility would consist of a 163-foot above ground level (agl) ballast mounted monopole within a 26-foot by 27-foot area surrounded by a 6-foot high chain-link fence with barbed wire on top. The temporary facility would be approximately 36 feet southeast of the existing water tower. Proposed temporary antennas include three panel antennas for Verizon at a centerline height of approximately 160 feet agl, three AT&T panel antennas at a centerline height of approximately 150 feet agl, six T-Mobile panel antennas at a centerline height of approximately 140 feet agl and one whip antenna for the Old Saybrook Police Department attached to the top of the structure. The top of the whip antenna would extend to 171 feet agl. Existing ground equipment for each of the entities would be connected to the temporary facility. Site access and utilities would remain unchanged.

The height of the temporary tower is proposed to be higher than that of the existing water tank to ensure there is not interference of communications during the period of time between the installation of antennas on



the temporary facility and the demolition of the existing water tank; and the taller height would allow for the appropriate vertical separation of antennas between those on the water tank and those on the temporary tower. The temporary tower is proposed to be located closer to the road than the existing water tank to allow construction access.

Installation of the temporary facility would require minor grading and use of gravel. Three trees would be removed to allow a crane to access and install the facility.

The host property is within the coastal resource boundary pursuant to the Connecticut Coastal Management Act; however, since the proposed site is in a previously developed area, construction is not expected to impact coastal resources. The temporary facility would not be within wetlands, watercourses, flood zones, critical habitat or an aquifer protection area. The site is not within a Connecticut Department of Energy and Environmental Protection Natural Diversity Data Base area.

The nearest wetland is approximately 12 feet from the proposed construction area. MCM would install erosion and sedimentation controls in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control. Additionally, a wetland protection plan would be developed that would include contractor training and periodic environmental monitoring during construction.

There would be a change in visibility associated with the installation of the temporary facility; however, the change in visibility would be limited in duration until a permanent tower is developed. The visibility of the proposed facility would extend approximately 0.5 miles to the southeast and to some shoreline locations approximately 1-mile to the southwest.

A Professional Engineer duly licensed in the State of Connecticut has certified that the proposed ballasted monopole would be structurally adequate to support the proposed loading. The maximum worst-case power density would be 9.0 percent of the applicable limit.

Notice was provided to the Town of Westbrook and abutting property owners on or about October 5, 2017 and an additional notice with a corrected address was sent on October 13, 2017. On November 21, 2017, the Town of Westbrook Board of Selectmen submitted correspondence expressing the following preferences:

- 1. Maintain the existing water tower;
- 2. If the existing water tower must be removed, then the temporary tower should not be permitted to be taller than the existing water tower; and
- 3. Once a permanent site is needed, locate the new tower on the alternate location rather than on the Connecticut Water Company site.

Neither the Council nor the petitioner have any jurisdiction or authority to request Connecticut Water Company to retain the existing water tank for telecommunications purposes. Furthermore, as more fully described above, the height of the temporary tower is proposed to be higher than that of the existing water tank to ensure there is not interference with communications and to allow for the appropriate vertical separation of antennas on the temporary tower.

The Petitioner contends that this proposed project would not have a substantial adverse environmental impact. If approved, staff suggests including the following conditions:

Approval of any minor project changes be delegated to Council staff.



Figure 1. Proposed temporary facility location.

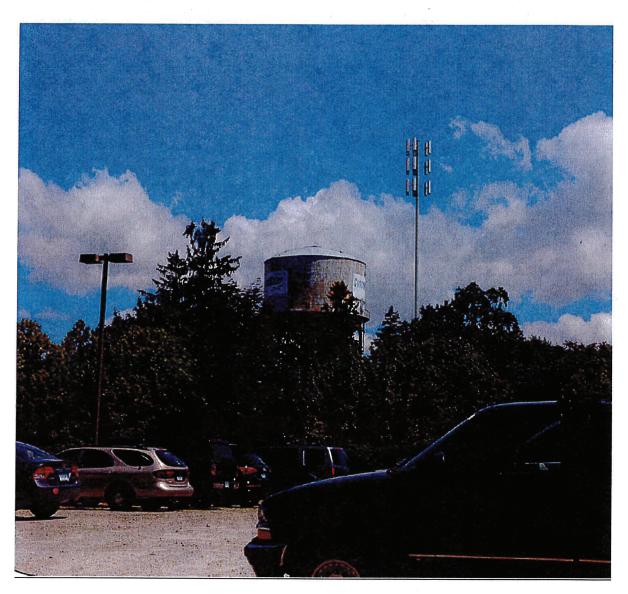


Figure 2. Photo-simulation of the proposed temporary tower next to the existing water tower from Water's Edge parking lot, across the street from the facility location.

# Tab 2

#### **ATTACHMENT 2**

#### Summary of Site Search and List of Existing Tower/Cell Sites

In general, the wireless industry develops "site search areas" to initiate a site selection process in areas where new wireless infrastructure is required to provide reliable wireless services to the public. A site search is a general geographical location where the installation of a new wireless facility would address identified coverage and/or capacity constraints within wireless networks. Site search areas are developed with an overall understanding of local terrain, tree canopies, and other local morphologies and development patterns. Further consideration is given by wireless network operators on how any new wireless infrastructure will integrate into a wireless network based on the unique aspects of cellular design that include consumer mobility and the reuse of frequencies licensed by the FCC throughout the network's architecture.

The main consideration in this site search was finding a replacement solution for the previous water tank facility and the existing temporary facility. The location of the former water tank owned by Connecticut Water Company is a property situated in a portion of Westbrook that is a geographical rise in overall elevation close to the shoreline and along Route 1. MCM's initial introduction to the project was as a result of the water company's decision to decommission the existing water tank site and at the request of the parties to come up with a temporary and permanent solution to meet the needs of the three wireless carriers and OSPD. MCM and the Connecticut Water Company subsequently entered into agreements to effectuate the entire project including the proposed replacement tower at Site A.

In accordance with Connecticut state policy, MCM also conducted a traditional "site search" in this area of Westbrook for potential replacement tower sites. Based on the already established network services for the carriers and the location of their adjacent network sites, the site search area was focused on an area extending out from the water tank site and with similar ground elevations. The later criteria was used by MCM in order to minimize the overall height of the needed replacement tower and keep any proposal consistent with the height of the demolished water tank. MCM also reviewed the CSC's telecommunications databases to determine if there were any other existing or non-tower site alternatives. Attached is a list of all known communications facilities in Westbrook and the adjacent Town of Old Saybrook, which are being used already or which would not provide reliable replacement coverage to the area where service is needed.

As part of its site search, representatives for MCM evaluated twelve (12) parcels in total including Water's Edge as shown on the map and described in the attached site search summary. An alternative to the logical candidate at Site A was identified and leased as Site B for presentation in this Application. A Technical Report for both Sites

was submitted to the Town of Westbrook in October of 2018 and no other viable locations for a replacement tower were identified by the community.

#### **Site Search Summary**

Westbrook Water Tank Replacement Boston Post Road Westbrook, Connecticut

Section 16-50j-74(i) of the Regulations of Connecticut State Agencies requires the submission of a statement that describes "the narrowing process by which other possible sites were considered and eliminated." In accordance with this requirement, descriptions of the general site search process, the identification of the applicable search area and the alternative locations considered for development of the proposed replacement site for the Westbrook Water Tank are provided below.

#### **Site Search Process**

To initiate its site selection process in an area where a coverage or capacity problem has been identified, Message Center Management Communication LLC "MCM" first establishes a "cell site search area." In any search area, MCM seeks to avoid the unnecessary proliferation of towers and to reduce the potential adverse environmental effects of a cell site, while at the same time maximizing the quality of service provided from a particular facility. These objectives are achieved by initially locating existing towers and other sufficiently tall structures within and near the particular search area. If any are found, they are evaluated to determine whether they are capable of supporting MCM telecommunications equipment at a location and elevation that satisfies the carriers technical requirements.

The list of available locations may be further reduced if, after preliminary negotiations, a property owner withdraws a site from further consideration. From among the remaining locations, the proposed sites are selected by eliminating those that have greater potential for adverse environmental effects and fewer benefits to the public (i.e., those requiring taller towers, possibly with lights; those with substantial adverse impacts on wetlands; those located or near densely populated residential areas; and those with limited ability to share space with other public or private telecommunications entities). It should be noted that in any given site search, the weight afforded to factors considered in the selection process will vary depending upon the availability and nature of sites within the search area.

#### **Need for the Westbrook Watertank Replacement Site**

MCM currently maintains a temporary telecommunication facility located on the same property as the previous site where there was an existing 121' tall water tank located at 1542 Boston Post Road in Westbrook, Connecticut. The Old Saybrook Police Department, AT&T, T-Mobile and Verizon all maintain communications facilities at the temporary site while a permanent location is

selected. Previously all carriers present on the temporary tower were located on the water tank and these facilities are relied on by the surrounding community in Westbrook for both emergency communications and wireless services. Existing coverage areas include Route 1, Water's Edge Resort and Spa, numerous residences and coastal portions of Long Island Sound. The water tank was fully decommissioned by Connecticut Water in August of 2018.

Within approximately five (5) miles of the Temporary Facility there are several existing facilities owned by multiple parties and operated by multiple carriers. Today, these existing facilities provide wireless service in portions of Westbrook, Clinton, Old Saybrook as well as portions of Madison, Deep River and Essex. These existing sites cannot however, provide service to those areas in and around the Westbrook water tank replacement site where service is currently needed.

#### **Identification of the Westbrook Search Area**

The purpose of the proposed Westbrook water tank replacement Facility is to continue to provide reliable wireless service to Existing coverage areas of Westbrook along Route 1 which includes residential neighborhoods and commercial areas as well as to provide coverage to coastal portions of Long Island Sound.

MCM originally issued its Westbrook search area in September 2016. Subsequently Connecticut Water entered into an agreement with MCM to relocate existing communications antennas onto a Temporary Facility to facilitate demolition of the Water Tank in early 2018. The Temporary Facility allowed for continuity of emergency and wireless communications services while MCM concurrently proceeds with finalizing plans for a permanent tower site relocation and commenced the local and state regulatory review process.

#### **Sites Investigated**

MCM identified and investigated a total of twelve (12) potential tower locations in Westbrook. The sites investigated are listed and described below and located on the attached Site Search Map.

- 1. CONN WATER CO- 1542 Boston Post Rd, Westbrook, CT. <u>Site A location</u> MCM can satisfy its wireless service objectives from this location with antennas at 130 feet above ground level. This is the current location of temporary tower and location of previous water tank site.
- 2. DATTILO FAMILY HOLDINGS LLC Kirtland Street, Westbrook, CT. <u>Site **B** location</u> This alternative site location is approximately 400 feet to the west of site A. MCM can satisfy its wireless service objectives from this location with antennas at 130 feet above ground

level.

- 3. WATERS EDGE REALTY LLC 1525 Boston Post Rd, Westbrook, CT. This alternative site location is approximately 200 feet south of site A. landlord a denied request to site a tower on this parcel and was therefore, rejected.
- 4. DATTILO FAMILY HOLDINGS LLC. 1536 Boston Post Rd, Westbrook, Ct. This location is approximately 100 feet west of site A. landlord denied a request to site a tower on this parcel and was therefore, rejected.
- 5. DATTILO FAMILY HOLDINGS LLC. 1520 Boston Post Rd, Westbrook, CT. This location is approximately 200 feet west of site A. landlord denied a request to site a tower on this parcel and was therefore, rejected.
- 6. DATTILO FAMILY HOLDINGS LLC. Kirtland Street, Westbrook, CT. This location is approximately 300 feet northwest of site A. landlord denied a request to site a tower on this parcel due to planned development and was therefore, rejected.
- 7. DATTILO FAMILY HOLDINGS LLC. Kirtland Street, Westbrook, CT. This location is approximately 300 feet north of site A. landlord denied a request to site tower on this parcel due to planned development and was therefore, rejected.
- 8. DATTILO FAMILY HOLDINGS LLC. 32 Kirtland Street, Westbrook, CT. This location is approximately 400 feet east of site A. landlord denied a request to site a tower on this parcel and was therefore, rejected.
- 9. DATTILO FAMILY HOLDINGS LLC. 26 Kirtland Street, Westbrook, CT. This location is approximately 175 feet north of site A. landlord denied a request to site a tower on this parcel due to planned development and was therefore, rejected.
- 10. DATTILO FAMILY HOLDINGS LLC. 1572 Boston Post Rd, Westbrook, CT. This location is approximately 400 feet east of site A. The landlord denied a request to a site tower on this parcel and was, therefore, rejected.
- 11. DATTILO FAMILY HOLDINGS LLC. Boston Post Rd, Westbrook, CT. This location is approximately 500 feet east of site A. Access to this site would require a lengthy access road and several significant wetland crossings and the landlord denied a request to site a tower on this parcel and was, therefore, rejected.
- 12. DATTILO FAMILY HOLDINGS LLC. –1604 Boston Post Rd, Westbrook, CT. This location is approximately 600 feet east of site A. Access to this site would require several significant wetland crossings and the landlord

denied a request to site a tower on this parcel and was, therefore, rejected.



Legend

Site Investigated (Numbered by Location)

Site Search Summary Map

**Proposed Wireless** 

**Telecommunications Facility** 

200 ft ......

**Map Notes** 

Westbrook GIS 2018



					Surveyed	Support	Overall	
Location Name	Latitude	Longitude	Street Address	City	Altitude (ft)	Height (ft)	Height (ft)	Structure Type
								Self-support
CLINTON S CT	41.28	-72.5	46 Meadow Rd.	Clinton	12	195.05	195	Structure
			5 Sea Breeze Road					
OLD SAYBROOK SC CT	41.27	-72.39	(CLP/FC # 2387)	Old Saybrook	8	34.01	37	Utility Pole/Tower
								Building With
								Mast/Antenna on
OLD SAYBROOK CT SC11	41.29	-72.42	8 Custom Dr	Old Saybrook	31.6	24.01	31	Тор
			1542 Boston Post					
WESTBROOK CT	41.28	-72.44	Road	Westbrook	49	160	160	Monopole
OLD SAYBROOK CT	41.31	-72.4	170 Ingham Hill Rd.	Old Saybrook	160.1	167.04	167	Monopole
								Self-support
WESTBROOK 2 CT	41.29	-72.47	782 Old Clinton Rd.	Westbrook	96	168.04	168	Structure
OLD SAYBROOK 2 CT	41.29	-72.41	1363 Boston Post Rd	Old Saybrook	11	120	120	Monopole
								Self-support
WESTBROOK NE CT	41.32	-72.44	798 Toby Hill Road	Westbrook	164	152.54	157	Structure
			500 Essex Rd (CL&P					
WESTBROOK SC2 CT	41.29	-72.44	/FC # 392S)	Westbrook	32	34.01	37	Utility Pole/Tower
			1160 Boston Post Rd Lyman Real Estate					
WESTBROOK SC CT	41.29	-72.45	SNET Pole 230	Westbrook	11.3	38.5	38.5	Utility Pole/Tower

# Tab 3

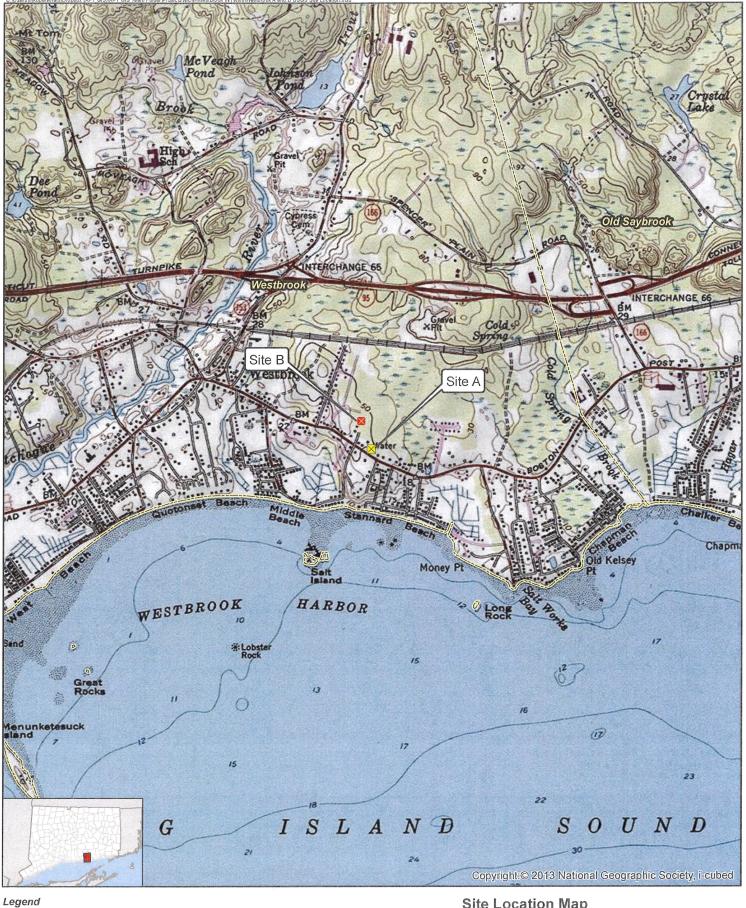
#### **ATTACHMENT 3**

#### Site A and Site B: General Facility Description; Mapping

MCM proposes to construct a permanent facility at either of two candidate sites within the Town of Westbrook. Although two sites are being proposed, only one site is necessary.

Site A, the former site of the water tank and current site of the temporary facility, has an address of 1542 Boston Post Rd, Westbrook, CT. Site A is an approximately 0.61acre parcel of land identified as Map 182, Lot 007 on the Town of Westbrook Tax Map and is owned by the Connecticut Water Company. The proposed Facility at Site A consists of a new 130' AGL high self-supporting monopole (with an overall facility height of 138' to the top of the OSPD whip antenna located at the top) and other related equipment shown on the attached drawings all to be located within the existing 6,405 square foot fenced compound. Cellco will mount up to twelve (12) panel antennas and other equipment on a low-profile platform attached to the monopole at a centerline height of 126' AGL. The existing compound enclosed by a 6' high chain link fence will be utilized within which MCM will construct the proposed 130' monopole and Cellco will maintain its existing 11.8'x 30.2' equipment shelter. Additional space will be used by AT&T, T-Mobile and OSPD for their equipment located at the site. Site A has frontage on Boston Post Road and there is an existing gravel access drive providing vehicular access to the existing fenced area. Utility connections serving Site A currently extend underground from an existing utility pole on Boston Post Road.

Site B comprises of two parcels of land located in close proximity to Site A and located off Kirtland Street in Westbrook bearing no specific site address but identified as Map 182, Lot 003 (0.39 acre) and Map 177, Lot 122 (1.92 acres) on the Town of Westbrook Tax Map. The proposed Facility at Site B consists of a new 130' AGL high self-supporting monopole (with an overall facility height of 138' to the top of the OSPD whip antenna located at the top) and other related equipment shown on the attached drawings all to be located within a new 3,000 square foot fenced compound. Cellco will mount up to twelve (12) panel antennas and other equipment on a low-profile platform at a centerline height of 126' AGL. The proposed compound would be enclosed by an 8' high chain link fence within which MCM will construct the proposed monopole and Cellco will install equipment on a 9'-4"x16' prefabricated steel platform on concrete piers with steel canopy. Additional space will be used by AT&T, T-Mobile and OSPD for their equipment. Vehicular access between the site and Boston Post Road will be provided via the partially paved and partially gravel private road known as Kirtland Street. Utility connections would extend underground from an existing utility pole at the street.



Site A

Site B

Municipal Boundary

Map Notes: Base Map Source: USGS 7.5 Minute Topographic Quadrangle Map, Essex, CT (1977) Map Scale: 1:24,000 Map Date: March 2019



#### Site Location Map

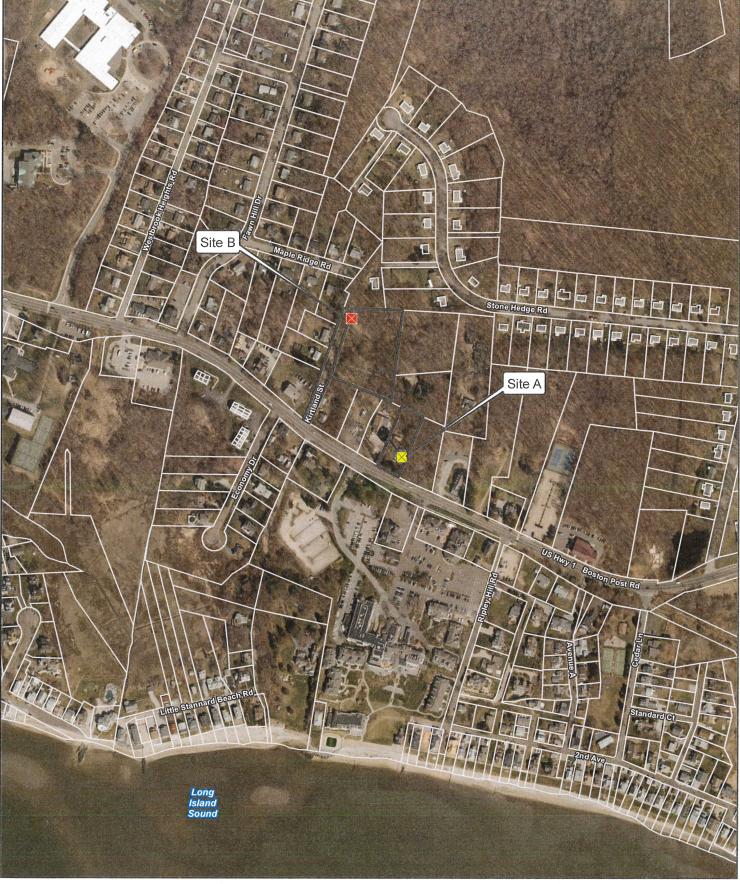
Proposed Wireless Telecommunications Facility

Site A: 1542 Boston Post Road Westbrook, Connecticut

Site B: Kirtland Street Westbrook, Connecticut







#### Legend



Site A



Site B



Approximate Parcel Boundary (CTDEEP GIS)

Map Notes; Base Map Source: CT ECO 2016 Imagery Map Scale: 1 inch = 400 feet Map Date: March 2019



#### Aerial Site Location Map

Proposed Wireless Telecommunications Facility

Site A: 1542 Boston Post Road Westbrook, Connecticut

Site B: Kirtland Street Westbrook, Connecticut









Site A





Subject Property (Site A and Site B)

Approximate Parcel Boundary (CTDEEP GIS) Floodway

<u>Map Notes:</u>
Base Map Source: CT ECO 2016 Imagery
Map Scale: 1 inch = 400 feet
Map Date: March 2019

#### **FEMA Flood Zones**



500-Year Flood Zone





#### **FEMA Flood Map**

Proposed Wireless Telecommunications Facility

Site A: 1542 Boston Post Road Westbrook, Connecticut

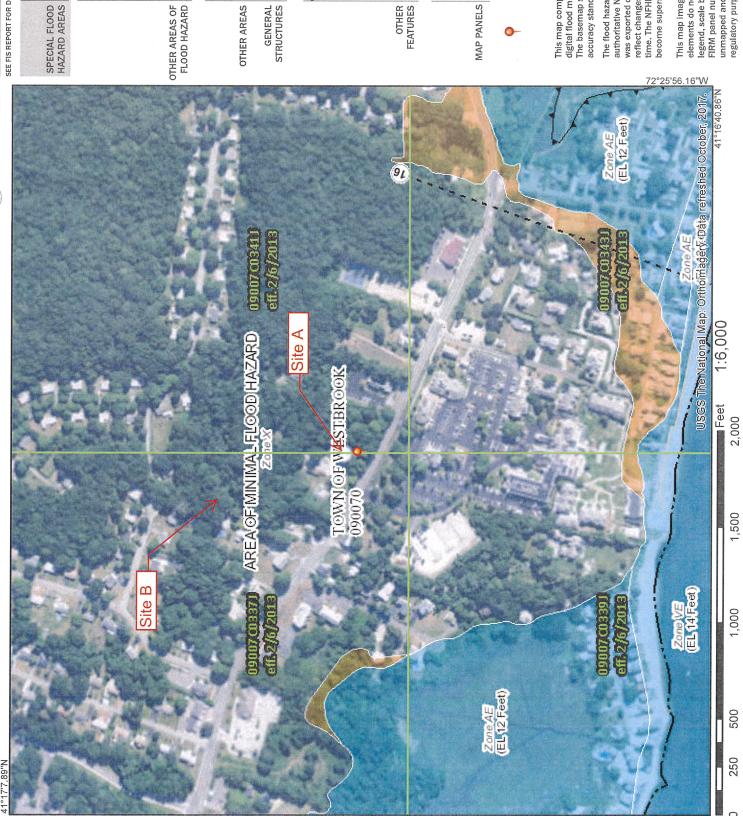
Site B: Kirtland Street Westbrook, Connecticut





# National Flood Hazard Layer FIRMette





# Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

With BFE or Depth Zone AE, AO, AH, VE, AR Without Base Flood Elevation (BFE) Zone A, V, A99 Regulatory Floodway

of 1% annual chance flood with average depth less than one foot or with drainage 0.2% Annual Chance Flood Hazard, Area areas of less than one square mile Zone Future Conditions 1% Annual Chance Flood Hazard Zone X

Area with Flood Risk due to Levee zone D Area with Reduced Flood Risk due to

No screen Area of Minimal Flood Hazard Zone X

Effective LOMRs

Area of Undetermined Flood Hazard Zona

Channel, Culvert, or Storm Sewer

STRUCTURES | IIIIII Levee, Dike, or Floodwall

Cross Sections with 1% Annual Chance Water Surface Elevation

Base Flood Elevation Line (BFE)

Coastal Transect Baseline Profile Baseline

Hydrographic Feature

Digital Data Available

No Digital Data Available

The pin displayed on the map is an approximate point selected by the user and does not represe an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap

authoritative NFHL web services provided by FEMA. This map reflect changes or amendments subsequent to this date and was exported on 3/12/2019 at 9:09:15 AM and does not time. The NFHL and effective information may change or The flood hazard information is derived directly from the become superseded by new data over time. This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for

# Tab 4

#### **ATTACHMENT 4**

#### Site A: Description; Drawings

#### I. LOCATION

- A. COORDINATES: 41° 16′ 54.9197" N, 72° 26′ 14.9183" W
- B. GROUND ELEVATION: 48'± AMSL
- C. USGS MAP: USGS 7.5 quadrangle for Essex
- D. SITE ADDRESS: 1542 Boston Post Road, Westbrook, CT 06498
- E. ZONING WITHIN ¼ MILE OF SITE: Abutting areas are zoned Medium Density Residential District to the north, High Density Residential District to the south, and Neighborhood Commercial District to the southeast and west.

#### II. DESCRIPTION

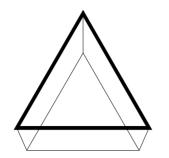
- A. SITE SIZE: 0.62 Ac (Vol 15, Page 287)
- B. LEASE AREA/COMPOUND AREA: 6,355 SF
- C. TOWER TYPE/HEIGHT: A 130' Monopole.
- D. SITE TOPOGRAPHY AND SURFACE: Subject site is mostly flat, generally draining from the southwest to the east and north east and is located on land occupied by an existing water tank and irregularly shaped fenced compound with three concrete equipment pads and one equipment shelter.
- E. SURROUNDING TERRAIN, VEGETATION, WETLANDS, OR WATER: The existing compound is located on a 0.61-acre parcel which was occupied by an water tank that was demolished by others. To the north and the east of the compound are wooded wetland areas. Residential lots border the property to the north. Commercial lots border the property to the east, west and on the south side of Boston Post Road. There are wetlands on-site to the north (±29'-7") and to the east (±11'-3") of the proposed expansion of the existing compound.
- F. LAND USE WITHIN ¼ MILE OF SITE: Wooded area and single family residences to the north. Commercial properties to the east, south and west.

#### III. FACILITIES

- A. POWER COMPANY: Eversource
- B. POWER PROXIMITY TO SITE: On-site
- C. TELEPHONE COMPANY: Frontier
- D. PHONE SERVICE PROXIMITY: On-Site
- E. VEHICLE ACCESS TO SITE: Access to the existing water tank & equipment compound is along an existing gravel driveway (65'+/-).
- F. OBSTRUCTION: None.
- G. CLEARING AND FILL REQUIRED: Sitework entails o CY of fill; The proposed work will only consist of the new foundation associated with the proposed monopole; No trees will need to be removed.

#### IV. LEGAL

- A. PURCHASE [ ] LEASE [X]
- B. OWNER: Connecticut Water Company
- C. ADDRESS: 93 West Main Street, Clinton, CT 06413
- D. DEED ON FILE AT: Volume 15, Pages 287



## MCM COMMUNICATIONS, LLC

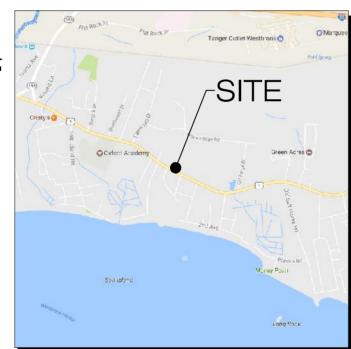
**40 WOODLAND STREET** HARTFORD, CT 06105 OFFICE: (888) 973-7483

## **WIRELESS SERVICES FACILITY**

**WESTBROOK H20 TANK 1542 BOSTON POST ROAD** WESTBROOK, CT 06498







**VICINITY MAP** 

#### SITE INFORMATION

SITE TYPE: NEW 130' AGL MONOPOLE

SCOPE OF WORK: PROPOSED RF EQUIPMENT ON NEW 130' AGL MONOPOLE TO CONNECT TO EXISTING GROUND EQUIPMENT WITHIN AN EXISTING FENCED COMPOUND EXISTING WATER TANK AND ASSOCIATED UNDERGROUND PIPING TO BE REMOVED BY OTHERS.

SITE NAME: WESTBROOK H20 TANK

SITE ADDRESS: 1542 BOSTON POST BOAD WESTBROOK, CT 06498

ZONING JURISDICTION: CONNECTICUT SITING COUNCIL

COUNTY: MIDDLESEX

ASSESSOR'S TAX ID#: MAP: 182, LOT: 007

ZONING DISTRICT: NEIGHBORHOOD COMMERCIAL DISTRICT

LATITUDE: 41° 16' 54.9197" N

LONGITUDE: 72° 26' 14.9183" W

GROUND ELEVATION: 48'± AMSL

PROPERTY OWNER: THE CONNECTICUT WATER COMPANY 93 WEST MAIN STREET

CLINTON, CONNECTICUT 06413

LEGAL: CUDDY & FEDER, LLP 445 HAMILTON AVENUE 14TH FLOOR WHITE PLAINS, NY 10601

APPLICANT: MCM COMMUNICATIONS, LLC 40 WOODLAND STREET HARTFORD, CT 06105

ALL-POINTS TECHNOLOGY CORP., P.C. SITE ENGINEER: 3 SADDLEBROOK DRIVE KILLINGWORTH, CT 06419 (860) 663-1697 x206

#### LIST OF DRAWINGS

T-1 TITLE SHEET & INDEX

1 OF 1 TOPOGRAPHIC SURVEY

R-1 ABUTTERS MAP

**SP-1 PARTIAL SITE PLAN** 

A-1 COMPOUND PLAN & TOWER ELEVATION

C-1 SITE DETAILS

'ALL-POINTS

MCM COMMUNICATIONS, LLC P.O. BOX 320361 HARTFORD, CT 06132

NO DATE REVISION 08/07/18 FOR REVIEW: RCB 03/11/19 ATTORNEY REVISIONS: RCE

DESIGN PROFESSIONALS OF RECORD COMP: ALL-POINTS TECHNOLOGY

CORPORATION, P.C.
ADD: 3 SADDLEBROOK DRIVE KILLINGWORTH, CT 06419

OWNER: THE CONNECTICUT WATER
COMPANY
ADDRESS: 93 WEST MAIN STREET
CLINTON, CONNECTICUT 06413

MCM SITE WESTBROOK H20 TANK

SITE 1542 BOSTON POST ROAD ADDRESS: WESTBROOK, CT 06498

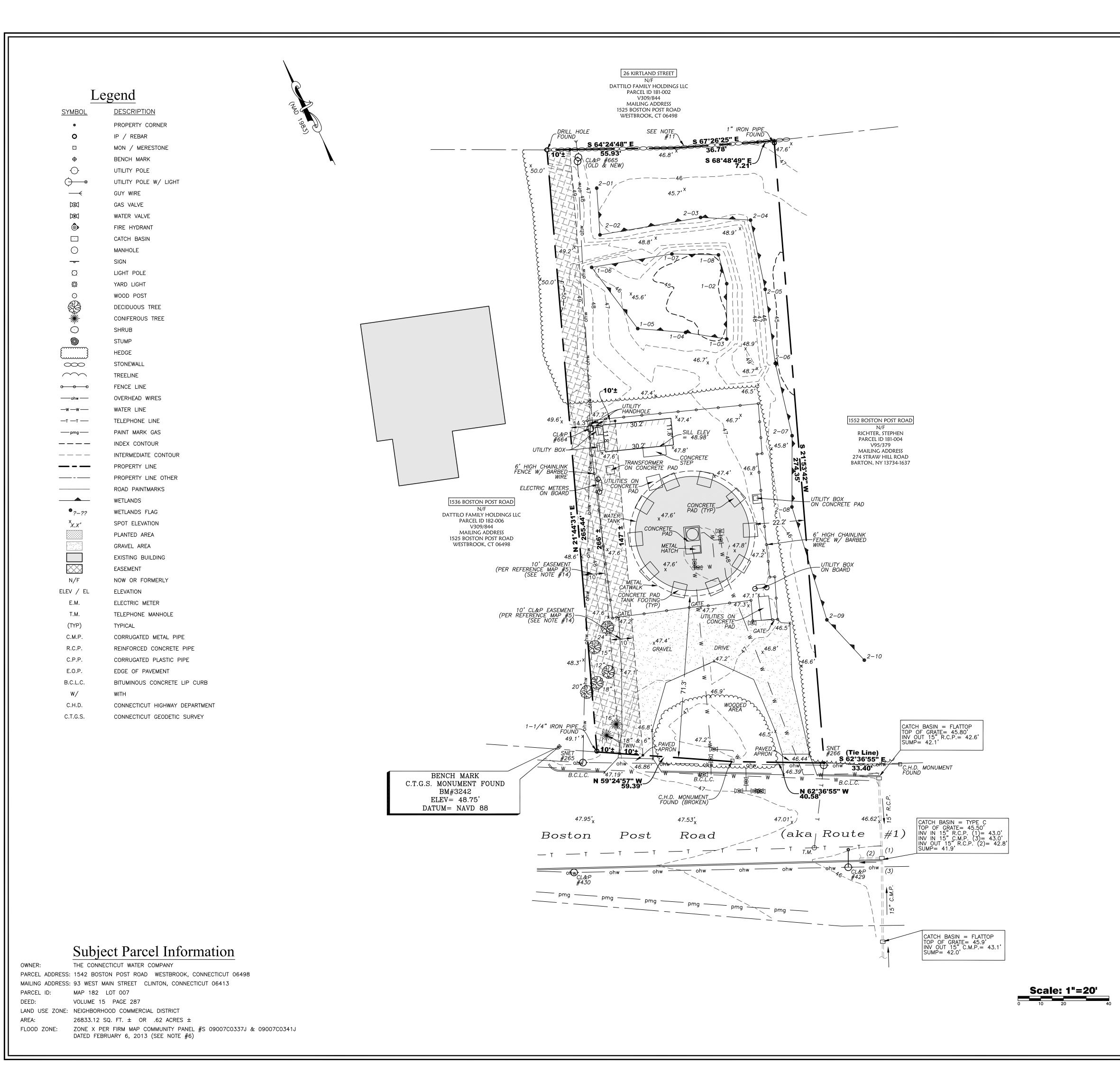
APT FILING NUMBER: CT524120 DRAWN BY: J

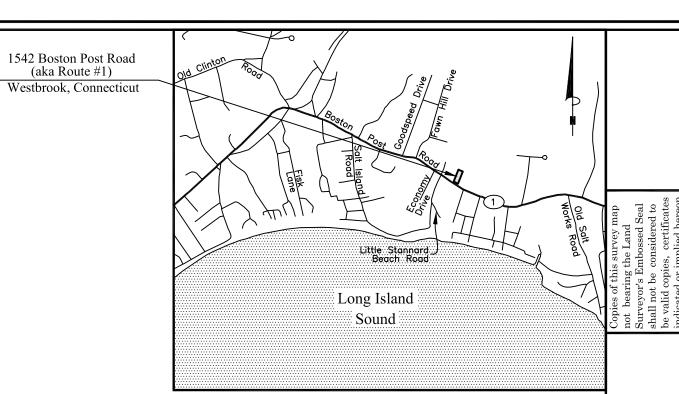
SHEET TITLE:

TITLE SHEET & INDEX

SHEET NUMBER

**T-1** 





Location Map

Scale: 1"=2000'

### Notes

(aka Route #1)

1) THIS SURVEY PLAN HAS BEEN PREPARED PURSUANT TO THE REGULATIONS OF CONNECTICUT STATE AGENCIES SECTION 20-300B-1 THROUGH 20-300B-20 AND THE "STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT" AS ADOPTED BY THE CONNECTICUT ASSOCIATION OF THE

DETERMINATION IS BASED UPON A RESURVEY OF REFERENCE MAP #4. THIS SURVEY CONFORMS TO THE STANDARDS AND THE ACCURACY OF

F. CONTOUR INTERVAL = 1G. THE INTENT OF THIS MAP IS TO DEPICT THE EXISTING CONDITIONS OF THE

2) BOUNDARY LINES OF ADJOINING PROPERTIES ARE SHOWN FOR GENERAL INFORMATIONAL PURPOSES ONLY AND ARE NOT TO BE CONSTRUED AS BEING

3) THE WORD "CERTIFY" AS USED IS UNDERSTOOD TO BE AN EXPRESSION OF WHICH IS BASED ON HIS BEST KNOWLEDGE, INFORMATION AND BELIEF. AS SUCH IT CONSTITUTES NEITHER GUARANTEE NOR WARRANTY, EXPRESSED OR IMPLIED, OF ANY INFORMATION CONTAINED HEREON. NO CERTIFICATION IS EXPRESSED OR IMPLIED ON ANY ORIGINAL OR ANY DUPLICATE OF THIS MAP

PROPERTY. IT IS NOT TO BE DUPLICATED OR USED IN PART OR WHOLE FOR ANY OTHER PURPOSE, PROJECT, LOCATION, OR OWNER WITHOUT THE EXPRESS

5) BASE MAPPING PREPARED BY GESICK & ASSOCIATES P.C. FROM A 01/09/2017 THRU 01/13/2017 FIELD SURVEYS.

6) WETLANDS BOUNDARY LIMITS DELINEATED BY ALL POINTS TECHNOLOGY

7) THE FLOOD ZONE BOUNDARIES SHOWN WERE DERIVED UTILIZING FLOOD INSURANCE RATE MAPS. THE FLOOD ZONE BOUNDARIES WERE DIGITIZED AND ARE TO BE CONSIDERED AS APPROXIMATE ONLY AND FOR INFORMATIONAL PURPOSES ONLY. DATUM = NAVD 1988

NOTED HEREON HAVE BEEN COMPILED, IN PART, FROM RECORD MAPPING AND LIMITED FIELD MEASUREMENTS. THESE LOCATIONS MUST BE CONSIDERED AS APPROXIMATE IN NATURE. ADDITIONALLY, OTHER SUCH FEATURES MAY EXIST ON THE SITE, THE EXISTENCE OF WHICH ARE UNKNOWN TO GESICK & ASSOCIATES. P.C. THE SIZE LOCATION AND EXISTENCE OF ALL SUCH FEATURES MUST BE FIELD DETERMINED AND VERIFIED BY THE APPROPRIATE AUTHORITIES

9) TREES SHOWN ON THIS MAP WERE FIELD LOCATED BUT ARE NOT SHOWN

10) UNLESS OTHERWISE NOTED, BUILDING OFFSETS ARE TO BUILDING SIDING

11) THE STONEWALLS AND/OR FENCES SHOWN AS BOUNDARIES MAY HAVE IRREGULARITIES OF COURSE BETWEEN PRINCIPAL POINTS OF COURSE

13) HEIGHT OF WATER TANK = 121.8'

14) PARCEL IS SUBJECT TO EASEMENTS TO THE CONNECTICUT LIGHT AND POWER COMPANY AS SHOWN IN VOLUME 232 PAGE 245 OF THE TOWN OF

- 1. "MAP OF PROPERTY OF M.EUGENE CULVER & KATE H. SPARROW WESTBROOK CONNECTICUT" PREPARED BY L. NORMAN GERMAIN
- 2. "CONNECTICUT STATE HIGHWAY DEPARTMENT RIGHT OF WAY MAP TOWN OF WESTBROOK BOSTON POST ROAD FROM STANNARD BEACH ROAD WESTERLY ABOUT 1900 FEET ROUTE NO 1" PREPARED BY THE CONNECTICUT STATE HIGHWAY DEPARTMENT DATED OCTOBER 21, 1927 SCALE 1"=40' DRAWING 70 SHEET 1 OF 1
- EASTERLY TO STANNARD HILL ROUTE US 1' 4. "MAP OF PROPERTY OWNED BY THE CONNECTICUT WATER COMPANY WESTBROOK CONNECTICUT" PREPARED BY ROBERT C HART DATED OCTOBER 7, 1996 SCALE 1"=20'
- 5. "COMPILATION PLAN MAP SHOWING EASEMENT AREA TO BE GRANTED TO THE CONNECTICUT LIGHT AND POWER COMPANY ACROSS THE PROPERTY OF THE CONNECTICUT WATER COMPANY 1542 BOSTON POST ROAD WESTBROOK CONNECTICUT" PREPARED BY L-C ASSOCIATES INC. DATED OCTOBER 1, 2002 SCALE 1"=20' TOWN CLERK MAP #2325

LAND SURVEYORS, INC. ON SEPTEMBER 26, 1996. A. TYPE OF SURVEY: TOPOGRAPHIC SURVEY B. WITH RESPECT TO THE PERIMETER OF THE PROPERTY THE BOUNDARY

CLASS: A-2 HORIZONTAL & T-2 TOPOGRAPHIC ACCURACY. D. BEARINGS AS DEPICTED ARE BASED UPON THE CONNECTICUT GRID SYSTEM NORTH AMERICAN DATUM OF 1983 E. ELEVATIONS BASED UPON NORTH AMERICAN VERTICAL DATUM 1988

ACCURATELY LOCATED OR DEPICTED.

PROFESSIONAL OPINION BY THE SURVEYOR. IT IS A DECLARATORY STATEMENT, UNLESS IT BEARS AN ORIGINAL STAMP OR SEAL AND ORIGINAL SIGNATURE OF THE INDIVIDUAL WHOSE REGISTRATION NUMBER APPEARS HEREON.

4) THIS MAP IS THE PROPERTY OF GESICK & ASSOCIATES P.C. AND HAS BEEN SPECIFICALLY PREPARED FOR THE OWNER OF THIS PROJECT OR WRITTEN CONSENT OF GESICK & ASSOCIATES P.C.

CORPORATION AND FIELD LOCATED BY GESICK & ASSOCIATES, P.C. 01/09/2017.

8) UNDERGROUND UTILITY, STRUCTURE AND FACILITY LOCATIONS DEPICTED AND PRIOR TO CONSTRUCTION. CALL BEFORE YOU DIG 1-800-922-4455.

ABOVE THE FOUNDATION

12) TIE LINE IS NOT PROPERTY LINE.

WESTBROOK LAND RECORDS

Reference Maps

DATED SEPTEMBER, 1927 SCALE 1"=30' TOWN CLERK MAP #66

3. "CONNECTICUT STATE HIGHWAY DEPARTMENT RIGHT OF WAY MAP TOWN OF WESTBROOK BOSTON POST ROAD FROM WESTBROOK CENTER PREPARED BY THE CONNECTICUT STATE HIGHWAY DEPARTMENT DATED MAY 28, 1929 SCALE 1"=40' DRAWING 831 SHEET 2 OF 2

Drawn: P.H.

ograph

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**%** & &

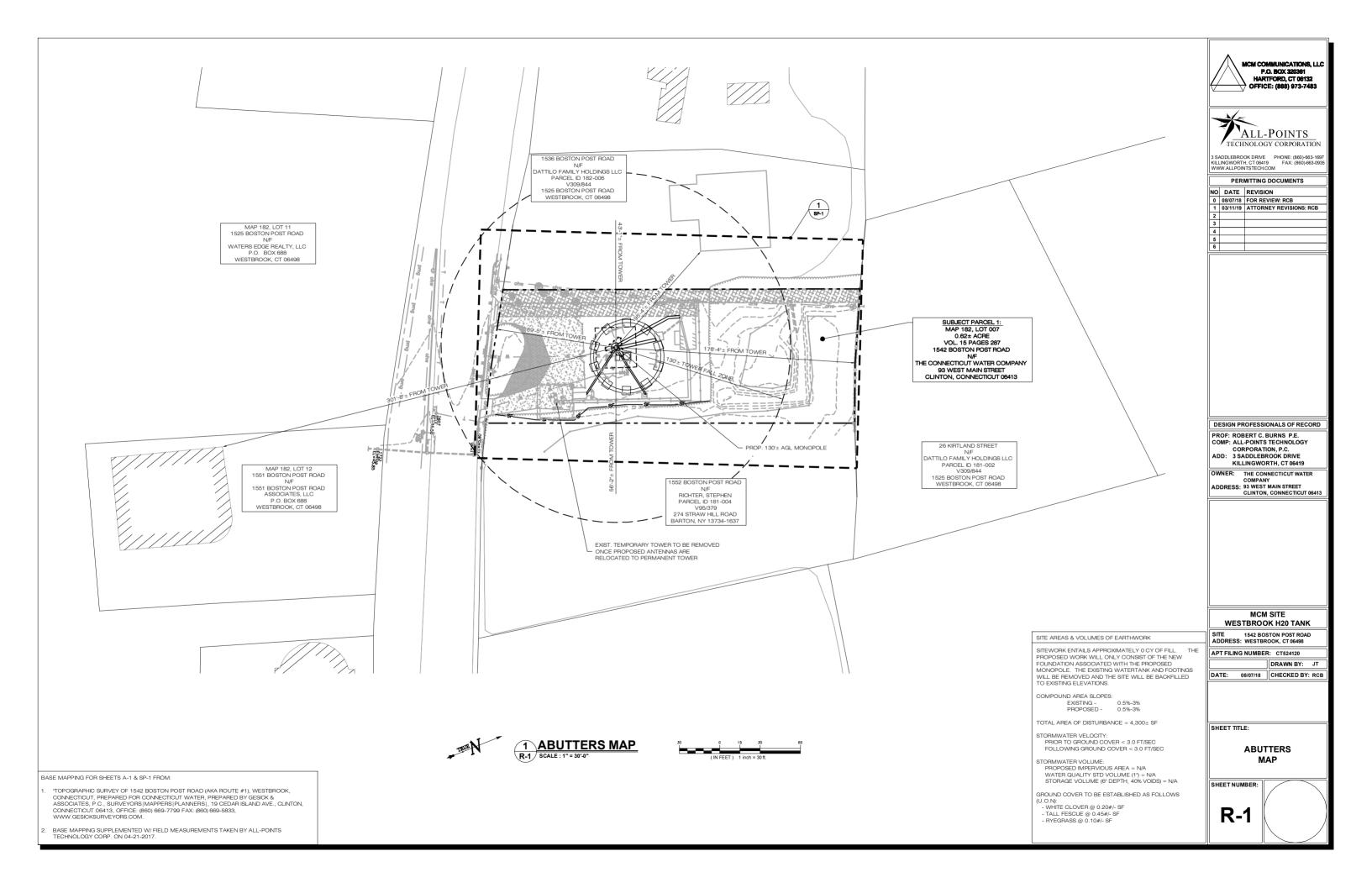
SICK

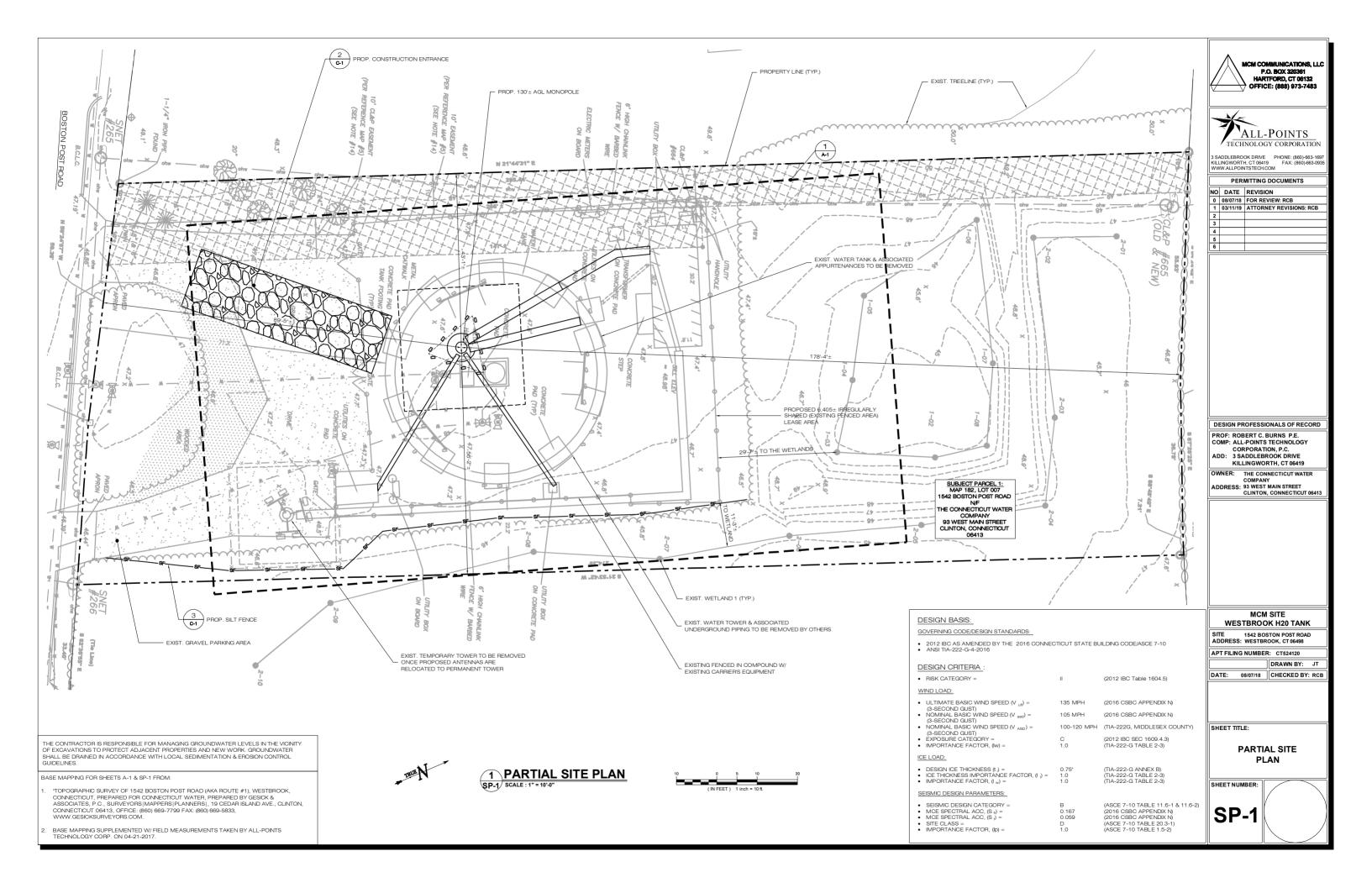
<u>ن</u>

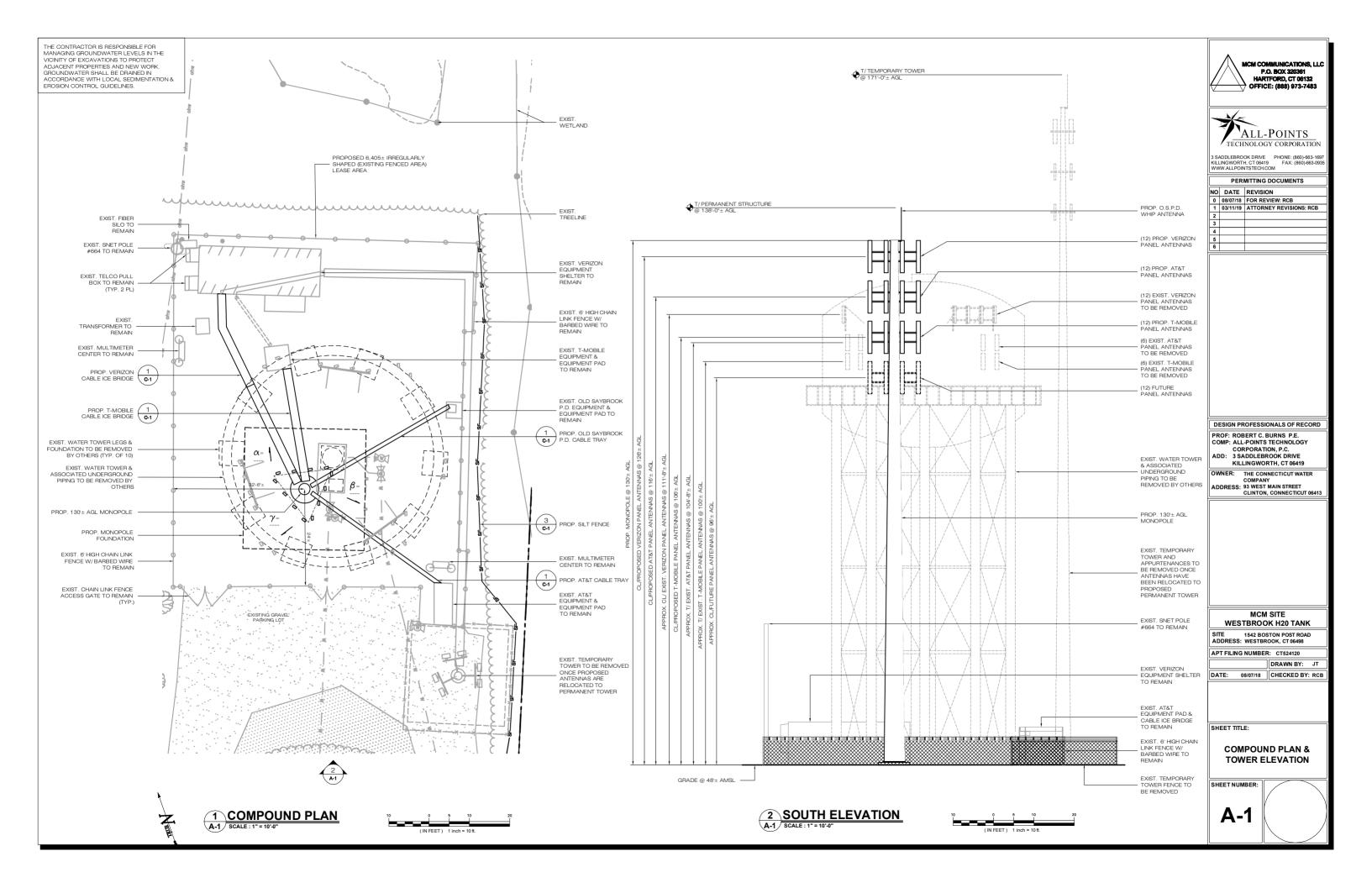
Revisions

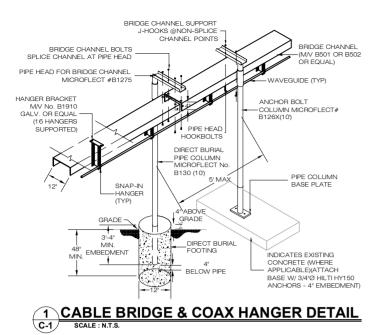
ate: January 18, 2017 Drawing: 17-002a CWC Drawing: SL-1512

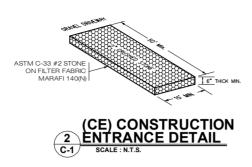
1 of 1

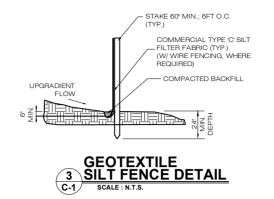
















3 SADDLEBROOK DRIVE PHONE: (860)-663-169 KILLINGWORTH, CT 06419 FAX: (860)-663-099 WWW.ALLPOINTSTECH.COM

	PERMITTING DOCUMENTS						
10	DATE	REVISION					
0	08/07/18	FOR REVIEW: RCB					
1	03/11/19	ATTORNEY REVISIONS: RCB					
2							
3							
4							

DESIGN PROFESSIONALS OF RECORD

PROF: ROBERT C. BURNS P.E.
COMP: ALL-POINTS TECHNOLOGY
CORPORATION, P.C.
ADD: 3 SADDLEBROOK DRIVE
KILLINGWORTH, CT 06419

OWNER: THE CONNECTICUT WATER
COMPANY
ADDRESS: 93 WEST MAIN STREET
CLINTON, CONNECTICUT 06413

MCM SITE WESTBROOK H20 TANK

SITE 1542 BOSTON POST ROAD ADDRESS: WESTBROOK, CT 06498

APT FILING NUMBER: CT524120

DRAWN BY: JT

DATE: 08/07/18 CHECKED BY: RCB

SHEET TITLE:

SITE DETAILS

SHEET NUMBER:

**C-**1

# Tab 5

#### **ATTACHMENT 5**

#### Site B: Description; Drawings

#### I. LOCATION

- A. COORDINATES: 41° 17' 00.4568" N, 72° 26' 17.3704" W
- B. GROUND ELEVATION: 53'± AMSL
- C. USGS MAP: USGS 7.5 quadrangle for Essex
- D. SITE ADDRESS: Kirtland Street, Westbrook, CT 06498
- E. ZONING WITHIN ¼ MILE OF SITE: Abutting areas are zoned Medium Density Residential District to the north, High Density Residential District to the south and Neighborhood Commercial District to the southeast and west.

#### II. DESCRIPTION

- A. SITE SIZE: 0.39 Ac (Vol 319, Page 931); 1.92 Ac (Vol 309, Page 844)
- B. LEASE AREA/COMPOUND AREA: 4,328 SF/3,000 SF
- C. TOWER TYPE/HEIGHT: A 130' Monopole.
- D. SITE TOPOGRAPHY AND SURFACE: Subject site slopes slightly, generally draining from the west to the east and is located on vacant wooded land.
- E. SURROUNDING TERRAIN, VEGETATION, WETLANDS, OR WATER: The existing compound is located on two parcels. One parcel is a 0.39-acre parcel which is currently occupied by a private road (Kirtland Street). The second parcel is a 1.92-acre vacant wooded parcel. To the north and the west of the compound are residential properties. Residential and commercial properties are located to the south and the east. There are wetlands off-site to the east (±267') of the proposed compound.
- F. LAND USE WITHIN ¼ MILE OF SITE: Wooded area and single family residences to the north. Single family residential properties to the west. Single family residential and commercial properties to the south and east.

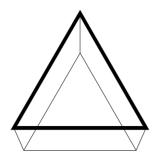
#### III. FACILITIES

- A. POWER COMPANY: Eversource
- B. POWER PROXIMITY TO SITE: 145'±

- C. TELEPHONE COMPANY: Frontier
- D. PHONE SERVICE PROXIMITY: 145'±
- E. VEHICLE ACCESS TO SITE: Access to the proposed equipment compound is along an existing bituminous roadway and a proposed gravel driveway (70'+/-).
- F. OBSTRUCTION: None.
- G. CLEARING AND FILL REQUIRED: Total area of disturbance is 5,410 sf; sitework entails 67 CY of fill; the site improvements shall entail approximately 100 CY of cut for utility trenching. The compound and access driveway will import approximately 170 CY of clean broken stone. 10 trees will need to be removed.

#### IV. LEGAL

- A. PURCHASE [ ] LEASE [X]
- B. OWNER: Dattilo Family Holdings, LLC
- C. ADDRESS: 1525 Boston Post Road, Westbrook, CT 06498
- D. DEED ON FILE AT: Volume 319, Page 931; Volume 309, Page 844

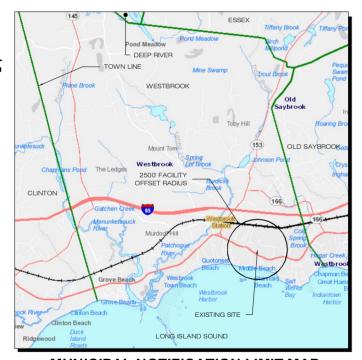


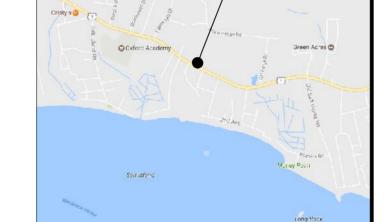
## MCM COMMUNICATIONS, LLC

**40 WOODLAND STREET** HARTFORD, CT 06105 OFFICE: (888) 973-7483

## **WIRELESS SERVICES FACILITY**

# **WESTBROOK** KIRTLAND STREET WESTBROOK, CT 06498





**MUNICIPAL NOTIFICATION LIMIT MAP** 

**VICINITY MAP** 

#### SITE INFORMATION

SITE TYPE: NEW 130' AGL MONOPOLE

SCOPE OF WORK: PROPOSED RF EQUIPMENT ON NEW 130' AGL MONOPOLE W/ CORRESPONDING GROUND EQUIPMENT WITHIN A PROPOSED

50'x60' FENCED COMPOUND.

SITE NAME: WESTBROOK

SITE ADDRESS: KIRTLAND STREET WESTBROOK, CT 06498

ZONING JURISDICTION: CONNECTICUT SITING COUNCIL

COUNTY: MIDDLESEX

ASSESSOR'S TAX ID#: MAP: 182, LOT: 003 MAP: 177, LOT: 122

ZONING DISTRICT: MEDIUM DENSITY RESIDNTIAL DISTRICT

(MDR)

LATITUDE: 41° 17' 00.4568" N

LONGITUDE: 72° 26' 17.3704" W

GROUND ELEVATION: 53'± AMSL

PROPERTY OWNER: DATTILO FAMILY HOLDING LLC 1525 BOSTON POST BOAD

APPLICANT: MCM COMMUNICATIONS, LLC 40 WOODLAND STREET

HARTFORD, CT 06105

LEGAL: CUDDY & FEDER, LLP

445 HAMILTON AVENUE 14TH FLOOR WHITE PLAINS, NY 10601

SITE ENGINEER: ALL-POINTS TECHNOLOGY CORP., P.C.

3 SADDLEBROOK DRIVE

KILLINGWORTH, CT 06419

(860) 663-1697

#### LIST OF DRAWINGS

T-1 TITLE SHEET & INDEX

1 OF 1 TOPOGRAPHIC SURVEY

R-1 ABUTTERS MAP

SP-1 PARTIAL SITE PLAN

A-1 COMPOUND PLAN & TOWER ELEVATION

C-1 SITE DETAILS





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PERMITTING DOCUMENTS					
NO	DATE	REVISION			
0	08/31/18	FOR REVIEW: RCB			
1	09/11/18	FOR REVIEW: RCB			
2	03/11/19	ATTORNEY REVISIONS: RCB			
3					
4					
5					

DESIGN PROFESSIONALS OF RECORD

COMP: ALL-POINTS TECHNOLOGY CORPORATION, P.C.
ADD: 3 SADDLEBROOK DRIVE KILLINGWORTH, CT 06419

WNER: DATTILO FAMILY HOLDING ADDRESS: 1525 BOSTON POST ROAD WESTBROOK, CT 06498

#### MCM COMMUNICATIONS LLC WESTBROOK

SITE KIRTLAND STREET ADDRESS: WESTBROOK, CT 06498

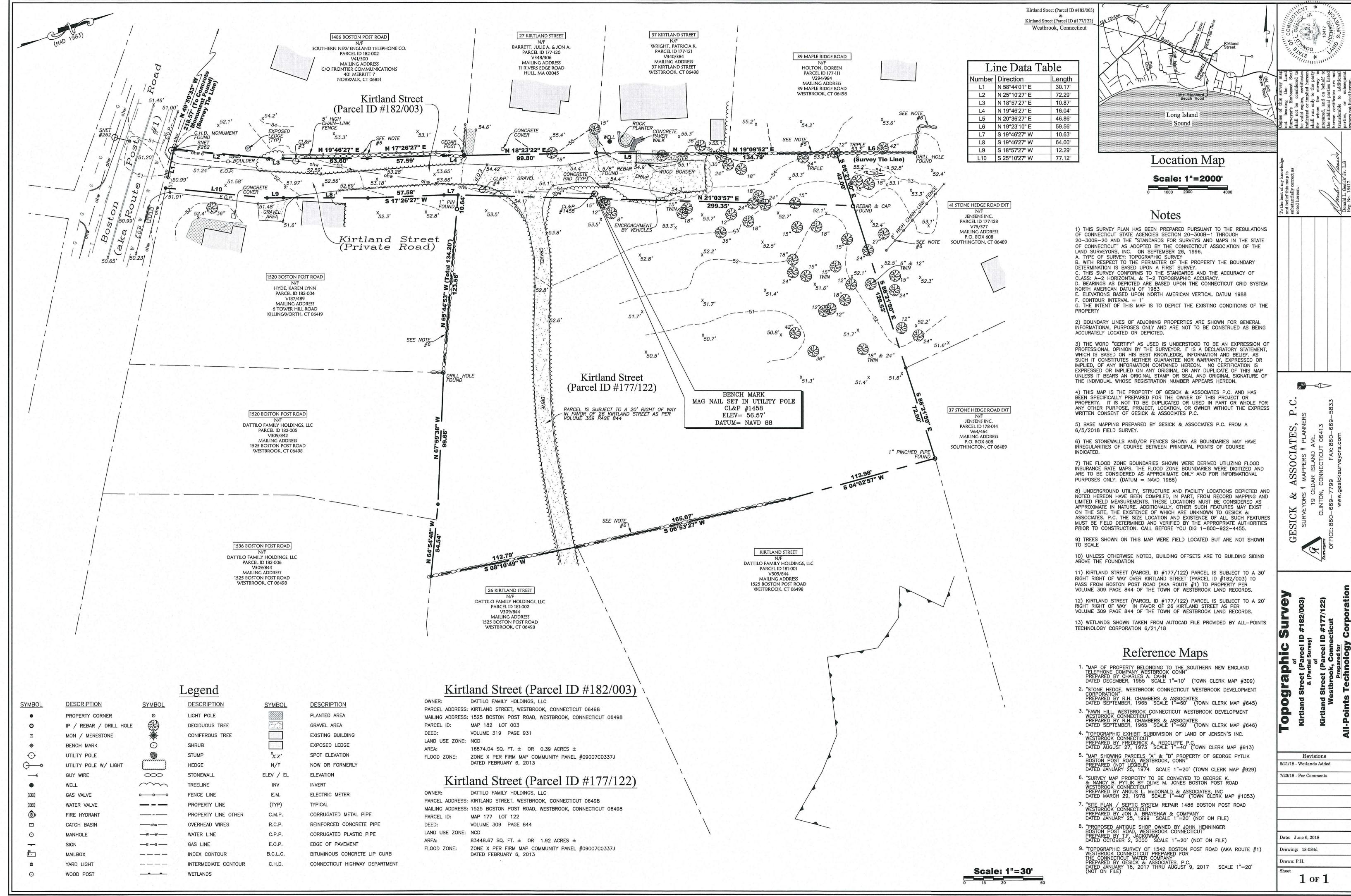
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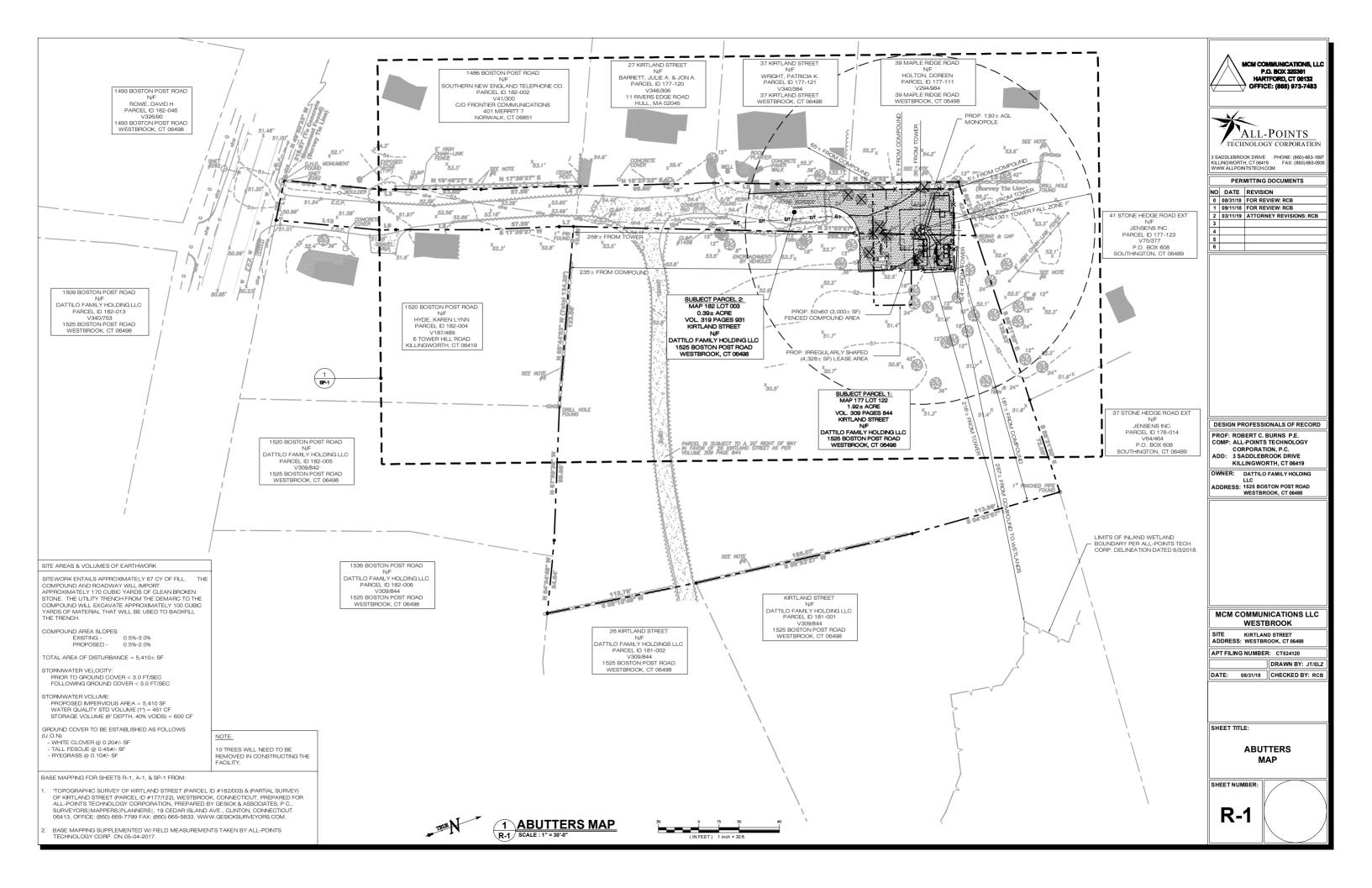
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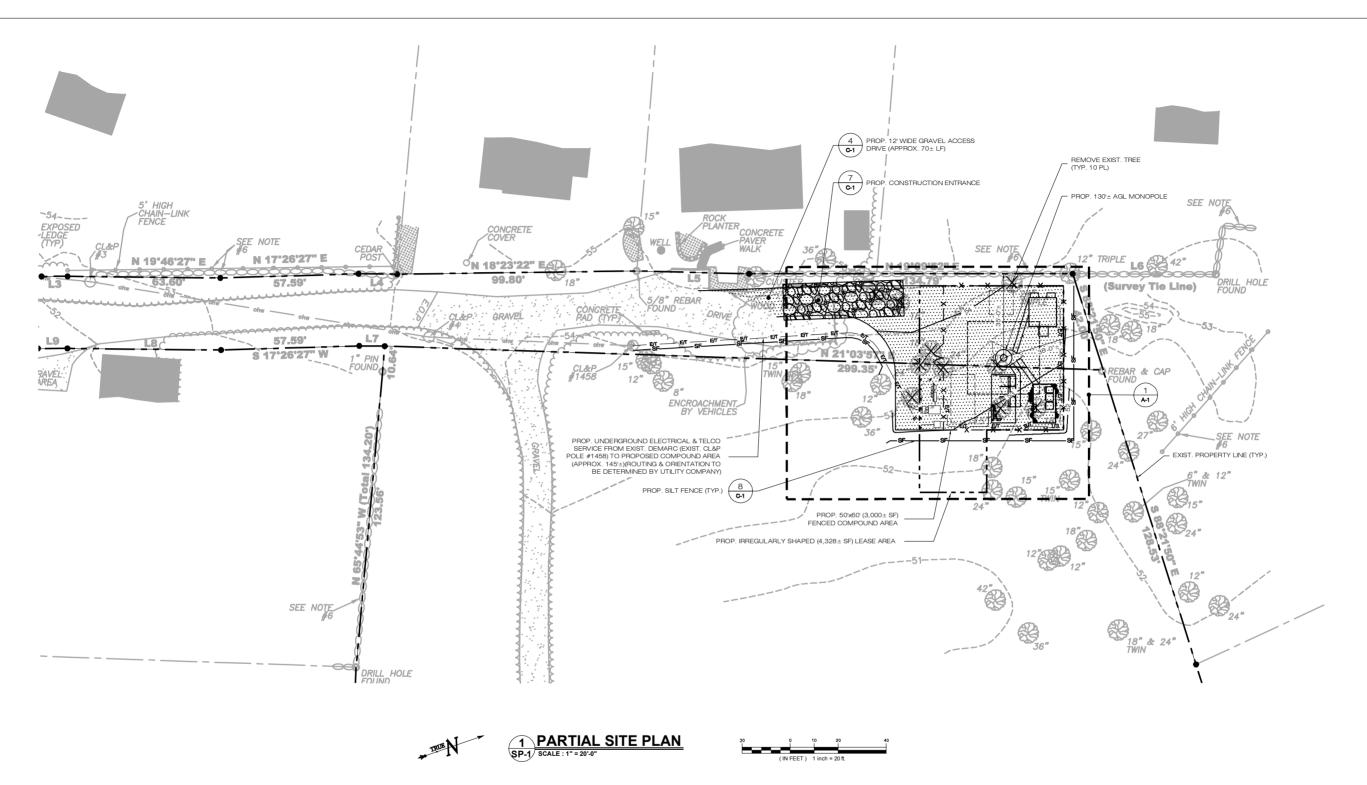
TITLE SHEET & INDEX

SHEET NUMBER

**T-1** 







THE CONTRACTOR IS RESPONSIBLE FOR MANAGING GROUNDWATER LEVELS IN THE VICINITY OF EXCAVATIONS TO PROTECT ADJACENT PROPERTIES AND NEW WORK. GROUNDWATER SHALL BE PARINED IN ACCORDANCE WITH LOCAL SEDIMENTATION & EROSION CONTROL GUIDELINES.

BASE MAPPING FOR SHEETS A-1 & SP-1 FROM:

"TOPOGRAPHIC SURVEY OF KIRTLAND STREET (PARCEL ID #183,003) & (PARTIAL SURVEY)
OF KIRTLAND STREET (PARCEL ID #177/122), WESTBROOK, CONNECTICUT, PREPARED FOR
ALL-POINTS TECHNOLOGY CORPORATION, P. C., "PREPARED BY GESICK & ASSOCIATES,
P.C., SURVEYORS | MAPPERS | PLANNERS |, 19 CEDAR ISLAND AVE., CLINTON,
CONNECTICUT 06413, OFFICE: (860) 669-7799 FAX: (860) 669-5833,
WWW. GESICKSURVEYORS COM.

 BASE MAPPING SUPPLEMENTED W/ FIELD MEASUREMENTS TAKEN BY ALL-POINTS TECHNOLOGY CORP. ON 04-21-2017.





3 SADDLEBROOK DRIVE PHONE: (860)-663-168 KILLINGWORTH, CT 06419 FAX: (860)-663-09. WWW.ALLPOINTSTECH.COM

### PERMITTING DOCUMENTS DATE REVISION

NO	DATE	REVISION
0	08/31/18	FOR REVIEW: RCB
1	09/11/18	FOR REVIEW: RCB
2	03/11/19	ATTORNEY REVISIONS: RCB
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#### DESIGN PROFESSIONALS OF RECORD

PROF: ROBERT C. BURNS P.E.
COMP: ALL-POINTS TECHNOLOGY
CORPORATION, P.C.
ADD: 3 SADDLEBROOK DRIVE
KILLINGWORTH, CT 06419

OWNER: DATTILO FAMILY HOLDING LLC ADDRESS: 1525 BOSTON POST ROAD WESTBROOK, CT 06498

MCM COMMUNICATIONS LLC WESTBROOK

SITE KIRTLAND STREET ADDRESS: WESTBROOK, CT 06498

APT FILING NUMBER: CT524120

DRAWN BY: JT/ELZ

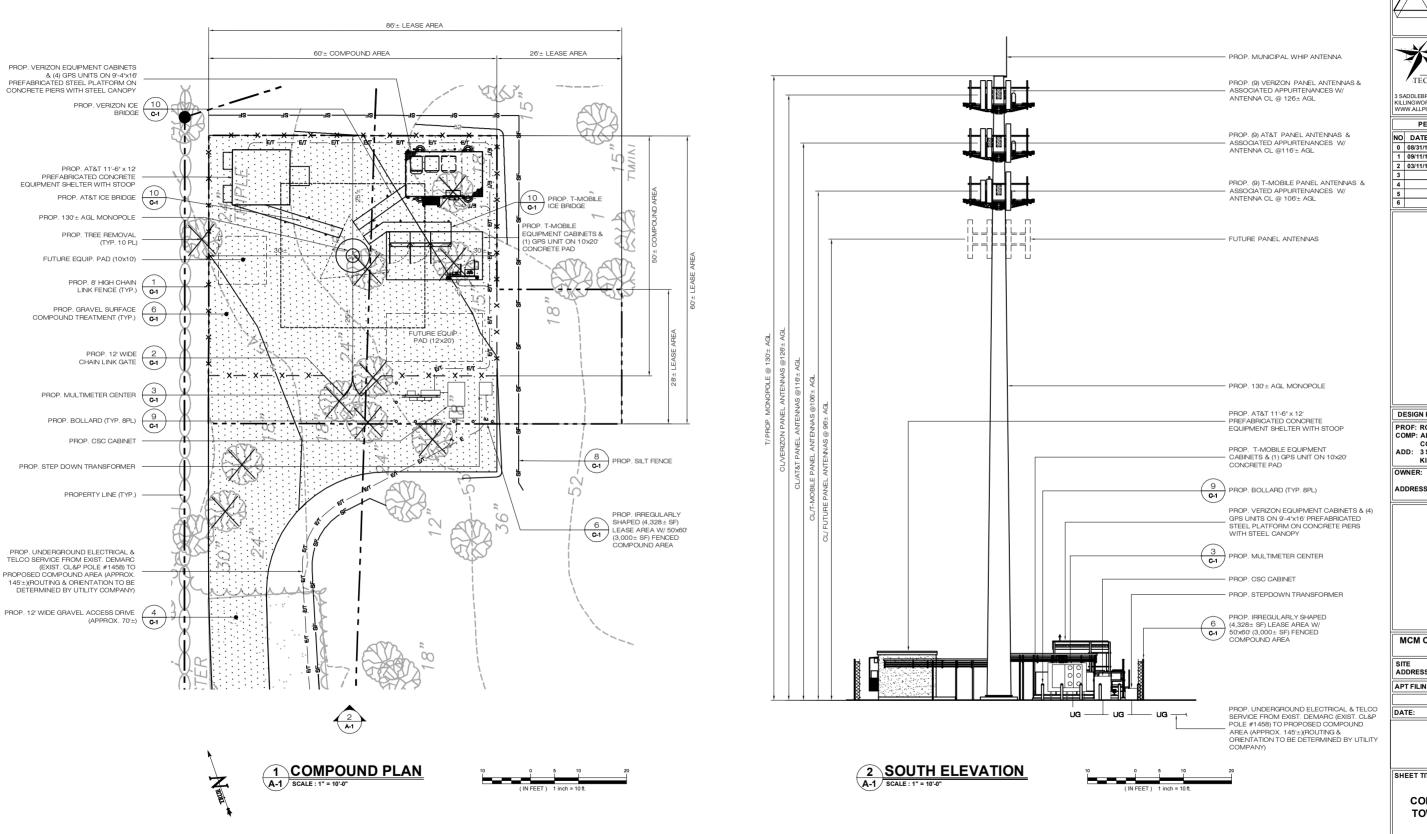
DATE: 08/31/18 CHECKED BY: RCB

SHEET TITLE:

PARTIAL SITE PLAN

SHEET NUMBER:

SP-1



MCM COMMUNICATIONS, LLC P.O. BOX 320361 HARTFORD, CT 06132 OFFICE: (888) 973-7483



PERMITTING DOCUMENTS							
NO	DATE	REVISION					
0	08/31/18	FOR REVIEW: RCB					
1	09/11/18	FOR REVIEW: RCB					
2	03/11/19	ATTORNEY REVISIONS: RCB					
3							
4							
5							

DESIGN PROFESSIONALS OF RECORD

PROF: ROBERT C. BURNS P.E. COMP: ALL-POINTS TECHNOLOGY CORPORATION, P.C.
ADD: 3 SADDLEBROOK DRIVE KILLINGWORTH, CT 06419

OWNER: DATTILO FAMILY HOLDING LLC ADDRESS: 1525 BOSTON POST ROAD WESTBROOK, CT 06498

MCM COMMUNICATIONS LLC WESTBROOK

SITE KIRTLAND STREET ADDRESS: WESTBROOK, CT 06498

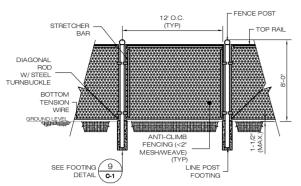
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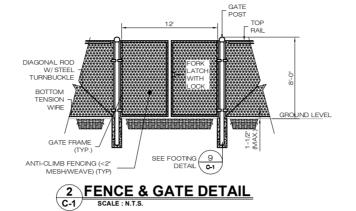
**COMPOUND PLAN & TOWER ELEVATION** 

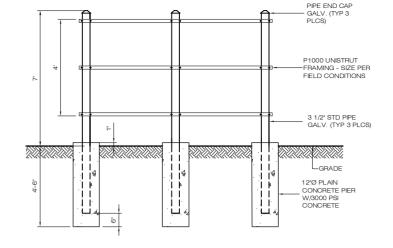
SHEET NUMBER:

THE CONTRACTOR IS RESPONSIBLE FOR MANAGING GROUNDWATER LEVELS IN THE VICINITY OF EXCAVATIONS TO PROTECT ADJACENT PROPERTIES AND NEW WORK. GROUNDWATER SHALL BE DRAINED IN ACCORDANCE WITH LOCAL SEDIMENTATION & EROSION CONTROL GUIDELINES.

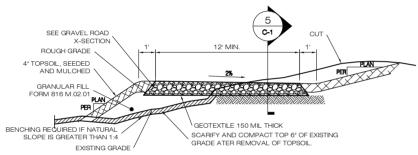


## 1 CHAIN-LINK FENCING DETAIL SCALE: N.T.S.

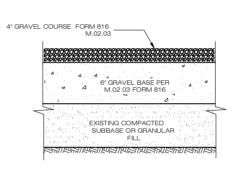




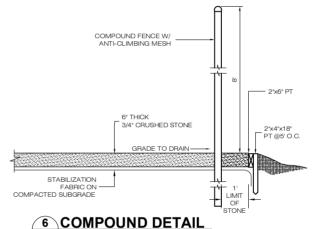
### 3 UTILITY BACKBOARD DETAIL C-1 SCALE: N.T.S.



\* CROSS SLOPE GRADE SHALL BE 1-2% AS SHOWN ON PROPOSED GRADING \* WHERE CUT OR FILL EMBANKMENTS ARE STEEPER THAN 3:1 USE A STAPLED IN PLACE, BIODEGRADABLE EROSION CONTROL BLANKET OR A BONDED FIBER MATRIX HYDROSEED APPLICATION.

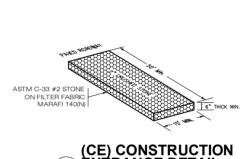


**5** GRAVEL ROAD SECTION



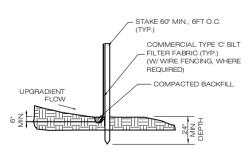
C-1

SCALE : N.T.S.

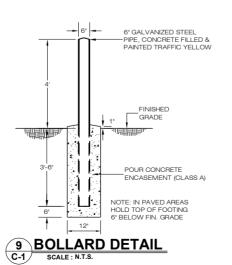


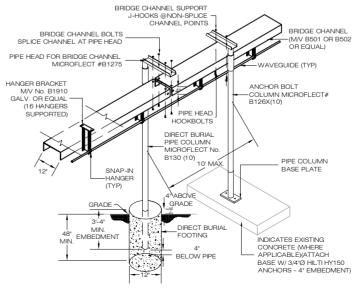
(CE) CONSTRUCTION ENTRANCE DETAIL C-1/

## 4 TYPICAL ROAD CROSS SECTION SCALE: N.T.S.



**GEOTEXTILE** SILT FENCE DETAIL





CABLE BRIDGE & COAX HANGER DETAIL

SCALE: N.T.S.



DESIGN PROFESSIONALS OF RECORD

KILLINGWORTH, CT 06419

COMP: ALL-POINTS TECHNOLOGY

CORPORATION, P.C.
ADD: 3 SADDLEBROOK DRIVE

MCM COMMUNICATIONS, LLC P.O. BOX 320361 HARTFORD, CT 06132 OFFICE: (888) 973-7483

'ALL-POINTS

TECHNOLOGY CORPORATION

B SADDLEBROOK DRIVE PHONE: (860)-663-169 (ILLINGWORTH, CT 06419 FAX: (860)-663-09 WWW.ALLPOINTSTECH.COM

PERMITTING DOCUMENTS

NO DATE REVISION

0 08/31/18 FOR REVIEW: RCB

1 09/11/18 FOR REVIEW: RCB

# Tab 6

### ATTACHMENT 6

### **Environmental Assessment Statement**

### I. PHYSICAL IMPACT

### a. WATER FLOW AND QUALITY

Two wetland areas were delineated proximate to the existing fenced compound at Site A. Wetland 1 is a small, isolated depressional wetland located just north of the prior water tower's fenced compound. Wetland 2 is a forested wetland located along the north and east sides of the subject property. Wetland 2 drains via sheet flow to the north into a larger forested wetland system located off the subject property. No additional or adverse impacts to these wetlands are anticipated given that Site A is currently developed and was previously developed with a water tower. No wetlands were mapped at Site B and the nearest wetland is located on an adjoining parcel approximately 269 feet east.

No adverse impacts to wetlands or water bodies are anticipated given that erosion and sediment controls be installed and maintained during construction in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sedimentation Control. Additional controls are proposed for Site A as set forth in the wetland protection plan included herein. Control Guidelines, as established by the Council of Soil and Water Conservation, soil erosion control measures and other best management practices would be established and maintained throughout the construction of either Facility.

Neither of the proposed sites are in a flood zone as noted on the FEMA flood maps for this area of Westbrook (see attached).

### b. AIR QUALITY

Under ordinary operating conditions, the equipment that would be used at either of the proposed facility would emit no air pollutants of any kind. An emergency backup power generator (likely diesel) would be used in the event of a power failure and would comply with CT DEEP air emissions requirements.

### c. LAND/SOILS

Construction of the Facility at Site A would not require the removal of any trees. The total area of disturbance would be approximately 4,300 square feet, most or all of which is presently disturbed due to the former water tower and the existing temporary facility. Proposed work will consist of a new foundation associated with the proposed monopole. Mapping indicates that Site A contains "Prime Farmland Soils", but the site is not suitable for farmlands.

Construction of the Facility at Site B would require the removal of approximately 10 trees. The total area of disturbance would be approximately 5,410 SF. Sitework would entail 67 CY of fill, approximately 100 CY of cut for utility trenching, and 170 CY of imported clear broken stone for the compound and access driveway. Mapping indicates no unique soil classification for Site B.

### d. NOISE

The Equipment to be in operation at either facility would not emit noise other than provide by the operation of the installed heating, air-conditioning and ventilation system. Some construction related noise would be anticipated during facility construction, which is expected to take approximately eight weeks.

### e. 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, Cellco generated

a general power density report for the proposed relocation which is included herein. As part of any future Development and Management Plan and additional Tower Sharing submissions by AT&T, T-Mobile and OSPD, a cumulative MPE will be provided to demonstrate compliance with FCC requirements.

### f. VISIBILITY

Included with this submission is a comparative visual analysis of Site A and Site B's relative visibility from numerous locations and includes the approximately 33' taller temporary tower as a reference point. An additional leaf off analysis is being prepared and will be provided to the Council prior to the public hearing on the Application. The visual analysis indicates that a tower at Site A would have a similar viewshed to the prior water tank and would be intermittently visible approximately 1.5 miles to the southwest and 0.5 miles to the southeast. Given relative ground elevation, height and location, Site B has a similar viewshed to that of Site A. Weather permitting, the Applicants will raise a balloon with a diameter of at least 3' at both of the proposed locations on the day of the CSC's first hearing session on this Application, or at a time otherwise specified by the CSC.

### II. SCENIC, NATURAL, HISTORIC & RECREATIONAL VALUES

As part of MCM's due diligence for compliance with the National Environmental Policy Act ("NEPA"), MCM's consultant All-Points Technology Corporation, P.C. is currently coordinating with the State Historic Preservation Office ("SHPO") to determine whether SHPO prefers either candidate site location considering their approximate one-half mile proximity to the Westbrook Town Center Historic District. As required, this Application is being served on State and local agencies that may choose to comment on the Application prior to the close of the Siting Council's public hearing.

One federally-listed threatened species, the northern long-eared bat, is known to occur in the vicinity of both Site A and Site B. All-Points Technology Corporation, the Applicant's consultant, performed an evaluation to determine if the proposed facility would result in any likely adverse effect to the northern long-eared bat. Pursuant to the United States Fish and Wildlife Services Northern Long-Eared Bat streamlined consultation form, the proposed project at either Site A or Site B is not likely to adversely affect the northern long-eared bat. As indicated in the attached reports, the construction of the Facility at either Site A or Site B is not anticipated to result in significant disturbance to breeding birds protected by the Migratory Bird Treaty Act. Additionally, the Connecticut Department of Energy and Environmental Protection ("CTDEEP") Natural Diversity Database ("NDDB") maps for both Site A and Site B were reviewed and CTDEEP concluded that no negative impacts to any state listed species were expected for either facility.

### III. SCHOOLS/DAY CARE CENTERS

There are no schools or daycare centers located within 250' of either tower site.

## Tab A

### **ATTACHMENT 6.A**

Site A: 1542 Boston Post Road, Westbrook, CT



### **Site Impact Statement**

Site:

Site Address:

Westbrook CT H2O Tank 1542 Boston Post Road

Westbrook, CT 06498

### Access distances:

Distance of existing gravel driveway (65'+/-).

### **Distance to Nearest Wetlands**

8.42'+/- east of the proposed compound expansion.

### **Distance to Property Lines:**

178'-4"+/- to the northern property boundary from the tower 89'-5"+/- to the southern property boundary from the tower 56'-2"+/- to the eastern property boundary from the tower 43'-1"+/- to the western property boundary from the tower

107'+/- to the northern property boundary from the existing compound 69'+/- to the southern property boundary from the existing compound 3'+/- to the eastern property boundary from the existing compound 6'+/- to the western property boundary from the existing compound

#### Residence Information:

There are 184 single family residences and commercial properties within 1,000' feet of the compound. The closest off site residence is approximately 180 feet to the north and is located at Parcel 181/002 (26 Kirkland Street).

### Special Building Information:

There are existing wetlands located on site north and east of the existing compound.

### Tree Removal Count:

No trees are going to be removed for the installation of the proposed Tower.

**Cut/Fill:** Sitework entails 0 CY of fill; The proposed work will only consist of the new foundation associated with the proposed monopole.

Clearing/Grading Necessary: Total area of disturbance = 4,300 SF



### **Tree Inventory**

August 7, 2018

Cuddy & Feder, LLP Attn: Daniel Laub, Esq. 445 Hamilton Avenue 14<sup>th</sup> Floor White Plains, NY 10601

RE: Tree Inventory

Site: Westbrook CT H2O Tank

1542 Boston Post Road Westbrook, CT 06498

Dear Attorney Laub:

A Tree Inventory was completed at the subject site on January 18, 2017 to determine the size and quantity of existing trees that will need to be removed for the installation of the proposed temporary facility expansion and proposed ballasted tower. It is determined that no trees will need to be removed for the proposed improvements.

The area to be disturbed for construction of the proposed monopole will be approximately 4,300 square feet of existing fenced, gravel compound area. The area to be cleared is located on the interior of the site.

Sincerely,

ALL-POINTS TECHNOLOGY CORPORATION, P.C.

Robert C. Burns, P.E. Project Manager

### MCM COMMUNICATIONS, LLC WESTBROOK CT H2O TANK 1,000' RESIDENTIAL BUILDING LIST

(Information gathered from Town of Westbrook Online Assessor MapGeo Database)

PARCEL ID	STREET ADDRESS	BUILDING TYPE	BUILDING DISTANCE FROM COMPOUND (ft)
178/009-01	27 STONE HEDGE RD	Single Family	730 +/-
178/017-01	45 STONE HEDGE RD EXT	Single Family	870 +/-
178/009	27 STONE HEDGE RD	Single Family	800 +/-
178/014	37 STONE HEDGE RD EXT	Single Family	550 +/-
177/110	44 MAPLE RIDGE RD	Single Family	750 +/-
182/056-04	15 ECONOMY DR #4	Condominium	595 +/-
181/148	1629 BOSTON POST RD	Single Family	920 +/-
182/010	99 KNOTHE HILL RD	Single Family	1,100 +/-
182/056-15	1469 BOSTON POST RD #15	Condominium	620 +/-
182/013	1509 BOSTON POST RD	Multi Family	285 +/-
177/107	20 MAPLE RIDGE RD	Single Family	870 +/-
181/145	72 RIPLEY HILL RD	Single Family	1,055 +/-
178/023	46 STONE HEDGE RD EXT	Single Family	985 +/-
181/163	43 AVE A	Single Family	995 +/-
177/126	55 STONE HEDGE RD EXT	Single Family	1,215 +/-
177/114	9 MAPLE RIDGE RD	Single Family	850 +/-
178/019-01	49 STONE HEDGE RD EXT	Single Family	1,070 +/-
177/123-01	41 STONE HEDGE RD EXT	Single Family	595 +/-
181/175	1627 BOSTON POST RD	Single Family	830 +/-
177/109	36 MAPLE RIDGE RD	Single Family	775 +/-
182/001	1470 BOSTON POST RD	Multi Family	610 +/-
182/046	1493 BOSTON POST RD	Single Family	415 +/-
177/108	28 MAPLE RIDGE RD	Single Family	815 +/-
182/056-03	15 ECONOMY DR #3	Condominium	625 +/-
181/013	3 OLD FORGE RD	Single Family	1,250 +/-
178/034-01	20 STONE HEDGE RD	Single Family	1,095 +/-
177/106	6 MAPLE RIDGE RD	Single Family	940 +/-
182/056-16	1469 BOSTON POST RD #16	Condominium	625 +/-
178/029	30 STONE HEDGE RD	Single Family	795 +/-
182/052	49 ECONOMY DR	Single Family	780 +/-
178/023-01	46 STONE HEDGE RD EXT	Single Family	990 +/-
182/056-18	1469 BOSTON POST RD #18	Condominium	655 +/-
181/147	28 AVE C	Single Family	845 +/-
182/056-25	1449 BOSTON POST RD #25	Condominium	845 +/-
178/016-01	43 STONE HEDGE RD EXT	Single Family	755 +/-
182/051	58 ECONOMY DR	Single Family	715 +/-
182/054	37 ECONOMY DR	Single Family	770 +/-
182/056-02	15 ECONOMY DR #2	Condominium	615 +/-
178/013	35 STONE HEDGE RD	Single Family	570 +/-
178/032-01	24 STONE HEDGE RD	Single Family	960 +/-
178/014-01	37 STONE HEDGE RD EXT	Single Family	550 +/-
177/104	72 FAWN HILL DR	Single Family	1,075 +/-
177/120	27 KIRTLAND ST	Single Family	435 +/-
177/105	64 FAWN HILL DR	Single Family	1,030 +/-
181/150	4 AVE C	Single Family	910 +/-
182/056-01	15 ECONOMY DR #1	Condominium	625 +/-
178/027	34 STONE HEDGE RD	Single Family	710 +/-
182/056-12	1469 BOSTON POST RD #12	Condominium	600 +/-
178/005-01	19 STONE HEDGE RD	Single Family	1,070 +/-
178/015-01	39 STONE HEDGE RD EXT	Single Family	625 +/-

182/048	30 ECONOMY DR	Single Family	510 +/-
182/049	38 ECONOMY DR	Single Family	580 +/-
182/045	65 LITTLE STANNARD BEACH RD	Single Family	775 +/-
182/056-20	1449 BOSTON POST RD #20	Condominium	805 +/-
178/005	19 STONE HEDGE RD	Single Family	1,070 +/-
181/181	44 RIPLEY HILL RD	Single Family	900 +/-
178/013-01	35 STONE HEDGE RD		570 +/-
177/103	80 FAWN HILL DR	Single Family	
177/103	1444 BOSTON POST RD	Single Family	1,145 +/-
178/027-01	34 STONE HEDGE RD	Single Family	905 +/-
177/125-01	53 STONE HEDGE RD	Single Family	710 +/-
181/176		Single Family	715 +/-
	1619 BOSTON POST RD	Single Family	750 +/-
177/125	53 STONE HEDGE RD EXT	Single Family	715 +/-
178/034	20 STONE HEDGE RD	Single Family	1,095 +/-
182/044	81 LITTLE STANNARD BEACH RD	Single Family	900 +/-
181/015	7 OLD FORGE RD	Single Family	1,275 +/-
178/018-01	47 STONE HEDGE RD EXT	Single Family	970 +/-
177/123	41 STONE HEDGE RD EXT	Single Family	610 +/-
178/024	44 STONE HEDGE RD EXT	Single Family	890 +/-
178/018	47 STONE HEDGE RD EXT	Single Family	970 +/-
181/183	54 RIPLEY HILL RD	Single Family	950 +/-
178/008-01	25 STONE HEDGE RD	Single Family	625 +/-
181/014	5 OLD FORGE RD	Single Family	1,255 +/-
178/033	22 STONE HEDGE RD	Single Family	1,025 +/-
181/002	26 KIRTLAND ST	Single Family	180 +/-
178/025-01	40 STONE HEDGE RD EXT	Single Family	765 +/-
178/015	39 STONE HEDGE RD EXT	Single Family	625 +/-
182/056-24	1449 BOSTON POST RD #24	Single Family	845 +/-
178/029-01	30 STONE HEDGE RD	Single Family	795 +/-
182/040	121 LITTLE STANNARD BEACH RD	Single Family	1,165 +/-
178/006-01	21 STONE HEDGE RD	Single Family	1,015 +/-
181/007	1594 BOSTON POST RD	Single Family	470 +/-
182/047	22 ECONOMY DR	Single Family	495 +/-
178/031	26 STONE HEDGE RD	Single Family	905 +/-
178/032	24 STONE HEDGE RD	Single Family	960 +/-
181/180	34 RIPLEY HILL RD	Single Family	825 +/-
182/056-17	1469 BOSTON POST RD #17	Condominium	655 +/-
182/056-05	15 ECONOMY DR #5	Condominium	620 +/-
178/025	40 STONE HEDGE RD EXT	Single Family	765 +/-
177/077	31 FAWN HILL DR	Single Family	1,085 +/-
182/042	113 LITTLE STANNARD BEACH RD	Single Family	1,095 +/-
177/111	39 MAPLE RIDGE RD	Single Family	630 +/-
182/028	144 LITTLE STANNARD BEACH RD	Single Family	1,415 +/-
182/056-09	15 ECONOMY DR #9	Condominium	600 +/-
182/004	1506 BOSTON POST RD	Single Family	295 +/-
182/050	50 ECONOMY DR	Single Family	615 +/-
177/113	19 MAPLE RIDGE RD	Single Family	775 +/-
178/022	48 STONE HEDGE RD EXT	Single Family	1,085 +/-
182/039	133 LITTLE STANNARD BEACH RD	Single Family	1,260 +/-
178/026	36 STONE HEDGE RD EXT	Single Family	690 +/-
182/014	62 LITTLE STANNARD BEACH RD	Single Family	830 +/-
178/007	23 STONE HEDGE RD	Single Family	935 +/-
178/012-01	33 STONE HEDGE RD	Single Family	650 +/-
177/116	14 FAWN HILL DR	Single Family	910 +/-
178/033-01	22 STONE HEDGE RD	Single Family	1,025 +/-
182/056-23	1449 BOSTON POST RD #23	Condominium	825 +/-
182/056-11	1469 BOSTON POST RD #11	Condominium	600 +/-
182/056-CDM	ECONOMY DR	Condominium	585 +/-
. 52,000 00101	LOOKOWII DIX	CONCOMMINANT	000 17-

178/030	28 STONE HEDGE RD	Single Family	850 +/-
182/043	93 LITTLE STANNARD BEACH RD	Single Family	1,020 +/-
181/003	32 KIRTLAND ST	Single Family	265 +/-
178/017	45 STONE HEDGE RD EXT	Single Family	870 +/-
178/011-01	31 STONE HEDGE RD	Single Family	700 +/-
177/121	37 KIRTLAND ST	Single Family	480 +/-
181/173	1641 BOSTON POST RD	Single Family	1,015 +/-
181/018	15 OLD FORGE RD	Single Family	1,325 +/-
181/179	24 RIPLEY HILL RD	Single Family	775 +/-
182/044	LITTLE STANNARD BEACH RD	Single Family	905 +/-
182/053	41 ECONOMY DR	Single Family	790 +/-
178/010	29 STONE HEDGE RD	Single Family	760 +/-
178/008	25 STONE HEDGE RD	Single Family	625 +/-
178/019	49 STONE HEDGE RD EXT	Single Family	1,070 +/-
178/024-01	44 STONE HEDGE RD EXT	Single Family	890 +/-
181/185	1589 BOSTON POST RD	Single Family	500 +/-
177/115	38 FAWN HILL DR	Single Family	940 +/-
177/119	1462 BOSTON POST RD	Single Family	720 +/-
182/056-10	15 ECONOMY DR #10	Condominium	585 +/-
177/118	1452 BOSTON POST RD	Single Family	810 +/-
177/124	51 STONE HEDGE RD EXT	Single Family	1,170 +/-
182/206	60 LITTLE STANNARD BEACH RD	Single Family	675 +/-
181/164	42 AVE A	Single Family	1,065 +/-
178/031-01	26 STONE HEDGE RD	Single Family	905 +/-
182/056-08	15 ECONOMY DR #8	Condominium	595 +/-
182/056-13	1469 BOSTON POST RD #13	Condominium	595 +/-
177/078	49 FAWN HILL DR	Single Family	1,080 +/-
177/112	31 MAPLE RIDGE RD	Single Family	700 +/-
182/056-07	15 ECONOMY DR #7	Condominium	615 +/-
182/056-14	1469 BOSTON POST RD #14	Condominium	635 +/-
178/030-01	28 STONE HEDGE RD	Single Family	850 +/-
178/028	32 STONE HEDGE RD	Single Family	755 +/-
182/056-CDM	BOSTON POST RD	Condominium	585 +/-
182/056-19	1469 BOSTON POST RD #19	Condominium	660 +/-
181/012	1 OLD FORGE RD	Single Family	1,215 +/-
178/011	31 STONE HEDGE RD	Single Family	700 +/-
178/012	33 STONE HEDGE RD	Single Family	650 +/-
182/056-06	15 ECONOMY DR #6	Condominium	615 +/-
178/007-01	23 STONE HEDGE RD	Single Family	935 +/-
182/056-21	1449 BOSTON POST RD #21	Condominium	810 +/-
178/028-01	32 STONE HEDGE RD	Single Family	755 +/-
178/006	21 STONE HEDGE RD	Single Family	1,015 +/-
181/017	11 OLD FORGE RD	Single Family	1,310 +/-
178/016	43 STONE HEDGE RD EXT	Single Family	755 +/-
181/162	37 AVE A	Single Family	1,045 +/-
178/022-01	48 STONE HEDGE RD EXT	Single Family	1,085 +/-
178/010-01	29 STONE HEDGE RD	Single Family	760 +/-
181/016	9 OLD FORGE RD	Single Family	1,295 +/-
182/056-22	1449 BOSTON POST RD #22	Condominium	835 +/-
181/187	56 RIPLEY HILL RD	Single Family	1,045 +/-
178/026-01	36 STONE HEDGE RD EXT	Single Family	690 +/-



### WETLAND INSPECTION

January 16, 2017

APT Project No.: CT242700

Prepared For:

Message Center Management, Inc.

40 Woodland Street

Hartford, CT 06105-2327

Attn: Chris Gelinas

MCM Site Name:

Westbrook H2O

Site Address:

1542 Boston Post Road, Westbrook, Connecticut

Date(s) of Investigation:

12/13/2016

**Field Conditions:** 

Weather: sunny, low 40's Soil Moisture: dry to moist

Wetland/Watercourse Delineation Methodology\*:

☑Connecticut Inland Wetlands and Watercourses

☐ Connecticut Tidal Wetlands
☐ Massachusetts Wetlands

☐ U.S. Army Corps of Engineers

Municipal Upland Review Area/Buffer Zone:

Wetlands: 100 feet
Watercourses: 100 feet

The wetlands inspection was performed by<sup>†</sup>:

Dean Gustafson, Professional Soil Scientist

Enclosures: Wetland Delineation Field Forms & Wetland Inspection Map

This report is provided as a brief summary of findings from APT's wetland investigation of the referenced Study Area that consists of proposed development activities and areas generally within 200 feet.<sup>‡</sup> If applicable, APT is available to provide a more comprehensive wetland impact analysis upon receipt of site plans depicting the proposed development activities and surveyed location of identified wetland and watercourse resources.

<sup>\*</sup> Wetlands and watercourses were delineated in accordance with applicable local, state and federal statutes, regulations and guidance.

<sup>†</sup> All established wetlands boundary lines are subject to change until officially adopted by local, state, or federal regulatory agencies.

<sup>&</sup>lt;sup>‡</sup> APT has relied upon the accuracy of information provided by Message Center Management and its contractors regarding proposed lease area and access road/utility easement locations for identifying wetlands and watercourses within the study area.

### **Attachments**

- Wetland Delineation Field Forms
- > Wetland Inspection Map

### **Wetland Delineation Field Form**

Wetland I.D.:	Wetland 1					
Flag #'s:	WF 1-01 to 1-08					
Flag Location Method: Site		Sketch ⊠ GP		sub-meter) located 🗵		
WETLAND HYDROLO	GY:					
NONTIDAL 🛛	 1	A .'C' 11 T1 1 1 T		D (1 D) 1 1 D		
Intermittently Flooded		Artificially Flooded		Permanently Flooded   The state of the state		
Semipermanently Floode		Seasonally Flooded		Temporarily Flooded □		
Permanently Saturated		Seasonally Saturated – seepag		Seasonally Saturated - perched ⊠		
dense glacial till soils.	ug dep	oression intercepts the seasonal	high gi	roundwater table and underlying		
TIDAL 🗆						
Subtidal		Regularly Flooded		Irregularly Flooded □		
Irregularly Flooded □			***************************************			
Comments: None						
WETLAND TYPE: SYSTEM:						
Estuarine		Riverine □	]	Palustrine ⊠		
Lacustrine		Marine □				
Comments: None	in the same and the					
CLASS:						
Emergent		Scrub-shrub □	1	Forested 🗵		
Open Water □		Disturbed ⊠ V		Wet Meadow □		
Comments: None						
WATERCOURSE TYPE	:					
Perennial		Intermittent	7	Γidal □		
Watercourse Name: None	Watercourse Name: None					
Comments: None						

### Wetland Delineation Field Form (Cont.)

SPECIAL AQUATIC HABITAT:	
Vernal Pool Yes □ No ☒ Potential □	Other
Vernal Pool Habitat Type: None	
Comments: None	

#### SOILS:

Are field identified soils consistent with NRCS mapped soils?	Yes ⊠	No □
If no, describe field identified soils		

### **DOMINANT PLANTS:**

Red Maple (Acer rubrum)	Asiatic Bittersweet* (Celastrus orbiculatus)
Silky Dogwood (Cornus amomum)	Winterberry (Ilex verticillata)
Greenbrier (Smilax rotundifolia)	Bush Honeysuckles* (Lonicera spp.)
Bebb Willow (Salix bebbiana)	= = =

<sup>\*</sup> denotes Connecticut Invasive Species Council invasive plant species

### **GENERAL COMMENTS:**

APT understands that Message Center Management Inc. ("MCM") proposes to construct a wireless communications facility on an existing Connecticut Water Company property that is currently developed with a water tower. AT&T, Verizon Wireless and the Old Saybrook Police Department have antenna and equipment mounted to the water tower and ground equipment within an existing fenced compound. The water tower would be removed and a monopole tower would be constructed generally within the footprint of the water tower. During construction, a temporary ballasted monopole tower would be installed just beyond the northeast corner of the existing fenced compound so as not to interrupt AT&T's and Verizon Wireless' wireless communication services and the Old Saybrook Police Department's emergency communication services.

Wetland 1 is a small isolated depressional wetland located just north of the water tower fenced compound. This wetland was created by former excavation activities that intercepted the seasonal high groundwater table, creating the man-made wetland feature. Spoil piles from the former excavation generally surround the delineated edge of this wetland, separating it from a nearby forested wetland (Wetland 2) located along the north and east sides of the subject property.

The proposed temporary ballasted monopole tower would be located ±15 feet south of Wetland 1 at the nearest point (wetland flag WF 1-03); the fenced compound expansion to accommodate the temporary tower would be located ±9 feet south of Wetland 1. APT recommends erosion and sedimentation controls be installed and maintained during construction in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sedimentation Control. In addition, APT recommends a wetland protection plan be implemented during construction that includes contractor environmental awareness training and periodic environmental monitoring during construction to ensure no adverse impact to nearby wetlands occurs. This statement is based on APT's current understanding of the proposed development, which did not include a review of project site plans. Upon receipt of site plans, APT will review specifics of the facility layout and determine if the wetland impact analysis statement should be modified and/or if additional wetland protection measures should be implemented.

### **Wetland Delineation Field Form**

Wetland I.D.:	Wetla	nd 2				
Flag #'s:	WF 2-01 to 2-10					
Flag Location Method:	Site Sketch ⊠ GPS (sub-meter) located ⊠					
WETLAND HYDROLO	GY:					
NONTIDAL ⊠						
Intermittently Flooded		Artificially Flooded □		Permanently Flooded □		
Semipermanently Flood	ed 🗆	Seasonally Flooded □		Temporarily Flooded □		
Permanently Saturated [		Seasonally Saturated – seepage		Seasonally Saturated - perched ⊠		
Comments: None						
TIDAL □						
Subtidal		Regularly Flooded □		Irregularly Flooded □		
Irregularly Flooded				`		
Comments: None						
WETLAND TYPE:						
SYSTEM:						
Estuarine		Riverine	F	Palustrine ⊠		
Lacustrine		Marine				
Comments: None						
CLASS:						
Emergent		Scrub-shrub □	F	Forested 🗵		
Open Water □		Disturbed □		Wet Meadow □		
Comments: None						
WATERCOURSE TYP	E:					
Perennial		Intermittent	Г	Fidal □		
Watercourse Name: Non	ie					
Comments: None						

### **Wetland Delineation Field Form (Cont.)**

SPECIAL AQUATIC HABITA	BITAT	A	H	TIC	U	AO	AL	ECL	SP
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If no, describe field identified soils

Vernal Pool Yes □ No ⊠ Potential □	Other	
Vernal Pool Habitat Type: None		
Comments: None		
SOILS:		
Are field identified soils consistent with NRCS mapped soils?	Ves ⊠	No □

### **DOMINANT PLANTS:**

Red Maple (Acer rubrum)	Spicebush (Lindera benzoin)
Northern Arrow-wood (Viburnum recognitum)	Winterberry (Ilex verticillata)
Asiatic Bittersweet* (Celastrus orbiculatus)	Bush Honeysuckles* (Lonicera spp.)
Privet* (Ligustrum spp.)	Multiflora Rose* (Rosa multiflora)
Black Gum (Nyssa sylvatica)	

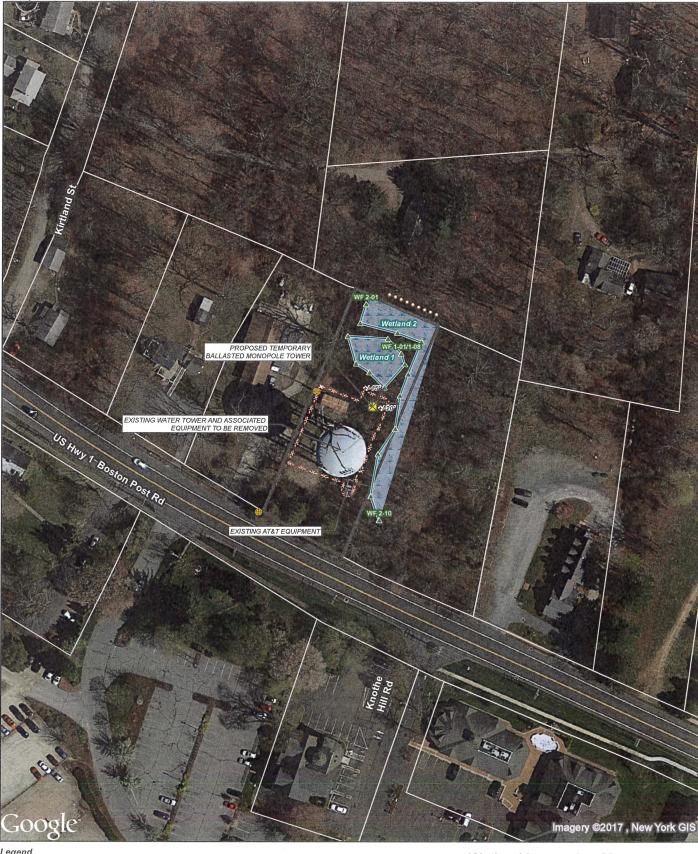
<sup>\*</sup> denotes Connecticut Invasive Species Council invasive plant species

### **GENERAL COMMENTS:**

APT understands that Message Center Management Inc. ("MCM") proposes to construct a wireless communications facility on an existing Connecticut Water Company property that is currently developed with a water tower. AT&T, Verizon Wireless and the Old Saybrook Police Department have antenna and equipment mounted to the water tower and ground equipment within an existing fenced compound. The water tower would be removed and a monopole tower would be constructed generally within the footprint of the water tower. During construction, a temporary ballasted monopole tower would be installed just beyond the northeast corner of the existing fenced compound so as not to interrupt AT&T's and Verizon Wireless' wireless communication services and the Old Saybrook Police Department's emergency communication services.

Wetland 2 is a forested wetland located along the north and east sides of the subject property. Wetland 2 drains via sheet flow to the north into a larger forested wetland system located off the subject property.

The proposed temporary ballasted monopole tower would be located ±20 feet west of Wetland 2 at the nearest point (wetland flag WF 2-06); the fenced compound expansion to accommodate the temporary tower would be located ±10 feet west of Wetland 2. APT recommends erosion and sedimentation controls be installed and maintained during construction in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sedimentation Control. In addition, APT recommends a wetland protection plan be implemented during construction that includes contractor environmental awareness training and periodic environmental monitoring during construction to ensure no adverse impact to nearby wetlands occurs. This statement is based on APT's current understanding of the proposed development, which did not include a review of project site plans. Upon receipt of site plans, APT will review specifics of the facility layout and determine if the wetland impact analysis statement should be modified and/or if additional wetland protection measures should be implemented.



### Legend

Proposed Temporary Ballasted Monopole Tower

Subject Property

Existing Fenced Compound

oooo Stone Wall

Distribution Pole

Map Notes: Bass Map Source: 2012 Aerial Photograph (CTECO) Map Scale:1 inch equals 100 feet Map Date: January 2017





Approximate Parcel Boundary (CTDEEP)



### Wetland Inspection Map

Proposed Wireless Telecommunications Facility Westbrook H2O 1542 Boston Post Road Westbrook, Connecticut







79 Elm Street • Hartford, CT 06106-5127

www.ct.gov/deep

Affirmative Action/Equal Opportunity Employer

January 1, 2019

Dean Gustafson All-Points Technology Corporation, P.C. 3 Saddlebrook Dr Killingworth, CT 06419 dgustafson@allpointstech.com

Project: Construct and Operate Wireless Telecommunications Facility on CT Water Company Land at 1542

Boston Post Road in Westbrook

NDDB Determination No.: 201815591

Dear Dean Gustafson,

I have reviewed Natural Diversity Data Base (NDDB) maps and files regarding the area delineated on the map provided for the proposed Construct and Operate Wireless Telecommunications Facility on CT Water Company Land at 1542 Boston Post Road in Westbrook, Connecticut. I do not anticipate negative impacts to State-listed species (RCSA Sec. 26-306) resulting from your proposed activity at the site based upon the information contained within the NDDB. The result of this review does not preclude the possibility that listed species may be encountered on site and that additional action may be necessary to remain in compliance with certain state permits. This determination is good for two years. Please re-submit a new NDDB Request for Review if the scope of work changes or if work has not begun on this project by January 1, 2021.

Natural Diversity Data Base information includes all information regarding critical biological resources available to us at the time of the request. This information is a compilation of data collected over the years by the Department of Energy and Environmental Protection's Natural History Survey and cooperating units of DEEP, private conservation groups and the scientific community. This information is not necessarily the result of comprehensive or site-specific field investigations. Consultations with the Data Base should not be substitutes for on-site surveys required for environmental assessments. Current research projects and new contributors continue to identify additional populations of species and locations of habitats of concern, as well as, enhance existing data. Such new information is incorporated into the Data Base as it becomes available.

Please contact me if you have further questions at (860) 424-3592, or <a href="mailto:dawn.mckay@ct.gov">dawn.mckay@ct.gov</a>. Thank you for consulting the Natural Diversity Data Base.

Sincerely,

Dawn M. McKay

Caun m. makay

Environmental Analyst 3



### **NLEB Streamlined Consultation**

via Facsimile (603) 223-0104

November 29, 2018

APT Project No.: CT534120

U.S. Fish and Wildlife Service New England Field Office 70 Commercial Street, Suite 300 Concord, NH 03301-5087

Attn: Thomas R. Chapman

Re: Proposed MCM Wireless
Westbrook H20 Tank CT Facility
1542 Boston Post Road
Westbrook, Middlesex County, CT
Lat: 41° 16′ 54.9197"
Long: 72° 26′ 14.9183"

Overall Height: 130-feet AGL

Dear Mr. Chapman,

On behalf of MCM Communications, LLC ("MCM"), All-Points Technology Corporation, P.C. ("APT") performed an evaluation with respect to possible federally-listed, threatened or endangered species to determine if the proposed referenced communications facility ("Facility") would result in a potential adverse effect to federally-listed species. This consultation was completed in accordance with the Federal Communications Commission ("FCC") rules implementing the National Environmental Policy Act ("NEPA") and Section 7 of the Endangered Species Act through the U.S. Fish and Wildlife Service's ("USFWS") Information, Planning, and Conservation System ("IPaC")¹ for a proposed Facility at the referenced Site.

### Northern Long-eared Bat

One federally-listed<sup>2</sup> threatened species is known to occur in the vicinity of the subject property documented as the northern long-eared bat ("NLEB"; *Myotis septentrionalis*). Northern long-eared bat's range encompasses the entire State of Connecticut. As a result of this preliminary finding, APT performed an evaluation to determine if the proposed referenced communications facility would result in a likely adverse effect to NLEB. This consultation framework allows federal agencies to rely upon the USFWS January 5, 2016, intra-Service Programmatic Biological Opinion ("BO") on the Final 4(d) Rule for the NLEB for section 7(a)(2) compliance by: (1) notifying the USFWS that an action agency will use the streamlined framework; (2) describing the project with sufficient detail to support the required determination; and (3) enabling the USFWS to track effects and determine if reinitiation of consultation is required per 50 CFR 402.16.

The proposed communications tower is located within an existing water tank compound that would result in minimal tree clearing. In addition, the project is not located near known NLEB hibernacula or maternity roost trees. Consultation with the Connecticut Department of Energy & Environmental Protection ("CTDEEP") Wildlife Division Natural Diversity Data Base ("NDDB") revealed that the proposed facility is not

<sup>&</sup>lt;sup>1</sup> IPaC Consultation Tracking Number: 05E1NE00-2018-SLI-0361, dated November 20, 2018

<sup>&</sup>lt;sup>2</sup> Listing under the federal Endangered Species Act

within 150 feet of a known occupied maternity roost tree and is not within 0.25 mile of a known NLEB hibernaculum. The nearest NLEB habitat resource to the proposed activity is located in North Branford  $\pm 17$  miles to the west. Therefore, the proposed project is not likely to adversely affect NLEB. Please find enclosed the completed USFWS's NLEB final 4(d) rule Streamlined Consultation Form provided in Attachment 1. In accordance with USFWS NLEB Streamlined Consultation review policy, no other attachments (site plans, map and/or site photos) are required.<sup>3</sup>

MCM understands that if the USFWS does not respond within 30 days from submittal of this form, we may presume that USFWS determination is informed by the best available information and that MCM's project responsibilities under 7(a)(2) with respect to the NLEB are fulfilled through the USFWS January 5, 2016, Programmatic BO.

MCM would consider following additional voluntary measures for NLEB conservation, noted below and as the project schedule allows.

- Conduct tree removal activities outside of the NLEB pup season (June 1-July 31) and active season (April 1-October 31) to minimize impacts to pups at roosts not yet identified.
- Avoid clearing suitable spring staging and fall swarming habitat within a five-mile radius of known or assumed NLEB hibernacula during the staging and swarming seasons (April 1-May 15 and August 15-November 14, respectively). NOT APPLICABLE.
- Maintain dead trees and large trees when possible.
- Use herbicides and pesticides only if unavoidable.
- Minimize exterior lighting, opting for down-shielded, motion-sensor security lights or other light minimization measures.

### **Migratory Bird Treaty Act**

In August 2016, the USFWS prepared its *Recommended Best Practices for Communication Tower Design, Siting, Construction, Operation, Maintenance, and Decommissioning*. These suggested best practices were developed to assist tower companies in developing their communication systems in a way which minimizes the risk to migratory birds and threatened and endangered species. The proposed facility would comply with the USFWS' recommended guidelines for reducing impacts to migratory birds as follows. The proposed facility would consist of a 130-foot monopole structure which requires neither guy wires nor lighting and is therefore consistent with USFWS' suggested tower design criteria: tower height is less than 200 feet above ground level; no guy wires; no tower lighting and on-ground security lighting will be down-shielded and motion-sensored. In addition, placement of the facility avoids wetlands, known bird concentration areas (closest Important Bird Area is  $\pm 0.3$  mile away – Menunketesuck and Duck Islands and surrounding tidal flats), rare species habitat (site is not located within a DEEP NDDB buffer area) and ridgelines, thereby minimizing environmental impacts that could affect migratory birds.

<sup>&</sup>lt;sup>3</sup> Personal communication with Maria Tur, USFWS New England Field Office, May 23, 2017.

MCM would consider following the USFWS' construction recommendations, noted below, as the project schedule allows.

- If construction activities should occur during the peak nesting period of April 15 through July 15<sup>4</sup>, efforts would be taken to complete tree clearing work prior to April 15.
- If tree clearing has not been completed by April 15, an avian survey may be conducted to determine if breeding birds would be disturbed.
- If the avian survey concludes that breeding birds would be disturbed, tree clearing activities may be restricted from the April 15 through July 15 peak nesting period (or a modified time frame based on the specific findings of the survey).

Therefore, the proposed construction activities are not anticipated to result in significant disturbance to breeding birds protected by the Migratory Bird Treaty Act ("MBTA").

Please feel free to contact me with any questions or requests for additional information by phone at (860) 663-1697 ext. 201 or via email at dgustafson@allpointstech.com.

Sincerely,

Dean Gustafson
Senior Biologist

Enclosure

<sup>&</sup>lt;sup>4</sup> USFWS identifies the peak avian nesting season as April 15 through July 15 and recommends clearing activities be performed before this period in order to comply with the Migratory Bird Treaty Act, personal communication with Maria Tur, USFWS New England Field Office, February 27, 2014.

### Attachment Northern Long-Eared Bat 4(d) Rule Streamlined Consultation Form

### Northern Long-Eared Bat 4(d) Rule Streamlined Consultation Form

Federal agencies should use this form for the optional streamlined consultation framework for the northern long-eared bat (NLEB). This framework allows federal agencies to rely upon the U.S. Fish and Wildlife Service's (USFWS) January 5, 2016, intra-Service Programmatic Biological Opinion (BO) on the final 4(d) rule for the NLEB for section 7(a)(2) compliance by: (1) notifying the USFWS that an action agency will use the streamlined framework; (2) describing the project with sufficient detail to support the required determination; and (3) enabling the USFWS to track effects and determine if reinitiating of consultation is required per 50 CFR 402.16.

This form is not necessary if an agency determines that a proposed action will have no effect to the NLEB or if the USFWS has concurred in writing with an agency's determination that a proposed action may affect, but is not likely to adversely affect the NLEB (i.e., the standard informal consultation process). Actions that may cause prohibited incidental take require separate formal consultation. Providing this information does not address section 7(a)(2) compliance for any other listed species.

Information to Determine 4(d) Rule Compliance:	YES	NO
1. Does the project occur wholly outside of the WNS Zone <sup>1</sup> ?		
2. Have you contacted the appropriate agency <sup>2</sup> to determine if your project is	s near 🗵	
known hibernacula or maternity roost trees?		
3. Could the project disturb hibernating NLEBs in a known hibernaculum?		$\boxtimes$
4. Could the project alter the entrance or interior environment of a known		$\boxtimes$
hibernaculum?		
5. Does the project remove any trees within 0.25 miles of a known hibernact	ulum at 🔲	$\boxtimes$
any time of year?		
6. Would the project cut or destroy known occupied maternity roost trees, or	r any	$\boxtimes$
other trees within a 150-foot radius from the maternity roost tree from Jun	ne 1	
through July 31.		

You are eligible to use this form if you have answered yes to question #1 or yes to question #2 and no to questions 3, 4, 5 and 6. The remainder of the form will be used by the USFWS to track our assumptions in the BO.

Agency and Applicant<sup>3</sup> MCM Communications LLC, 40 Woodland Street, Hartford, CT 06105.

Project Name: Westbrook H20 Tank CT Facility

Project Location: 1542 Boston Post Road, Westbrook, Middlesex County, CT

(Lat: 41° 16' 54.9197" Long: 72° 26' 14.9183")

Project IPaC SLI#: 05E1NE00-2019-SLI-0361

Basic Project Description: The Host Property is located along the north side of Boston Post Road (Route 1) and is currently developed with a ±122' tall water tower. Multiple cellular panel antennas are currently mounted to the water tower and various ground-mounted equipment shelters, platforms, electrical transformer and utility backboards are located near the base of the tower, all of which are enclosed within a chain link fenced compound. In addition, a temporary cellular tower (a ballasted monopole) is currently erected immediately southeast of the water tower. MCM proposes to construct and operate a wireless telecommunications facility (the "Facility") on the southern portion of the Host Property. The "Site" (which includes the location of a proposed permanent monopole tower) is located within the footprint of

<sup>&</sup>lt;sup>1</sup> http://www.fws.gov/midwest/endangered/mammals/nleb/pdf/WNSZone.pdf

<sup>&</sup>lt;sup>2</sup> See http://www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html

<sup>&</sup>lt;sup>3</sup> If applicable - only needed for federal actions with applicants (e.g., for a permit, etc.) who are party to the consultation.

the existing water tower. The existing water tower will be razed prior to construction of the new monopole by others (presumably by the Connecticut Water Company and/or its selected contractor) and that MCM will not be involved in any potential abatement activities, dismantling and removal, or disposal of materials associated with the structure and its appurtenances. Once the permanent monopole is constructed and operational that the temporary, the ballasted monopole will be removed from the Host Property.

YES NO **General Project Information** Does the project occur within 0.25 miles of a known hibernaculum? X Does the project occur within 150 feet of a known maternity roost tree?  $\boxtimes$ Does the project include forest conversion<sup>4</sup>? (if yes, report acreage below)  $\boxtimes$ Estimated total acres of forest conversion <0.1 ac. If known, estimated acres<sup>5</sup> of forest conversion from April 1 to October 31 <0.1 ac. If known, estimated acres of forest conversion from June 1 to July 31<sup>6</sup> <0.1 ac. Does the project include timber harvest? (if yes, report acreage below)  $\times$ Estimated total acres of timber harvest If known, estimated acres of timber harvest from April 1 to October 31 If known, estimated acres of timber harvest from June 1 to July 31 Does the project include prescribed fire? (if yes, report acreage below)  $\times$ Estimated total acres of prescribed fire If known, estimated acres of prescribed fire from April 1 to October 31 If known, estimated acres of prescribed fire from June 1 to July 31 Does the project install new wind turbines? (if yes, report capacity in MW below)  $\times$ Estimated wind capacity (MW)

### **Agency Determination:**

By signing this form, the action agency determines that this project may affect the NLEB, but that any resulting incidental take of the NLEB is not prohibited by the final 4(d) rule.

If the USFWS does not respond within 30 days from submittal of this form, the action agency may presume that its determination is informed by the best available information and that its project responsibilities under 7(a)(2) with respect to the NLEB are fulfilled through the USFWS January 5, 2016, Programmatic BO. The action agency will update this determination annually for multi-year activities.

The action agency understands that the USFWS presumes that all activities are implemented as described herein. The action agency will promptly report any departures from the described activities to the appropriate USFWS Field Office. The action agency will provide the appropriate USFWS Field Office with the results of any surveys conducted for the NLEB. Involved parties will promptly notify the appropriate USFWS Field Office upon finding a dead, injured, or sick NLEB.

Signature: Dean Mustapa Date Submitted: 11/29/18

Dean Gustafson, Senior Biologist, All-Points Technology Corp., P.C., Agent for MCM Communications, LLC

<sup>&</sup>lt;sup>4</sup> Any activity that temporarily or permanently removes suitable forested habitat, including, but not limited to, tree removal from development, energy production and transmission, mining, agriculture, etc. (see page 48 of the BO).

<sup>&</sup>lt;sup>5</sup> If the project removes less than 10 trees and the acreage is unknown, report the acreage as less than 0.1 acre.

<sup>&</sup>lt;sup>6</sup> If the activity includes tree clearing in June and July, also include those acreage in April to October.



Mail Processing Center Federal Aviation Administration Southwest Regional Office Obstruction Evaluation Group 10101 Hillwood Parkway Fort Worth, TX 76177

Issued Date: 08/16/2018

Virginia King MCM Communications, LLC 40 Woodland Street Hartford, CT 06105

### \*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\*

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:

Monopole Westbrook-Boston Post Rd

Location:

Westbrook, CT

Latitude:

41-16-54.92N NAD 83

Longitude:

72-26-14.92W

Heights:

48 feet site elevation (SE)

140 feet above ground level (AGL) 188 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/ lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 1.

This determination expires on 02/16/2020 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- extended, revised, or terminated by the issuing office. (b)
- the construction is subject to the licensing authority of the Federal Communications Commission (c) (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (817) 222-5922, or debbie.cardenas@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2018-ANE-4747-OE.

Signature Control No: 371885101-373019536

(DNE)

Debbie Cardenas Technician

Attachment(s) Frequency Data

cc: FCC

### Frequency Data for ASN 2018-ANE-4747-OE

LOW	HIGH	FREQUENCY		ERP	
FREQUENCY	FREQUENCY	UNIT	ERP	UNIT	
6	7	GHz	55	dBW	
6	7	GHz	42	dBW	
10	11.7	GHz	55	dBW	
10	11.7	GHz	42	dBW	
17.7	19.7	GHz	55	dBW	
17.7	19.7	GHz	42	dBW	
21.2	23.6	GHz	55	dBW	
21.2	23.6	GHz	42	dBW	
614	698	MHz	1000	W	
614	698	MHz	2000	W	
698	806	MHz	1000	W	
806	901	MHz	500	W	
806	824	MHz	500	W	
824	849	MHz	500	W	
851	866	MHz	500	W	
869	894	MHz	500	W	
896	901	MHz	500	W	
901	902	MHz	7	W	
929	932	MHz	3500	W	
930	931	MHz	3500	W	
931	932	MHz	3500	W	
932	932.5	MHz	17	dBW	
935	940	MHz	1000	W	
940	941	MHz	3500	W	
1670	1675	MHz	500	W	
1710	1755	MHz	500	W	
1850	1910	MHz	1640	W	
1850	1990	MHz	1640	W	
1930	1990	MHz	1640	W	
1990	2025	MHz	500	W	
2110	2200	MHz	500	W	
2305	2360	MHz	2000	W	
2305	2310	MHz	2000	W	
2345	2360	MHz	2000	W	
2496	2690	MHz	500	W	

### **FAA 1-A SURVEY CERTIFICATION**

Signature / Seal

Applicant: MCM COMMUNICATIONS, LLC P.O. BOX 320361 HARTFORD, CT. 06132 Site Name: WESTBROOK H2O Site Address: 1542 BOSTON POST ROAD WESTBROOK, CT 06498 Horizontal Datum: NAD 1983 Vertical Datum: NAVD 1988 (AMSL) Structure Type: PROPOSED ANTENNAS ON MONOPOLE Latitude: 41-16'-54.9197" N Longitude 72-26'-14.9183" W Ground Elevation: AMSL ELEVATION 48' +/-Top of Monopole: AMSL ELEVATION 178' +/-Centerline of Highest Proposed Antennas: AMSL ELEVATION 174'+/-Certification: I certify that the latitude of 41-16'-54.9197" N and the Longitude of 72-26'-14.9183" W are accurate to within 20' horizontally. And that the following elevations are accurate to within 3 feet vertically. The existing ground height is 48' AMSL, the proposed monopole height is 130' AGL / 178' AMSL, the Centerline of Highest Proposed Antennas height is 126' AGL / 174' AMSL. The horizontal datum (coordinates) are in the terms of the North American Datum of 1983 (NAD 83) and are expressed in degrees, minutes and seconds to the nearest ten thousandth of a second. The vertical datum (heights) are in terms of the North American Vertical Datum of 1988 and are determined to the nearest foot. Company: Gesick & Associat Surveyor



### Construction Timeline 1542 Boston Post Road Westbrook, CT

Activity	Week1	Week2	Week3	Week4	Week5	Week6	Week7	Week8
Excavation								A STATE OF THE STA
Soil Removal				-				
Foundation			X		university of the second secon			
Back Filling	Non-constitution of the constitution of the co		And the second s					
Monopole Erection				TO THE PARTY OF TH	And the second state of statements and second statements and second			
Level/Gravel Grade								
Fencing								



### **Estimated Construction Costs** 1542 Boston Post Road Westbrook, CT

Excavation/Foundation	\$130,000.00
Structure	\$ 75,000.00
Structure Erection	\$ 25,000.00
Utilities	(Utils Already on Site)
Grounding	\$ 3,000.00
Level/Fabric/Gravel	\$ 5,000.00
Fencing	\$ 10,000.00
Landscaping	\$ 17,000.00
	\$265,000.00



## PRELIMINARY HISTORIC RESOURCES DETERMINATION

March 12, 2019

MCM Holdings, LLC 40 Woodland Street Hartford, CT 06105 **APT Project No.: CT524120** 

Re: Proposed Replacement Facility
Westbrook, Connecticut

MCM Holdings, LLC ("MCM") proposes to construct a permanent telecommunications Facility to replace its temporary ballast-mounted tower located at 1542 Boston Post Road in Westbrook, Connecticut. Two potential locations are in consideration, including: Candidate Site A, on the 1542 Boston Post Road property; and, Candidate Site B, on a nearby parcel to the northeast at the end of Kirtland Street.

On behalf of MCM All-Points Technology Corporation, P.C. ("APT") performed an evaluation with respect to the proposed Facility's potential impacts on historic resources proximate to the referenced project site.

The results of our independent review of sites listed, or eligible for listing, on the National Register of Historic Places ("NRHP") reveals that the east end of the Westbrook Town Center Historic District is located within one-half mile of the site.<sup>1</sup> An historic resource screening map is provided as an attachment.

As part of MCM's due diligence for compliance with the National Environmental Policy Act ("NEPA"), APT is currently coordinating with the State Historic Preservation Office ("SHPO") to determine whether the agency has a preference for either of the proposed Candidate Site locations.

MCM will update the Siting Council once SHPO has provided a response.

Sincerely,

Michael Libertine,

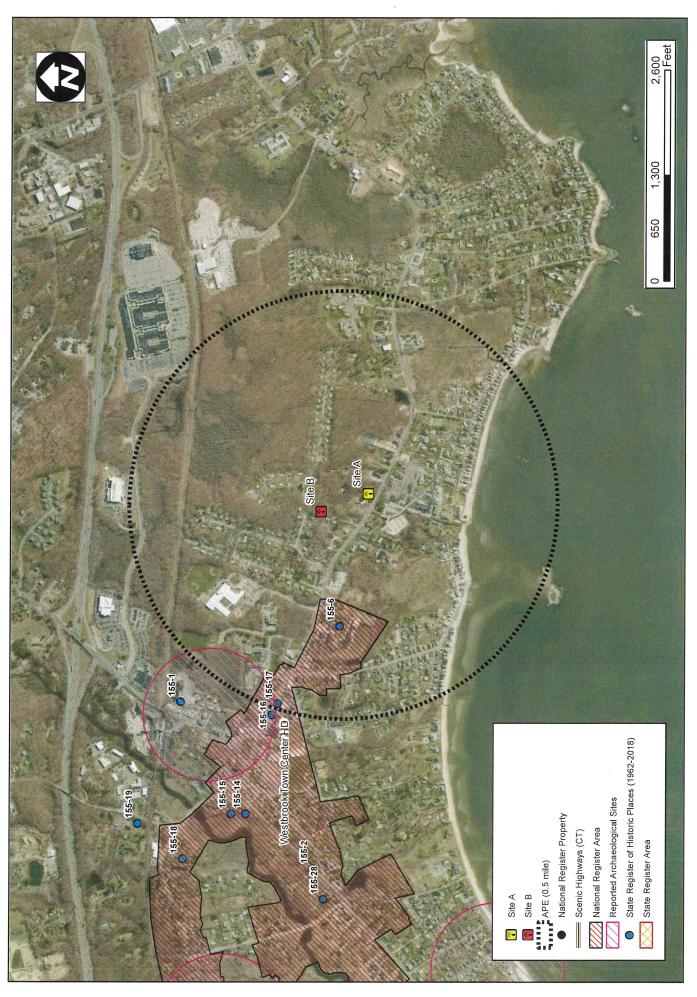
Director of Siting and Permitting

Michael Libertine

**Attachments** 

<sup>&</sup>lt;sup>1</sup> For towers under 200 feet tall, the Area of Potential Effect ("APE") has been established at 0.5 mile. This distance represents the APE established cooperatively by the Federal Communications Commission, Advisory Council on Historic Preservation and the National Conference of State Historic Preservation Officers.

## Historic Resource Screening Map



Historic Resources Screen Westbrook Watertank Replacement Wireless Telecommunications Facility

## Tab B

#### **ATTACHMENT 6.B**

Site B: Kirtland, Westbrook, CT

#### **ATTACHMENT 6.B**

Site B: Kirtland, Westbrook, CT



#### **Site Impact Statement**

Site:

Westbrook CT Kirtland Street

Site Address:

**Kirtland Street** 

Westbrook, CT 06498

#### Access distances:

Distance of existing bituminous roadway (390'+/-) and proposed gravel driveway (70'+/-).

#### Distance to Nearest Wetlands

267'+/- east of the proposed compound.

#### **Distance to Property Lines:**

38'+/- to the northern property boundary from the tower 258'+/- to the southern property boundary from the tower 216'+/- to the eastern property boundary from the tower 35'+/- to the western property boundary from the tower

5'+/- to the northern property boundary from the existing compound 235'+/- to the southern property boundary from the existing compound 181'+/- to the eastern property boundary from the existing compound 5'+/- to the western property boundary from the existing compound

#### Residence Information:

There are 157 single family residences within 1,000' feet of the compound. The closest off site residence is approximately 65 feet to the southeast and is located at Parcel 177/121 (37 Kirtland Street).

#### Special Building Information:

There are existing wetlands located off site east of the proposed compound, approximately 267' from the proposed compound.

#### Tree Removal Count:

10 trees are going to be removed for the installation of the proposed compound.

6" - 10"dbh

1 tree

10" - 14"dbh

0 trees

14" or greater dbh

9 trees

**Cut/Fill:** Sitework entails 67 CY of fill; the site improvements shall entail approximately 100 CY of cut for utility trenching. The compound and access driveway will import approximately 170 CY of clean broken stone.

Clearing/Grading Necessary: Total area of disturbance = 5,410 SF



#### **Tree Inventory**

August 30, 2018

Cuddy & Feder, LLP Attn: Daniel Laub, Esq. 445 Hamilton Avenue 14<sup>th</sup> Floor White Plains, NY 10601

RE:

Tree Inventory

Site: Westbrook CT Kirtland Street

Kirtland Street

Westbrook, CT 06498

#### Dear Attorney Laub:

A Tree Inventory was completed at the subject site on June 21, 2018 to determine the size and quantity of existing trees that will need to be removed for the installation of the proposed facility. The proposed site has suitable access, but clearing and earthwork will be required to improve the access route and to construct the compound area. Installation of the proposed compound area improvements will require the removal of 10 trees.

6" – 10" dbh – 1 tree 10" – 14"dbh – 0 trees 14" or greater dbh – 9 trees

The area to be disturbed for construction of the compound area will be approximately 3,000 square feet of existing brush/wooded area. The area to be cleared is located on the interior of the site. An existing onsite road will be extended to connect to the proposed compound. The total combined area of disturbance for compound, access drive, and utility improvements is 5,410 sf.

Sincerely,

ALL-POINTS TECHNOLOGY CORPORATION, P.C.

Robert C. Burns, P.E. Project Manager

## MCM COMMUNICATIONS, LLC WESTBROOK CT H2O TANK (KIRTLAND STREET PROPERTY) 1,000' RESIDENTIAL BUILDING LIST

(Information gathered from Town of Westbrook Online Assessor MapGeo Database)

PARCEL ID	STREET ADDRESS	BUILDING TYPE	BUILDING DISTANCE FROM COMPOUND (ft)
177/034	3 WESTBROOK HTS RD	Multi Family	950 +/-
177/035	13 WESTBROOK HTS RD	Single Family	940 +/-
177/036	25 WESTBROOK HTS RD	Single Family	930 +/-
177/037	33 WESTBROOK HTS RD	Single Family	920 +/-
177/038	45 WESTBROOK HTS RD	Single Family	920 +/-
177/039	51 WESTBROOK HTS RD	Single Family	925 +/-
177/040	59 WESTBROOK HTS RD	Single Family	940 +/-
177/041	67 WESTBROOK HTS RD	Single Family	955 +/-
177/041	73 WESTBROOK HTS RD		
177/043	87 WESTBROOK HTS RD	Single Family	975 +/-
177/043		Single Family	1070 +/-
	87 WESTBROOK HTS RD	Single Family	1025 +/-
177/064	106 WESTBROOK HTS RD	Single Family	940 +/-
177/065	96 WESTBROOK HTS RD	Single Family	900 +/-
177/066	90 WESTBROOK HTS RD	Single Family	950 +/-
177/067	84 WESTBROOK HTS RD	Single Family	865 +/-
177/068	74 WESTBROOK HTS RD	Single Family	830 +/-
177/069	66 WESTBROOK HTS RD	Single Family	800 +/-
177/070	52 WESTBROOK HTS RD	Single Family	770 +/-
177/071	44 WESTBROOK HTS RD	Single Family	770 +/-
177/072	36 WESTBROOK HTS RD	Single Family	765 +/-
177/073	16 WESTBROOK HTS RD	Single Family	775 +/-
177/074	16 WESTBROOK HTS RD	Single Family	775 +/-
177/077	31 FAWN HILL DR	Single Family	605 +/-
177/078	49 FAWN HILL DR	Single Family	560+/-
177/079	59 FAWN HILL DR	Single Family	580 +/-
177/080	71 FAWN HILL DR	Single Family	630 +/-
177/081	79 FAWN HILL DR	Single Family	690 +/-
177/082	89 FAWN HILL DR	Single Family	750 +/-
177/083	101 FAWN HILL DR	Single Family	840 +/-
177/084	21 OAK VALE RD	Single Family	930 +/-
177/096	130 FAWN HILL DR	Single Family	1025 +/-
177/097	122 FAWN HILL DR	Single Family	950 +/-
177/099	112 FAWN HILL DR	Single Family	855 +/-
177/100	102 FAWN HILL DR	Single Family	775 +/-
177/101	94 FAWN HILL DR	Single Family	715 +/-
177/102	88 FAWN HILL DR	Single Family	640 +/-
177/103	80 FAWN HILL DR	Single Family	585 +/-
177/104	72 FAWN HILL DR	Single Family	530 +/-
177/105	64 FAWN HILL DR	Single Family	480 +/-
177/106	6 MAPLE RIDGE RD	Single Family	405 +/-
177/107	20 MAPLE RIDGE RD	Single Family	310 +/-
177/108	28 MAPLE RIDGE RD	Single Family	260 +/-
177/109	36 MAPLE RIDGE RD	Single Family	215 +/-
177/110	44 MAPLE RIDGE RD	Single Family Single Family	210 +/-
177/111	39 MAPLE RIDGE RD	Single Family	70 +/-
177/112	31 MAPLE RIDGE RD		
177/113	19 MAPLE RIDGE RD	Single Family	150 +/-
-		Single Family	260 +/-
177/114	9 MAPLE RIDGE RD	Single Family	340 +/-
177/115	38 FAWN HILL DR	Single Family	450 +/-
177/116	14 FAWN HILL DR	Single Family	520 +/-

177/117	1444 BOSTON POST RD	Single Family	555 +/-
177/118	1452 BOSTON POST RD	Single Family	460 +/-
177/119	1462 BOSTON POST RD	Single Family	370 +/-
177/120	27 KIRTLAND ST	Single Family	150 +/-
177/121	37 KIRTLAND ST	Single Family	65 +/-
177/123-01	41 STONE HEDGE RD EXT	Single Family	110 +/-
177/123	41 STONE HEDGE RD EXT	Single Family	110 +/-
177/124-01	51 STONE HEDGE RD EXT	Single Family	685 +/-
177/124	51 STONE HEDGE RD EXT	Single Family	685 +/-
177/125-01	53 STONE HEDGE RD EXT	Single Family	475 +/-
177/125	53 STONE HEDGE RD EXT	Single Family	475 +/-
177/126-01	55 STONE HEDGE RD EXT	Single Family	710 +/-
177/126	55 STONE HEDGE RD EXT	Single Family	710 +/-
177/127-01	54 STONE HEDGE RD EXT	Single Family	845 +/-
177/127	54 STONE HEDGE RD EXT	Single Family	845 +/-
178/008-01	25 STONE HEDGE RD	Single Family	975 +/-
178/008	25 STONE HEDGE RD	Single Family	975 +/-
178/009-01	27 STONE HEDGE RD	Single Family	905 +/-
178/009-01	27 STONE HEDGE RD	Single Family Single Family	905 +/-
178/010-01	29 STONE HEDGE RD	Single Family Single Family	905 +/- 825 +/-
178/010	29 STONE HEDGE RD		825 +/-
178/011-01	31 STONE HEDGE RD	Single Family	745 +/-
178/011	31 STONE HEDGE RD	Single Family	
178/012-01	33 STONE HEDGE RD	Single Family	745 +/-
178/012-01		Single Family	660 +/-
178/013-01	33 STONE HEDGE RD	Single Family	660 +/-
THE RESERVE THE PARTY OF THE PA	35 STONE HEDGE RD	Single Family	585 +/-
178/013	35 STONE HEDGE RD	Single Family	585 +/-
178/014-01	37 STONE HEDGE RD EXT	Single Family	330 +/-
178/014	37 STONE HEDGE RD EXT	Single Family	330 +/-
178/015-01	39 STONE HEDGE RD EXT	Single Family	300 +/-
178/015	39 STONE HEDGE RD EXT	Single Family	300 +/-
178/016-01	43 STONE HEDGE RD EXT	Single Family	360 +/-
178/016	43 STONE HEDGE RD EXT	Single Family	360 +/-
178/017-01	45 STONE HEDGE RD EXT	Single Family	445 +/-
178/017	45 STONE HEDGE RD EXT	Single Family	445 +/-
178/018-01	47 STONE HEDGE RD EXT	Single Family	530 +/-
178/018	47 STONE HEDGE RD EXT	Single Family	530 +/-
178/019-01	49 STONE HEDGE RD EXT	Single Family	615 +/-
178/019	49 STONE HEDGE RD EXT	Single Family	615 +/-
178/020-01	52 STONE HEDGE RD EXT	Single Family	800 +/-
178/020	52 STONE HEDGE RD EXT	Single Family	800 +/-
178/021-01	50 STONE HEDGE RD EXT	Single Family	750 +/-
178/021	50 STONE HEDGE RD EXT	Single Family	750 +/-
178/022-01	48 STONE HEDGE RD EXT	Single Family	685 +/-
178/022	48 STONE HEDGE RD EXT	Single Family	685 +/-
178/023-01	46 STONE HEDGE RD EXT	Single Family	605 +/-
178/023	46 STONE HEDGE RD EXT	Single Family	605 +/-
178/024-01	44 STONE HEDGE RD EXT	Single Family	520 +/-
178/024	44 STONE HEDGE RD EXT	Single Family	520 +/-
178/025-01	40 STONE HEDGE RD EXT	Single Family	460 +/-
178/025	40 STONE HEDGE RD EXT	Single Family	460 +/-
178/026-01	36 STONE HEDGE RD EXT	Single Family	455 +/-
178/026	36 STONE HEDGE RD EXT	Single Family	455 +/-
178/027-01	34 STONE HEDGE RD	Single Family	595 +/-
178/027	34 STONE HEDGE RD	Single Family	595 +/-
178/028-01	32 STONE HEDGE RD	Single Family	670 +/-
178/028	32 STONE HEDGE RD	Single Family	670 +/-
178/029-01	30 STONE HEDGE RD	Single Family	750 +/-

178/029	30 STONE HEDGE RD	Single Family	750 +/-
178/030-01	28 STONE HEDGE RD	Single Family	830 +/-
178/030	28 STONE HEDGE RD	Single Family	830 +/-
178/031-01	26 STONE HEDGE RD	Single Family	905 +/-
178/031	26 STONE HEDGE RD	Single Family	905 +/-
178/032-01	24 STONE HEDGE RD	Single Family	985 +/-
178/032	24 STONE HEDGE RD	Single Family	985 +/-
181/002	26 KIRTLAND ST	Single Family	360 +/-
181/003	32 KIRTLAND ST	Single Family	455 +/-
181/007	1594 BOSTON POST RD	Single Family	980 +/-
181/185	1589 BOSTON POST RD	Single Family	1,060 +/-
182/001	1470 BOSTON POST RD	Multi Family	295 +/-
182/004	1506 BOSTON POST RD	Single Family	390 +/-
182/013	1509 BOSTON POST RD	Multi Family	545 +/-
182/046	1493 BOSTON POST RD	Single Family	495 +/-
182/047	22 ECONOMY DR	Single Family	675 +/-
182/048	30 ECONOMY DR	Single Family	760 +/-
182/049	38 ECONOMY DR	Single Family	835 +/-
182/050	50 ECONOMY DR	Single Family	920 +/-
182/051	58 ECONOMY DR	Single Family	1,030 +/-
182/052	49 ECONOMY DR	Single Family	970 +/-
182/053	41 ECONOMY DR	Single Family	925 +/-
182/054	37 ECONOMY DR	Single Family	870 +/-
182/056-01	15 ECONOMY DR #1	Condominium	600 +/-
182/056-02	15 ECONOMY DR #2	Condominium	600 +/-
182/056-03	15 ECONOMY DR #3	Condominium	600 +/-
182/056-04	15 ECONOMY DR #4	Condominium	600 +/-
182/056-05	15 ECONOMY DR #5	Condominium	600 +/-
182/056-06	15 ECONOMY DR #6	Condominium	600 +/-
182/056-07	15 ECONOMY DR #7	Condominium	600 +/-
182/056-08	15 ECONOMY DR #8	Condominium	600 +/-
182/056-09	15 ECONOMY DR #9	Condominium	600 +/-
182/056-10	15 ECONOMY DR #10	Condominium	600 +/-
182/056-11	1469 BOSTON POST RD #11	Condominium	535 +/-
182/056-12	1469 BOSTON POST RD #12	Condominium	535 +/-
182/056-13	1469 BOSTON POST RD #13	Condominium	535 +/-
182/056-14	1469 BOSTON POST RD #14	Condominium	535 +/-
182/056-15	1469 BOSTON POST RD #15	Condominium	535 +/-
182/056-16	1469 BOSTON POST RD #16	Condominium	535 +/-
182/056-17	1469 BOSTON POST RD #17	Condominium	535 +/-
182/056-18	1469 BOSTON POST RD #18	Condominium	535 +/-
182/056-19	1469 BOSTON POST RD #19	Condominium	535 +/-
182/056-20	1449 BOSTON POST RD #20	Condominium	595 +/-
182/056-21	1449 BOSTON POST RD #21	Condominium	595 +/-
182/056-22	1449 BOSTON POST RD #22	Condominium	595 +/-
182/056-23	1449 BOSTON POST RD #23	Condominium	595 +/-
182/056-24	1449 BOSTON POST RD #24	Condominium	595 +/-
182/056-25	1449 BOSTON POST RD #25	Condominium	595 +/-
182/056-CDM	BOSTON POST RD	Condominium	535 +/-
1021000-00111	DOOTONTOOTNO		000 17-



#### WETLAND INSPECTION

June 20, 2018

APT Project No.: CT524120

Prepared For:

MCM Communications, LLC

40 Woodland Street Hartford, CT 06105

Wireless Site Name:

Westbrook H20 - Dattilo Parcel

Site Address:

Kirtland Street, Westbrook, Connecticut

Date(s) of Investigation:

6/3/2018

**Field Conditions:** 

Weather: sunny, high 60's Soil Moisture: dry to moist

Wetland/Watercourse Delineation Methodology\*:

□ Connecticut Inland Wetlands and Watercourses

☐ Connecticut Tidal Wetlands
☐ Massachusetts Wetlands
☐ U.S. Army Corps of Engineers

Municipal Upland Review Area/Buffer Zone:

Wetlands: 100 feet Watercourses: 100 feet

The wetlands inspection was performed by<sup>†</sup>:

Dean Gustafson, Professional Soil Scientist

Dean Yustapson

Enclosures: Wetland Delineation Field Form & Wetland Inspection Map

This report is provided as a brief summary of findings from APT's wetland investigation of the referenced Study Area that consists of proposed development activities and areas generally within 200 feet.<sup>‡</sup> If applicable, APT is available to provide a more comprehensive wetland impact analysis upon receipt of site plans depicting the proposed development activities and surveyed location of identified wetland and watercourse resources.

 $<sup>^</sup>st$  Wetlands and watercourses were delineated in accordance with applicable local, state and federal statutes, regulations and guidance.

<sup>†</sup> All established wetlands boundary lines are subject to change until officially adopted by local, state, or federal regulatory agencies.

<sup>&</sup>lt;sup>‡</sup> APT has relied upon the accuracy of information provided by MCM Communications, LLC and its contractors regarding proposed lease area and access road/utility easement locations for identifying wetlands and watercourses within the study area.

#### **Attachments**

- Wetland Delineation Field Form
- Wetland Inspection Map

#### **Wetland Delineation Field Form**

Wetland I.D.:	Wetland 1					
Flag #'s:	WF 1-01 to 1-10					
Flag Location Method:	Site Sketch ⊠ GPS (sub-meter) located ⊠					
WETLAND HYDROLO	GV.					
	, JI,					
NONTIDAL 🛛						
Intermittently Flooded		Artificially Flooded □		Permanently Flooded □		
Semipermanently Floods	ed 🗆	Seasonally Flooded ⊠		Temporarily Flooded □		
Permanently Saturated [		Seasonally Saturated - seepage		Seasonally Saturated - perched ⊠		
Comments: None				-		
TIDAL 🗆						
Subtidal		Regularly Flooded □		Irregularly Flooded □		
Irregularly Flooded						
Comments: None						
WETLAND TYPE:						
SYSTEM:						
Estuarine		Riverine	I	Palustrine 🗵		
Lacustrine		Marine □				
Comments: None		4				
CLASS:						
Emergent		Scrub-shrub □	I	Forested 🗵		
Open Water □				Wet Meadow □		
Comments: None						
WATERCOURSE TYPI	F.•					
Perennial	Ľ·	Intermittent		Γidal □		
Watercourse Name: Non	ne					
Comments: None						

#### **Wetland Delineation Field Form (Cont.)**

#### SPECIAL AQUATIC HABITAT:

Vernal Pool Yes □ No ☒ Potential □	Other	
Vernal Pool Habitat Type: None		
Comments: Feature does retain small pools of shallow inundation for	r short hydroperiods.	Inundation depths

Comments: Feature does retain small pools of shallow inundation for short hydroperiods. Inundation depths observed during the 06/03/18 inspection were less than 3". It should be noted that a  $\pm 2$ " precipitation event occurred on 06/02/18. No amphibians or obligate vernal pool species (egg masses or tadpoles/larvae) observed during 06/03/18 inspection within any of the shallow pools. However, one adult wood frog was observed near wetland flag WF 1-01. There are large forested wetland systems located  $\pm 1,200-1,500$ ' to the northeast and east of Wetland 1 which may potentially support vernal pool breeding habitat. Wetland 1 does not appear to support vernal pool habitat due to the shallow inundation depths and short hydroperiod.

#### SOILS:

Are field identified soils consistent with NRCS mapped soils?	Yes ⊠	No □
If no, describe field identified soils		

#### **DOMINANT PLANTS:**

Red Maple (Acer rubrum)	Tussock Sedge (Carex stricta)
Spicebush (Lindera benzoin)	Royal Fern (Osmunda regalis)
Ironwood (Carpinus caroliniana)	Jack-in-the-Pulpit (Arisaema triphyllum)
Skunk Cabbage (Symplocarpus foetidus)	Northern Arrow-wood (Viburnum recognitum)
Sweet Pepperbush (Clethera alnifolia)	Greenbrier (Smilax rotundifolia)

<sup>\*</sup> denotes Connecticut Invasive Species Council invasive plant species

#### **GENERAL COMMENTS:**

APT understands that MCM Communications, LLC ("MCM") proposes to construct a wireless communications facility ("Facility") on an existing Connecticut Water Company property that is currently developed with a water tower. The Dattilo parcel located off Kirtland Street is a possible alternate site for siting the proposed facility.

No wetlands or watercourses are located on the Dattilo parcel. The nearest wetland, identified as Wetland 1 for descriptive purposes, is located on an adjoining parcel also owned by Dattilo. Wetland 1 is a small depressional forested wetland located just west of a couple of barns located on an adjacent parcel. The wetland drains to the north into a drainage ditch located just off the north parcel boundary which directs flows to the east towards the edge of Stone Hedge Road.

The proposed Facility would be located ±269 feet west of Wetland 1 at the nearest point (wetland flag WF 1-03). Provided erosion and sedimentation controls are installed and maintained during construction in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sedimentation Control, no adverse impact to this wetland would result from the proposed development activities. This statement is based on APT's current understanding of the proposed project activities as exhibited on the attached map.



Proposed Monopole Tower Proposed Telecommunications Compound Subject Property Proposed Equipment

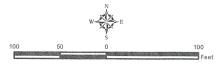
==== Proposed Conduit

Proposed Gravel Surface

Wetland Flag

Approximate Wetland Area Delineated Wetland Boundary

Map Notes: Base Map Source: 2016 Aerial Photograph (CTECO) Map Scale: 1 inch = 100 feet Map Date: June 2018



Approximate Parcel Boundary (CTDEEP)

Proposed Wireless Telecommunications Facility Westbrook H20 Kirkland Street Westbrook, Connecticut







79 Elm Street • Hartford, CT 06106-5127

www.ct.gov/deep

Affirmative Action/Equal Opportunity Employer

January 1, 2019

Dean Gustafson All-Points Technology Corporation, P.C. 3 Saddlebrook Dr Killingworth, CT 06419 dgustafson@allpointstech.com

Project: Construct and Operate a Wireless Telecommunications Facility for MCM on Map 177 (Lot 122 with Access from Kirtland Street) in Westbrook NDDB Determination No.: 201815589

Dear Dean Gustafson,

I have reviewed Natural Diversity Data Base (NDDB) maps and files regarding the area delineated on the map provided for the proposed Construct and Operate a Wireless Telecommunications Facility for MCM on Map 177 (Lot 122 with Access from Kirtland Street) in Westbrook, Connecticut. I do not anticipate negative impacts to State-listed species (RCSA Sec. 26-306) resulting from your proposed activity at the site based upon the information contained within the NDDB. The result of this review does not preclude the possibility that listed species may be encountered on site and that additional action may be necessary to remain in compliance with certain state permits. This determination is good for two years. Please re-submit a new NDDB Request for Review if the scope of work changes or if work has not begun on this project by January 1, 2021.

Natural Diversity Data Base information includes all information regarding critical biological resources available to us at the time of the request. This information is a compilation of data collected over the years by the Department of Energy and Environmental Protection's Natural History Survey and cooperating units of DEEP, private conservation groups and the scientific community. This information is not necessarily the result of comprehensive or site-specific field investigations. Consultations with the Data Base should not be substitutes for on-site surveys required for environmental assessments. Current research projects and new contributors continue to identify additional populations of species and locations of habitats of concern, as well as, enhance existing data. Such new information is incorporated into the Data Base as it becomes available.

Please contact me if you have further questions at (860) 424-3592, or <a href="mailto:dawn.mckay@ct.gov">dawn.mckay@ct.gov</a>. Thank you for consulting the Natural Diversity Data Base.

Sincerely,

Dawn M. McKay

Coun m. mola

Environmental Analyst 3



#### **NLEB Streamlined Consultation**

via Facsimile (603) 223-0104

November 29, 2018

APT Project No.: CT534120

U.S. Fish and Wildlife Service New England Field Office 70 Commercial Street, Suite 300 Concord, NH 03301-5087

Attn: Thomas R. Chapman

Re: Proposed MCM Wireless
Westbrook CT Facility
Kirtland Street
Westbrook, Middlesex County, CT
Lat: 41° 17′ 00.4568″
Long: 72° 26′ 17.3704″

Overall Height: 130-feet AGL

Dear Mr. Chapman,

On behalf of MCM Communications, LLC ("MCM"), All-Points Technology Corporation, P.C. ("APT") performed an evaluation with respect to possible federally-listed, threatened or endangered species to determine if the proposed referenced communications facility ("Facility") would result in a potential adverse effect to federally-listed species. This consultation was completed in accordance with the Federal Communications Commission ("FCC") rules implementing the National Environmental Policy Act ("NEPA") and Section 7 of the Endangered Species Act through the U.S. Fish and Wildlife Service's ("USFWS") Information, Planning, and Conservation System ("IPaC")<sup>1</sup> for a proposed Facility at the referenced Site.

#### Northern Long-eared Bat

One federally-listed<sup>2</sup> threatened species is known to occur in the vicinity of the subject property documented as the northern long-eared bat ("NLEB"; *Myotis septentrionalis*). Northern long-eared bat's range encompasses the entire State of Connecticut. As a result of this preliminary finding, APT performed an evaluation to determine if the proposed referenced communications facility would result in a likely adverse effect to NLEB. This consultation framework allows federal agencies to rely upon the USFWS January 5, 2016, intra-Service Programmatic Biological Opinion ("BO") on the Final 4(d) Rule for the NLEB for section 7(a)(2) compliance by: (1) notifying the USFWS that an action agency will use the streamlined framework; (2) describing the project with sufficient detail to support the required determination; and (3) enabling the USFWS to track effects and determine if reinitiation of consultation is required per 50 CFR 402.16.

The proposed communications tower is located within an undeveloped residential parcel that has been partially cleared, requiring only minimal tree clearing to accommodate the proposed development. In addition, the project is not located near known NLEB hibernacula or maternity roost trees. Consultation with the Connecticut Department of Energy & Environmental Protection ("CTDEEP") Wildlife Division Natural

<sup>&</sup>lt;sup>1</sup> IPaC Consultation Tracking Number: 05E1NE00-2018-SLI-0360, dated November 20, 2018

<sup>&</sup>lt;sup>2</sup> Listing under the federal Endangered Species Act

Diversity Data Base ("NDDB") revealed that the proposed facility is not within 150 feet of a known occupied maternity roost tree and is not within 0.25 mile of a known NLEB hibernaculum. The nearest NLEB habitat resource to the proposed activity is located in North Branford  $\pm 17$  miles to the west. Therefore, the proposed project is not likely to adversely affect NLEB. Please find enclosed the completed USFWS's NLEB final 4(d) rule Streamlined Consultation Form provided in Attachment 1. In accordance with USFWS NLEB Streamlined Consultation review policy, no other attachments (site plans, map and/or site photos) are required.<sup>3</sup>

MCM understands that if the USFWS does not respond within 30 days from submittal of this form, we may presume that USFWS determination is informed by the best available information and that MCM's project responsibilities under 7(a)(2) with respect to the NLEB are fulfilled through the USFWS January 5, 2016, Programmatic BO.

MCM would consider following additional voluntary measures for NLEB conservation, noted below and as the project schedule allows.

- Conduct tree removal activities outside of the NLEB pup season (June 1-July 31) and active season (April 1-October 31) to minimize impacts to pups at roosts not yet identified.
- Avoid clearing suitable spring staging and fall swarming habitat within a five-mile radius of known or assumed NLEB hibernacula during the staging and swarming seasons (April 1-May 15 and August 15-November 14, respectively). NOT APPLICABLE.
- Maintain dead trees and large trees when possible.
- Use herbicides and pesticides only if unavoidable.
- Minimize exterior lighting, opting for down-shielded, motion-sensor security lights or other light minimization measures.

#### **Migratory Bird Treaty Act**

In August 2016, the USFWS prepared its *Recommended Best Practices for Communication Tower Design, Siting, Construction, Operation, Maintenance, and Decommissioning*. These suggested best practices were developed to assist tower companies in developing their communication systems in a way which minimizes the risk to migratory birds and threatened and endangered species. The proposed facility would comply with the USFWS' recommended guidelines for reducing impacts to migratory birds as follows. The proposed facility would consist of a 130-foot monopole structure which requires neither guy wires nor lighting and is therefore consistent with USFWS' suggested tower design criteria; tower height is less than 200 feet above ground level; no guy wires; no tower lighting and on-ground security lighting will be down-shielded and motion-sensored. In addition, placement of the facility avoids wetlands, known bird concentration areas (closest Important Bird Area is  $\pm 0.3$  mile away – Menunketesuck and Duck Islands and surrounding tidal flats), rare species habitat (site is not located within a DEEP NDDB buffer area) and ridgelines, thereby minimizing environmental impacts that could affect migratory birds.

<sup>&</sup>lt;sup>3</sup> Personal communication with Maria Tur, USFWS New England Field Office, May 23, 2017.

MCM would consider following the USFWS' construction recommendations, noted below, as the project schedule allows.

- If construction activities should occur during the peak nesting period of April 15 through July 15<sup>4</sup>, efforts would be taken to complete tree clearing work prior to April 15.
- If tree clearing has not been completed by April 15, an avian survey may be conducted to determine if breeding birds would be disturbed.
- If the avian survey concludes that breeding birds would be disturbed, tree clearing activities may be restricted from the April 15 through July 15 peak nesting period (or a modified time frame based on the specific findings of the survey).

Therefore, the proposed construction activities are not anticipated to result in significant disturbance to breeding birds protected by the Migratory Bird Treaty Act ("MBTA").

Please feel free to contact me with any questions or requests for additional information by phone at (860) 663-1697 ext. 201 or via email at dgustafson@allpointstech.com.

Sincerely,

Dean Gustafson Senior Biologist

Enclosure

<sup>&</sup>lt;sup>4</sup> USFWS identifies the peak avian nesting season as April 15 through July 15 and recommends clearing activities be performed before this period in order to comply with the Migratory Bird Treaty Act, personal communication with Maria Tur, USFWS New England Field Office, February 27, 2014.

### Attachment Northern Long-Eared Bat 4(d) Rule Streamlined Consultation Form

#### Northern Long-Eared Bat 4(d) Rule Streamlined Consultation Form

Federal agencies should use this form for the optional streamlined consultation framework for the northern long-eared bat (NLEB). This framework allows federal agencies to rely upon the U.S. Fish and Wildlife Service's (USFWS) January 5, 2016, intra-Service Programmatic Biological Opinion (BO) on the final 4(d) rule for the NLEB for section 7(a)(2) compliance by: (1) notifying the USFWS that an action agency will use the streamlined framework; (2) describing the project with sufficient detail to support the required determination; and (3) enabling the USFWS to track effects and determine if reinitiating of consultation is required per 50 CFR 402.16.

This form is not necessary if an agency determines that a proposed action will have no effect to the NLEB or if the USFWS has concurred in writing with an agency's determination that a proposed action may affect, but is not likely to adversely affect the NLEB (i.e., the standard informal consultation process). Actions that may cause prohibited incidental take require separate formal consultation. Providing this information does not address section 7(a)(2) compliance for any other listed species.

Info	rmation to Determine 4(d) Rule Compliance:	YES	NO
1.	Does the project occur wholly outside of the WNS Zone <sup>1</sup> ?		$\boxtimes$
2.	Have you contacted the appropriate agency <sup>2</sup> to determine if your project is near	$\boxtimes$	
	known hibernacula or maternity roost trees?		
3.	Could the project disturb hibernating NLEBs in a known hibernaculum?		$\boxtimes$
4.	Could the project alter the entrance or interior environment of a known		$\boxtimes$
	hibernaculum?		
5.	Does the project remove any trees within 0.25 miles of a known hibernaculum at		$\boxtimes$
	any time of year?		
6.	Would the project cut or destroy known occupied maternity roost trees, or any		$\boxtimes$
	other trees within a 150-foot radius from the maternity roost tree from June 1		
	through July 31.		

You are eligible to use this form if you have answered yes to question #1 or yes to question #2 and no to questions 3, 4, 5 and 6. The remainder of the form will be used by the USFWS to track our assumptions in the BO.

Agency and Applicant<sup>3</sup> MCM Communications LLC, 40 Woodland Street, Hartford, CT 06105

Project Name: Westbrook CT Wireless Services Facility

**Project Location:** Kirtland Street, Westbrook, Middlesex County, CT (Lat: 41° 17' 00.4568" Long: 72° 26' 17.3704")

Project IPaC SLI#: 05E1NE00-2019-SLI-0360

**Basic Project Description:** MCM Communications LLC proposes construction of a 130' tall monopole and supporting ground equipment would be located in a 50' by 60' fenced, gravel compound in the northwest corner of the Host Property. A proposed 12' wide gravel access drive would extend northward approximately 70' from Kirtland Street to the proposed ground lease area.

<sup>&</sup>lt;sup>1</sup> http://www.fws.gov/midwest/endangered/mammals/nleb/pdf/WNSZone.pdf

<sup>&</sup>lt;sup>2</sup> See http://www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html

<sup>&</sup>lt;sup>3</sup> If applicable - only needed for federal actions with applicants (e.g., for a permit, etc.) who are party to the consultation.

General Project Information	YES	NO			
Does the project occur within 0.25 miles of a known hibernaculum?					
Does the project occur within 150 feet of a known maternity roost tree?		$\boxtimes$			
Does the project include forest conversion <sup>4</sup> ? (if yes, report acreage below)	$\boxtimes$				
Estimated total acres of forest conversion	±0.2	2 ac.			
If known, estimated acres <sup>5</sup> of forest conversion from April 1 to October 31	±0.2	2 ac.			
If known, estimated acres of forest conversion from June 1 to July 31 <sup>6</sup>	±0.2	2 ac.			
Does the project include timber harvest? (if yes, report acreage below)		$\boxtimes$			
Estimated total acres of timber harvest					
If known, estimated acres of timber harvest from April 1 to October 31					
If known, estimated acres of timber harvest from June 1 to July 31					
Does the project include prescribed fire? (if yes, report acreage below)		$\boxtimes$			
Estimated total acres of prescribed fire					
If known, estimated acres of prescribed fire from April 1 to October 31					
If known, estimated acres of prescribed fire from June 1 to July 31					
Does the project install new wind turbines? (if yes, report capacity in MW below)		$\boxtimes$			
Estimated wind capacity (MW)					

#### Agency Determination:

Comonal Duois at Information

By signing this form, the action agency determines that this project may affect the NLEB, but that any resulting incidental take of the NLEB is not prohibited by the final 4(d) rule.

If the USFWS does not respond within 30 days from submittal of this form, the action agency may presume that its determination is informed by the best available information and that its project responsibilities under 7(a)(2) with respect to the NLEB are fulfilled through the USFWS January 5, 2016, Programmatic BO. The action agency will update this determination annually for multi-year activities.

The action agency understands that the USFWS presumes that all activities are implemented as described herein. The action agency will promptly report any departures from the described activities to the appropriate USFWS Field Office. The action agency will provide the appropriate USFWS Field Office with the results of any surveys conducted for the NLEB. Involved parties will promptly notify the appropriate USFWS Field Office upon finding a dead, injured, or sick NLEB.

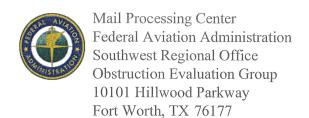
Signature: Dean Austopean Date Submitted: 11/29/18

Dean Gustafson, Senior Biologist, All-Points Technology Corp., P.C., Agent for MCM Communications, LLC

<sup>&</sup>lt;sup>4</sup> Any activity that temporarily or permanently removes suitable forested habitat, including, but not limited to, tree removal from development, energy production and transmission, mining, agriculture, etc. (see page 48 of the BO).

<sup>&</sup>lt;sup>5</sup> If the project removes less than 10 trees and the acreage is unknown, report the acreage as less than 0.1 acre.

<sup>&</sup>lt;sup>6</sup> If the activity includes tree clearing in June and July, also include those acreage in April to October.



Issued Date: 08/16/2018

Virginia King MCM Communications, LLC 40 Woodland Street Hartford, CT 06105

#### \*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\*

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:

Monopole Westbrook-Kirtland

Location:

Westbrook, CT

Latitude:

41-17-00.45N NAD 83

Longitude:

72-26-17.37W

Heights:

53 feet site elevation (SE)

140 feet above ground level (AGL) 193 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 1.

This determination expires on 02/16/2020 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (817) 222-5922, or debbie.cardenas@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2018-ANE-4746-OE.

Signature Control No: 371883670-373019397

(DNE)

Debbie Cardenas Technician

Attachment(s) Frequency Data

cc: FCC

#### Frequency Data for ASN 2018-ANE-4746-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP
TREQUENCY	PREQUENCE	UNII	EKI	UNIT
6	7	GHz	55	dBW
6	7	GHz	42	dBW
10	11.7	GHz	55	dBW
10	11.7	GHz	42	dBW
17.7	19.7	GHz	55	dBW
17.7	19.7	GHz	42	dBW
21.2	23.6	GHz	55	dBW
21.2	23.6	GHz	42	dBW
614	698	MHz	1000	W
614	698	MHz	2000	W
698	806	MHz	1000	W
806	901	MHz	500	W
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
929	932	MHz	3500	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1670	1675	MHz	500	W
1710	1755	MHz	500	W
1850	1910	MHz	1640	W
1850	1990	MHz	1640	W
1930	1990	MHz	1640	W
1990	2025	MHz	500	W
2110	2200	MHz	500	W
2305	2360	MHz	2000	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W
2496	2690	MHz	500	W

#### FAA 1-A SURVEY CERTIFICATION

Applicant:

MCM COMMUNICATIONS, LLC

P.O. BOX 320361 HARTFORD, CT. 06132

Site Name:

WESTBROOK H2O

Site Address:

KIRTLAND STREET

WESTBROOK, CT 06498

Horizontal Datum:

NAD 1983

Vertical Datum:

NAVD 1988 (AMSL)

Structure Type:

PROPOSED ANTENNAS ON MONOPOLE

Latitude:

41-17'-00.4568" N

Longitude

72-26'-17.3704" W

**Ground Elevation:** 

AMSL ELEVATION 53' +/-

Top of Monopole:

AMSL ELEVATION 183' +/-

Centerline of Highest Proposed Antennas:

AMSL ELEVATION 179'+/-

Certification:

I certify that the latitude of 41-17'-00.4568" N and the Longitude of 72-26'-17.3704" W are accurate to within 20'

horizontally. And that the following elevations are accurate to within 3 feet vertically. The existing ground height is 53' AMSL, the proposed monopole height is 130' AGL / 183' AMSL, the Centerline of Highest Proposed Antennas height is 126' AGL / 179' AMSL. The horizontal datum (coordinates) are in the terms of the North American Datum of 1983 (NAD 83) and are expressed in degrees, minutes and seconds to

the nearest ten thousandth of a second.

The vertical datum (heights) are in terms of the North American Vertical

Datum of 1988 and are determined to the nearest foot.

Company:

Gesick & Assaçia

Surveyor

Signature / Seal

18411 L/CENSED



#### Construction Timeline Kirtland Street Westbrook, CT

Activity	Week1	Week2	Week3	Week4	Week5	Week6	Week7	Week8
Excavation								-
Soil Removal								
Back Filling								
Foundation								
Monopole Erection					1			
Utility Trench					A TOTAL CATALOGUE AND CONTRACTOR OF THE CONTRACT	1		
Utility Installation			1					
Remove Old Tower					N THE CONTRACT OF STREET			
Level/Gravel Grade		_				STATE OF ALL PROPERTY STATE OF STATE AND STATE OF STATE OF STATE AND STATE OF STAT		
Fencing								



#### Estimated Construction Costs Kirtland Street Westbrook, CT

KEEP YOUR SITES ON US®

Excavation/Foundation	\$ 130,000.00
Structure	\$ 75,000.00
Structure Erection	\$ 25,000.00
Utilities	\$ 70,500.00
Grounding	\$ 3,000.00
Level/Fabric/Gravel	\$ 5,000.00
Fencing	\$ 10,000.00
Landscaping	\$ 17,000.00

\$335,500.00



## PRELIMINARY HISTORIC RESOURCES DETERMINATION

March 12, 2019

MCM Holdings, LLC 40 Woodland Street Hartford, CT 06105 **APT Project No.: CT524120** 

Re: Proposed Replacement Facility
Westbrook, Connecticut

MCM Holdings, LLC ("MCM") proposes to construct a permanent telecommunications Facility to replace its temporary ballast-mounted tower located at 1542 Boston Post Road in Westbrook, Connecticut. Two potential locations are in consideration, including: Candidate Site A, on the 1542 Boston Post Road property; and, Candidate Site B, on a nearby parcel to the northeast at the end of Kirtland Street.

On behalf of MCM All-Points Technology Corporation, P.C. ("APT") performed an evaluation with respect to the proposed Facility's potential impacts on historic resources proximate to the referenced project site.

The results of our independent review of sites listed, or eligible for listing, on the National Register of Historic Places ("NRHP") reveals that the east end of the Westbrook Town Center Historic District is located within one-half mile of the site. An historic resource screening map is provided as an attachment.

As part of MCM's due diligence for compliance with the National Environmental Policy Act ("NEPA"), APT is currently coordinating with the State Historic Preservation Office ("SHPO") to determine whether the agency has a preference for either of the proposed Candidate Site locations.

MCM will update the Siting Council once SHPO has provided a response.

Sincerely,

Michael Libertine,

Director of Siting and Permitting

Michael Sportine

**Attachments** 

<sup>&</sup>lt;sup>1</sup> For towers under 200 feet tall, the Area of Potential Effect ("APE") has been established at 0.5 mile. This distance represents the APE established cooperatively by the Federal Communications Commission, Advisory Council on Historic Preservation and the National Conference of State Historic Preservation Officers.

## Historic Resource Screening Map



Historic Resources Screen Westbrook Watertank Replacement Wireless Telecommunications Facility

## Tab 7

#### ATTACHMENT 7

<u>Comparative Visual Assessment & Photo-Simulations</u>

# Comparative Visual Assessment & Photo-Simulations

1542 BOSTON POST ROAD & KIRTLAND STREET WESTBROOK, CT

Prepared in September 2018 by: All-Points Technology Corporation, P.C. 3 Saddlebrook Drive Killingworth, CT 06419

Prepared for MCM Communications, LLC





# COMPARATIVE VISUAL ASSESSMENT & PHOTO-SIMULATIONS

MCM Communications, LLC ("MCM Communications") is seeking to establish a permanent location to relocate wireless communications facilities from its temporary ballast-mounted tower located at 1542 Boston Post Road in Westbrook, Connecticut. MCM has determined two site locations are suitable for the new wireless telecommunications facility ("Facility"), including an adjacent area on the 1542 Boston Post Road property and another on a nearby parcel to the northeast at the end of Kirtland Street. At the request of MCM Communications, All-Points Technology Corporation, P.C. ("APT") completed this comparative visual assessment which presents existing and proposed conditions, including computer-generated photo-simulations of a permanent Facility at each of the two optional locations.

#### **Project Setting**

The two potential site locations are situated along the northern side of Boston Post Road (US Route 1) and east of Kirtland Street, approximately  $\pm 0.24$  mile north of Long Island Sound. The surrounding land use is a mix of commercial and institutional development along Boston Post Road and residential to the southeast and southwest, including beach communities associated with Long Island Sound; residences and undeveloped forested land are prevalent to the north.

Installation of the temporary ballast-mounted tower was necessary to facilitate relocating antennas formerly attached to a Connecticut Water Company water tower that was decommissioned in 2018. The temporary tower was approved by the Connecticut Siting Council ("CSC") on December 7, 2017 under Petition 1330. Now that the water tower has been removed, MCM proposes to secure a location for a permanent Facility.

As introduced above, two potential Sites have been identified, as summarized below.

#### Site A

A ±130-foot tall monopole would be centrally located on the 0.61-acre property at 1542 Boston Post Road, generally within the central footprint of the former water tower, at a ground elevation of ±48 feet above mean sea level ("AMSL"). The Facility would be incorporated into the existing fence-enclosed equipment compound that formerly surrounded the water tower.

#### Site B

A ±130-foot tall monopole would be located in the northwest corner of a ±2.1-acre parcel<sup>1</sup> located at the northern terminus of Kirtland Street at a ground elevation of ±53 feet AMSL. The Facility would be enclosed within a 50-foot by 60-foot fenced equipment compound.

Please see Figure 1 – Site Location Map for a depiction of the two potential Site locations.

<sup>&</sup>lt;sup>1</sup> Property ID 177/122 per Town of Westbrook Assessor's information



#### Legend



Site A



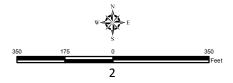
Site B



Site Parcel Boundary

Approximate Parcel Boundary (CTDEEP GIS)

Map Notes: Base Map Source: CT ECO 2016 Imagery Map Scale:1 inch = 350 feet Map Date: September 2018



# Figure 1 - Site Location Map

Proposed Wireless Telecommunications Facility

Site A: 1542 Boston Post Road Westbrook, Connecticut

Site B: Kirtland Street Westbrook, Connecticut





Verizon, AT&T and T-Mobile would relocate existing antenna arrays from the temporary ballast tower onto the new, permanent monopole. In addition to the three (3) commercial service providers currently on the temporary, ballast tower, the Old Saybrook Police Department would relocate an 8-foot whip antenna to the top of the monopole. The proposed Facility would also allow for an additional (fourth) commercial carrier to utilize the Facility in the future.

## Methodology

An in-field analysis was employed to evaluate the visibility of a proposed Facility at each optional Site location. The analyses included concurrent balloon floats and reconnaissance of the Study Area<sup>2</sup> to record existing conditions, inventory visible and nonvisible locations, and provide photographic documentation from publicly accessible areas.

On September 24, 2018, APT personnel conducted balloon floats and field reconnaissance to evaluate the visibility associated with each of the optional Sites for the proposed Facility and to obtain existing conditions photographs for use in this report. The balloon floats consisted of raising approximately four-foot diameter, brightly colored, helium-filled balloons tethered to string heights of 130 feet above ground level at each of the potential Site locations. Site A was represented by a yellow balloon and Site B by a red balloon. Note the bottom of the balloon at each Site location represents the top of the proposed monopole. Weather conditions were favorable for the in-field activities, with calm winds (less than 5 miles per hour) and mostly sunny skies.

APT drove the public roads within the Study Area during the balloon floats and photo-documented conditions from several areas to represent where one or more of the balloons could be seen. In addition, numerous locations were also photographed to document where the balloons were not visible. At each photo location, the geographic coordinates of the camera's position were logged using global positioning system ("GPS") technology. Photographs were taken with a Canon EOS 6D digital camera body and Canon EF 24 to 105 millimeter ("mm") zoom lens. APT typically uses a standard focal length of 50mm to present a consistent field of view. On occasion, photos are taken at lower focal lengths/greater depth of field in order to include existing contextual surroundings and/or more of the proposed facility within the photograph. During this evaluation, photos 12 and 17 were taken at a 24mm focal length.

Three-dimensional computer models were developed for the proposed Facilities from AutoCAD information. Photographic simulations were then generated to portray scaled renderings of the Facility installation at each Site for comparative purposes. Using field data, site plan information and image editing software, the proposed Facility was scaled to the correct location and height, relative to existing features and the surrounding area. A photolog map and copies of the existing conditions and photosimulations are attached.

-

<sup>&</sup>lt;sup>2</sup> Generally, within 2 miles of the two optional sites.

## **Photograph Locations**

Several photo-locations were simulated to present generally unobstructed view lines towards at least a portion of a permanent Facility at the two potential site locations. Table 1 summarizes characteristics of the photographs and simulations presented in the attachment to this report including a description of each location, view orientation, and the distance from where the photo was taken relative to each Site. The photo locations are depicted on the photo-log map provided as an attachment to this report.

Table 1 - Photograph Locations						
View	Location	Orientation	View Characteristics			
			Α	В	Α	В
1	Seaside Avenue	Northeast	±1.47 Miles	±1.47 Miles	Not Visible	Not Visible
2	Seaside Avenue	Northeast	±1.43 Miles	±1.43 Miles	Visible	Visible
3	Seaside Avenue	Northeast	±1.16 Mile	±1.16 Mile	Visible	Visible
4	Sea Side Avenue	Northeast	±0.94 Miles	±0.94 Miles	Visible	Not Visible
5	Salt Island Road	Northeast	±0.39 Miles	±0.41 Miles	Visible	Not Visible
6	Pepperidge Avenue	Northeast	±0.34 Miles	±0.39 Miles	Not Visible	Visible
7	Seascape Drive	Northeast	±0.32 Miles	±0.35 Miles	Visible	Visible
8	Trolley Road	East	±0.56 Miles	±0.50 Miles	Not Visible	Visible
9	Boston Post Road	East	±0.42 Miles	±0.37 Miles	Visible	Not Visible
10	Goodspeed Drive (24mm)	Southeast	±0.34 Miles	±0.24 Miles	Not Visible	Not Visible
11	Fawn Hill Drive	Southeast	±0.30 Miles	±0.20 Miles	Not Visible	Not Visible
12	Water's Edge Parking Lot (24mm)	Northeast	±0.12 Miles	±0.19 Miles	Visible	Visible
13	Water's Edge	Northwest	±0.14 Miles	±0.23 Miles	Visible	Visible
14	Pointina Road	Northwest	±0.48 Miles	±0.57 Miles	Visible	Visible
15	Old Salt Works Road	Northwest	±0.52 Miles	±0.60 Miles	Visible	Not Visible
16	Old Salt Works Road at Boston Post Road	Northwest	±0.45 Mile	±0.51 Miles	Not Visible	Not Visible
17	Old Forge Road	Southwest	±0.29 Mile	±032 Mile	Not Visible	Not Visible
18	Westbrook Outlets Parking Area	Southwest	±0.64 Mile	±0.58 Mile	Not Visible	Seasonal
19	Shoreline Medical Center	South	±0.61 Mile	±0.53 Mile	Not Visible	Not Visible

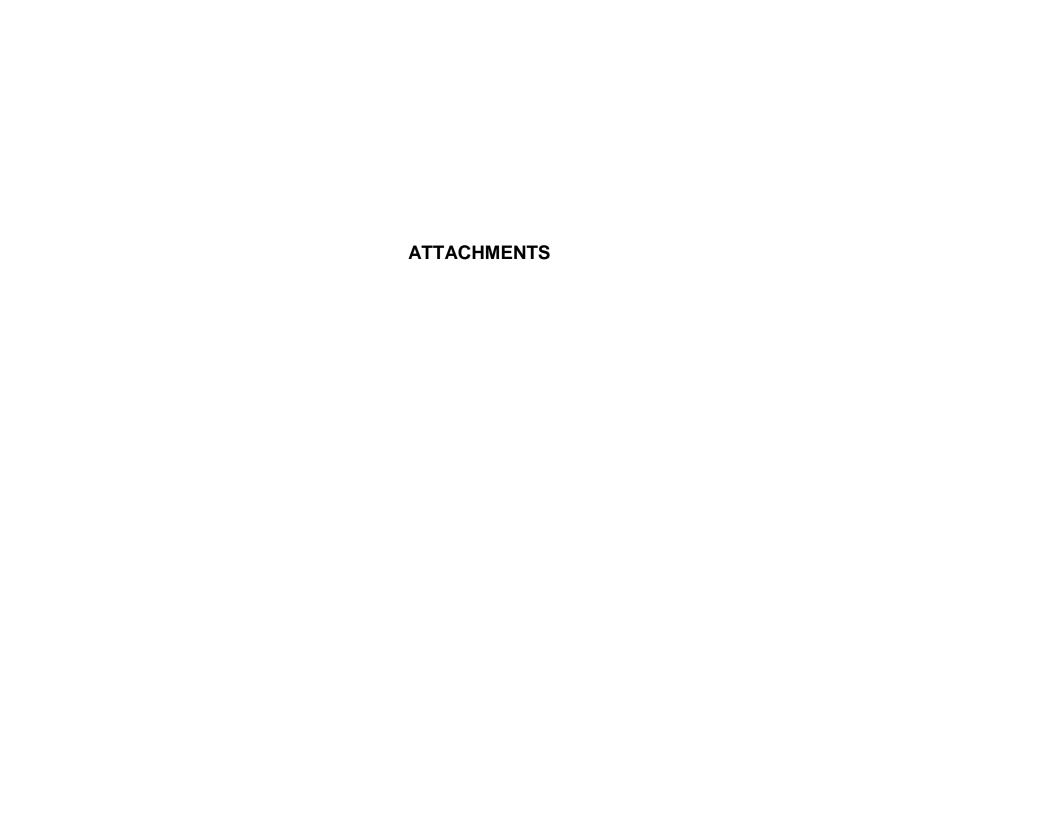
#### Conclusions

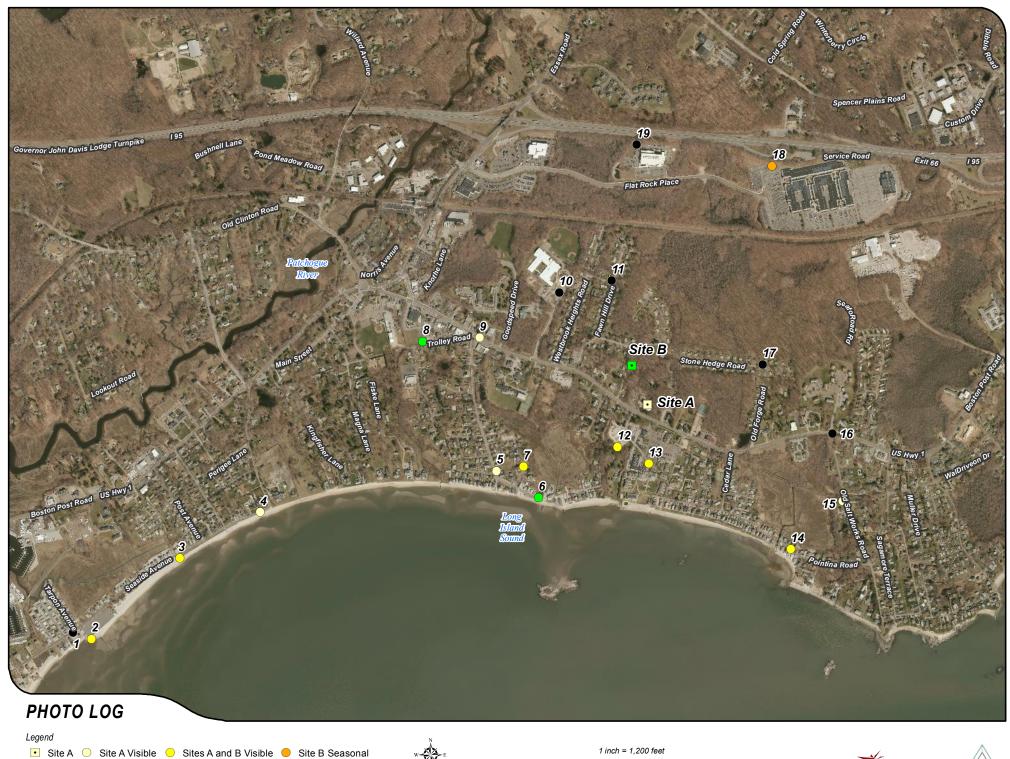
Similar to the temporary tower located at 1542 Boston Post Road, a permanent Facility at either potential Site location would be visible to select areas along the shoreline, extending nearly 1.5 miles to the southwest and 0.5 mile to the southeast. At a height of 30 feet lower than the existing temporary tower, a permanent Facility at either Site location would be less prominent on the horizon as less vertical infrastructure would be silhouetted against the sky above the tree canopy. The remainder of year-round views would be limited to locations south of Boston Post Road within 0.5 mile or less of the two potential Sites. The combination of relatively flat terrain, existing structures and dense, mature tree canopy assist in limiting views of the Facility beyond these areas and even more so to the north.

Seasonally, when the leaves are off the deciduous trees, views of a tower at Site B may be obtained from some residential properties to the north along Maple Ridge Road, Fawn Hill Drive, and Stone Hedge Road. Site A's location farther to the south would provide additional screening from these areas.

### Limitations

The photo-simulations provide a representation of the Facility under similar settings as those encountered during the balloon floats and reconnaissance. They are however static in nature and do not necessarily characterize the prevailing views from all locations within a given area. For example, moving a few feet in either direction from a specific photo location may alter the view, including obscuring the Facility altogether. Views of the Facility can change throughout the seasons and the time of day, and are dependent on weather and other atmospheric conditions (e.g., haze, fog, clouds); the location, angle and intensity of the sun; and the specific viewer location.





■ Site B Site B Visible ■ Not Visible

1 inch = 1,200 feet
600 0 1,200
Feet ALL-POINTS
TECHNOLOGY CORPORATION













































































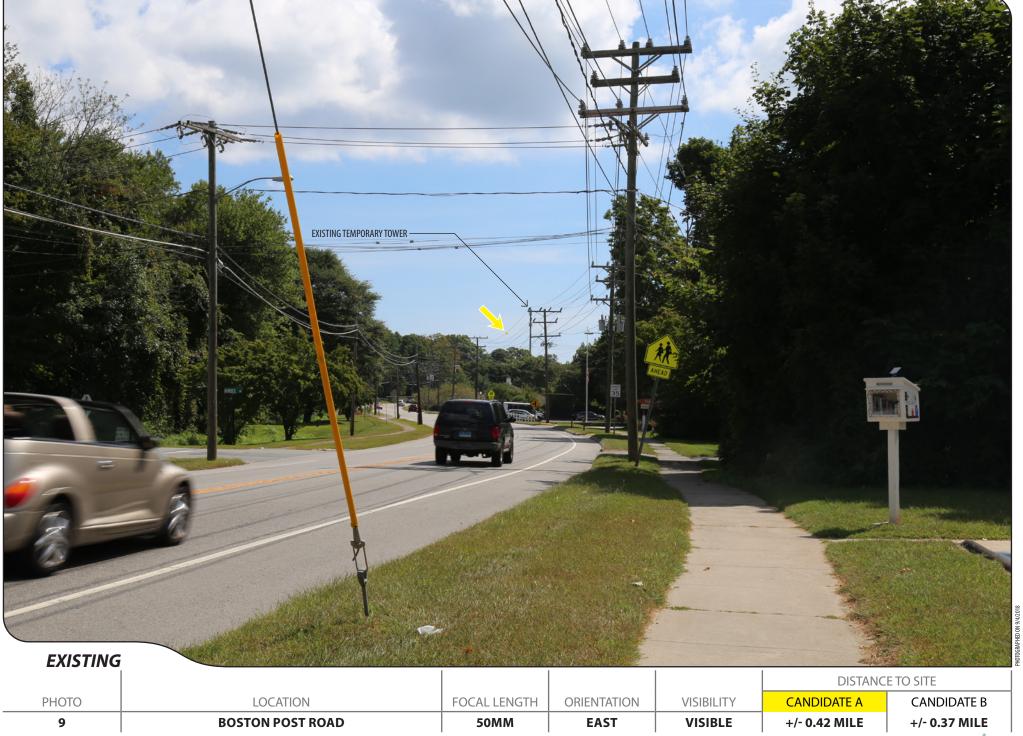
























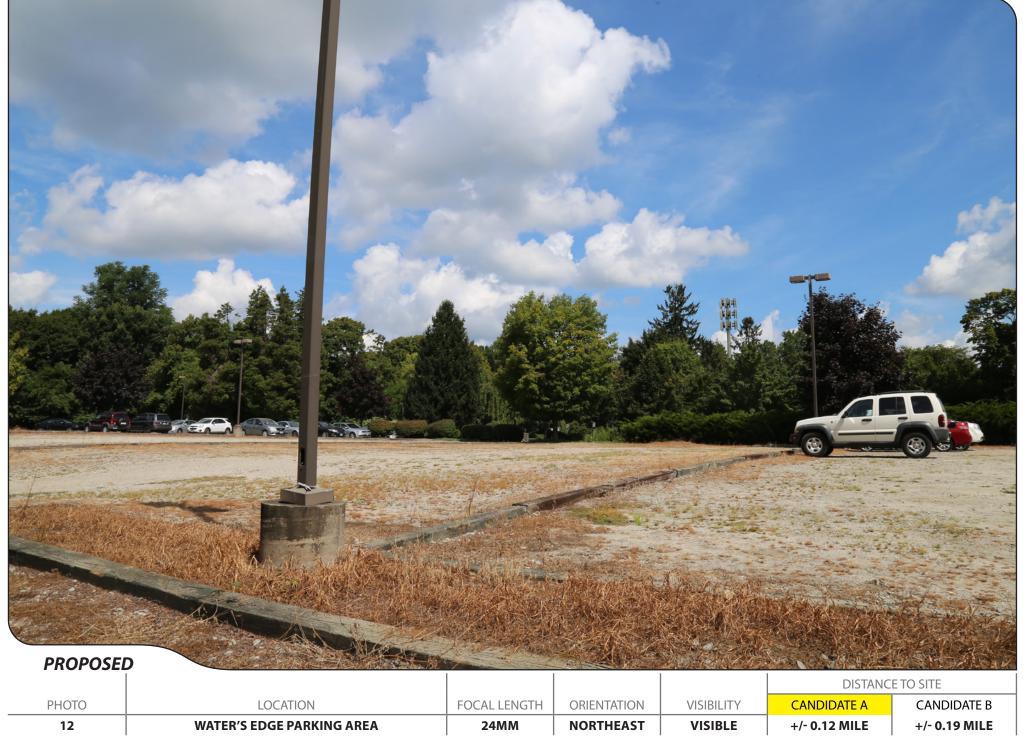


















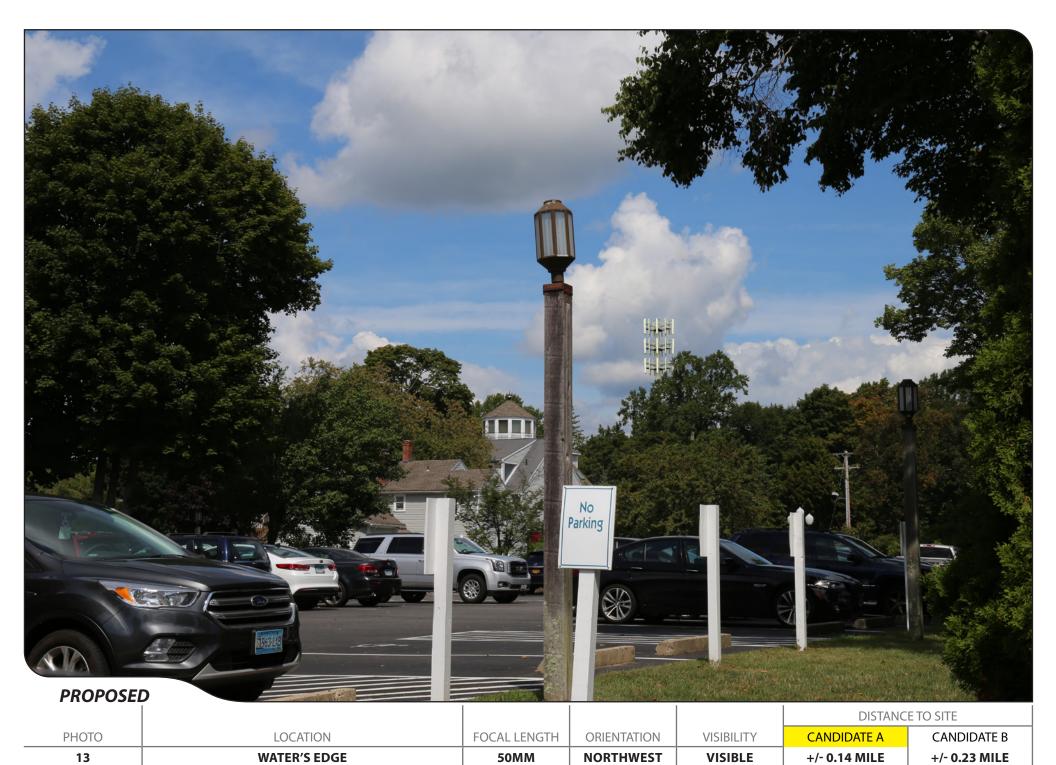
























































# Tab 8

#### **ATTACHMENT 8**

Radio-Frequency Emissions Information

# **General Power Density**

WESTBROOK RELO, CT **Cumulative Power Density** Site Name:

Operator	Operating Frequency	Number of Trans.	ERP Per Trans.	Total	Distance to Target	Calculated Power Density	Maximum Permissable Exposure*	Fraction of MPE
	(MHz)		(watts)	(watts)	(feet)	(mW/cm^2)	(mW/cm^2)	(%)
VZW PCS	1970	1	2883	2883	126	0.0653	1.0000	6.53%
VZW Cellular	928	3	345	1035	126	0.0234	0.5840	4.01%
VZW 850 LTE	698	1	1379	1379	126	0.0312	0.5793	2.39%
VZW AWS	2145	1	3343	3343	126	0.0757	1.0000	7.57%
VZW 700	869	1	1286	1286	126	0.0291	0.4653	6.26%
7		Maximus Dermaississis	7 -14:-0:	9110093				1100

Total Percentage of Maximum Permissible Exposure

\*Guidelines adopted by the FCC on August 1, 1996, 47 CFR Part 1 based on NCRP Report 86, 1986 and generally on ANSI/IEEE C95.1-1992

MHz = Megahertz

mW/cm^2 = milliwatts per square centimeter ERP = Effective Radiated Power

Absolute worst case maximum values used.

# Tab 9

#### **ATTACHMENT 9**

<u>Correspondence Related to Municipal Consultation</u>



445 Hamilton Avenue, 14th Floor White Plains, New York 10601 T 914 761 1300 F 914 761 5372 cuddyfeder.com

October 18, 2017

Daniel M. Laub dlaub@cuddyfeder.com

#### VIA FEDERAL EXPRESS

Noel Bishop, First Selectman Town of Westbrook 866 Boston Post Road Westbrook, CT 06498 Phone: 860-399-3040

Re:

MCM Communications, LLC ("MCM")

Proposed Wireless Telecommunications Tower Facility

Location at Either 1542 Boston Post Road or Kirtland Street, Westbrook, Connecticut

#### Dear First Selectman Bishop:

I am writing to you on behalf of MCM Communications, LLC ("MCM") with respect to its proposal to construct a wireless communications tower facility at either the former water tank site at 1542 Boston Post Road or on another candidate parcel located on Kirtland Street. The purpose of our letter is to commence a formal consultation process with you and other Town of Westbrook officials prior to any application being filed by MCM with the State of Connecticut Siting Council. Enclosed you will find a detailed Technical Report prepared by MCM providing information on the need for a new tower, alternatives evaluated, and the environmental effects of the project as identified at this time.

#### Background and Wireless Services to Be Provided

MCM is a company that specializes in the development of tower infrastructure to serve a community's wireless communications needs and works closely with municipalities, landowners and commercial wireless carriers. This project is one of several that MCM has pursued in an overall effort to provide reliable wireless services in Connecticut.

The growth in consumer use of mobile data and overall network demands continue to rise and requires wireless infrastructure to reliably serve the public. With carriers already having mature network infrastructure in the area and existing development that defines this area of Westbrook, identifying locations for wireless infrastructure to serve the Westbrook community can be challenging.

As noted in the Technical Report materials a tower at one of the candidate locations is proposed to replace the water tank structure from which the major wireless carriers including Verizon, AT&T and T-Mobile previously provided service. Though MCM currently operates a temporary tower for the carriers at the former water tank site, long-term reliable service requires a permanent tower solution is necessary to provide coverage and capacity in Westbrook.



#### The Tower Project

MCM would own, maintain and operate the tower facility subject to any approval the Connecticut Siting Council may issue for the project. A tower approximately 130' in height is proposed at either the old water tank site or on a parcel off Kirtland Street. Wireless carriers would install their antennas on the tower with associated equipment in the tower site compound at grade. Emergency service antennas will also be accommodated at the tower site. Either candidate facility would be unmanned with no sanitary or water facilities and will generate an average of one vehicle trip per month by each carrier at the site, consisting of a service technician in a light duty van or truck.

#### State Siting Council - Balance of Need With Environmental Impact

Connecticut State policy generally recognizes the need for towers to serve the public and has designated the Connecticut Siting Council as the state agency with responsibility for reviewing and approving specific tower proposals. The Siting Council will be called on to evaluate this proposal once an application is filed with the agency. The Siting Council's focus is on balancing the need for a tower on a case-by-case basis with any significant adverse environmental impacts. Jurisdiction over any proposed cellular telecommunications facility rests exclusively with the Siting Council and would be in lieu of local zoning, wetlands and other types of municipal land use review and approvals.

#### Town Input & Procedural Next Steps

MCM is providing the enclosed Technical Report to the Town of Westbrook in accordance with Section 16-50*l* of the Connecticut General Statutes. The statute requires consultation with a municipality in which a tower facility is proposed prior to submission of an application with the Siting Council. The purpose of the local consultation is to give the municipality in which the facility has been proposed an opportunity to provide the prospective applicant with any recommendations or preferences it may have prior to the filing of an application with the Siting Council.

Upon review of Section 16-50l(g) of the Connecticut General Statutes, you will note that municipalities also have the option of conducting a noticed public information session on any proposed cellular tower facility. State law requires any such information session to be held by the Town during the first 60 days of the 90-day period afforded to the municipalities for consultation with a prospective Siting Council applicant. As such, should Westbrook elect to conduct a public information meeting regarding this project, it should occur on or before December 18, 2018. For such public information sessions, our typical practice is for introductions to be made by a municipal official, have the project team make a presentation (usually a PowerPoint presentation) and then respond to public questions moderated by a local official or agency.



In advance of any public information session, we and MCM representatives would appreciate the opportunity to discuss with you and staff to discuss the project in greater detail.

In advance, we thank you for your consideration and will follow this correspondence with a call to your office to discuss next steps regarding the municipal consultation process. We look forward to meeting with you further on this project and learning more about Westbrook interests and any recommendations prior to filing an application with the Siting Council.

Very truly yours,

Daniel M. Laub

cc: Town of Westbrook Planning Commission

Town of Westbrook Zoning Commission

Town of Westbrook Inland Wetlands & Watercourses Commission

Eric Knapp, Zoning Enforcement Officer

MCM

Christopher B. Fisher, Esq.



#### **TOWN OF WESTBROOK**

NOEL BISHOP, FIRST SELECTMAN

866 BOSTON POST ROAD WESTBROOK, CONNECTICUT 06498 TEL (860) 399-3040 FAX (860) 399-3015

December 12, 2018

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

RE:

MCM Communications, LLC

**Proposed Wireless Telecommunications Tower Facility** 

1542 Boston Post Road, Westbrook, CT

Dear Chairman Stein and Members of the Connecticut Siting Council,

On December 11, 2018, the Westbrook Board of Selectmen held a Public Hearing regarding the above referenced proposal. Individuals present included Robert Stanford, MCM Communications, Matt Bandle, MCM Communications, Chris Fisher, Cuddy Feder and Craig Patla, CT Water Company.

During the meeting, the public had an opportunity to comment on the proposal and there were several issues that were discussed and clarified through a Power Point Presentation presented by Chris Fisher, Cuddy Feder.

The Board of Selectmen voted unanimously to forward a letter to the Siting Council in support of locating the permanent cell tower on "Site A", 1542 Boston Post Road, the former location of the Connecticut Water Company's water tower and the current location of the temporary cell tower. The Board respectfully requests the Siting Council's consideration of this recommendation.

The Board of Selectmen understands that the Connecticut Siting Council will hold a Public Hearing sometime in the future and this meeting may be held at the Town Hall. If this is the protocol, please inform me at least 2 weeks in advance since I know our residents will be interested in attending the meeting.

If you need additional information, please do not hesitate to contact my office.

Sincerely

**Noel Bishop** 

First Selectman

Cc: Craig Patla, Selectman Hall, Selectwoman Labbadia, Rob Stanford and Chris Fisher, Attorney Wells

Sitingcouncilpermanent/sfh

### Tab 10

#### **ATTACHMENT 10**

Notice Published and Sent to Abutting Landowners; Certification of Service to Notice List of Abutting Landowners; Sample letter to Abutting Property Owners





724 Boston Post Road PO Box 1010 • Madison, CT 06443 P 203-245-1877 F 203-245-9773 www.shorepublishing.com

#### **Affidavit of Publication**

I, Laura Schroeder, do solemnly swear that I am the Legal Advertising Coordinator at Shore Publishing Newspapers (*The Harbor News*), printed and published weekly, in the State of Connecticut and that from my own personal knowledge and reference to the files of said publication of the legal advertisement for MCM Holdings and Cellco Partnership to construct a wireless telecommunications tower facility notice was inserted in the regular edition. The notice was published in *The Harbor News* on the following dates.

March 21, 2019

A copy of the Legal Notices is attached hereto.

Laura Schroeder

**Legal Advertising Coordinator** 

Subscribed and sworn to before me on March 26, 2019

vly Commissión Expires: 09/30/2023

contained, on the electronic tearsheet any way exploit or repurpose derivative works,

Section/Page/Zone: Main/A008/

Description:

Client Name:

Insertion Number: Ad Number

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Calor.

Publication Date

NOTICE

NOTICE IS HERBY GIVEN, pursuant to Section 16-50l(b) of the Connecticut General Statutes and Section 16-50/-1(e) of the Regulations of Connecticut State Agencies, of the intent of MCM Holdings, LLC ("MCM") and Cellco Partnership d/b/a Verizon Wireless ("Cellco") (together "Applicants") to file an Application for a Certificate of Environmental Compatibility and Public Need with the Connecticut Siting Council ("Siting Council") on or after March 29, 2019 to construct a wireless telecommunications tower facility ("Facility") at one of two candidate sites within the Town of Westbrook. While two alternatives are proposed, only one candidate location would be constructed subject to the Siting Council's decision.

Candidate A is a 0.62-acre parcel of land owned by the Connecticut Water Company located at 1542 Boston Post Road in the Town of Westbrook and identified as Map 182, Lot 007 on the Town of Westbrook Tax Map. Candidate A is the former site of a water tank facility and the current site of an existing temporary wireless tower facility. Candidate B consists of two parcels of land totaling approximately 2.31-acres near Candidate A off of Kirtland Street in the Town of Westbrook with no specific parcel address but identified as Map 182, Lot 003 (0.39 acre) and Map 177, Lot 122 (1.92 acres) on the Town of Westbrook Tax Map.

The Facility at either Candidate A or Candidate B will consist of a 130' above grade level self-supporting monopole with other related equipment located at grade level within a fenced equipment compound

The Application explains the need, purpose and benefits of the Facility and also describes the environmental impacts of the proposed Facility. The Facility will be shared by other wireless carriers including AT&T and T-Mobile which have facilities on the temporary tower currently.

A balloon, representative of the proposed height of the facility, will be flown at both candidate sites on the first day of the Siting Council public hearing on the Application or on such other date specified by the Siting Council at a time to be determined by the Siting Council, but anticipated to be between the hours of 12pm and 5pm. The Siting Council public hearing on the Application will be held in the Town of Westbrook.

Interested parties and residents of Westbrook, Connecticut are invited to review the Application during normal business hours after March 29, 2019 when the Application is anticipated to be filed, at the following offices:

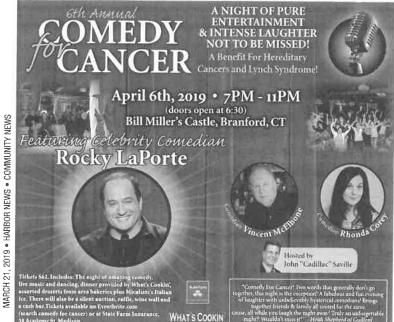
Connecticut Siting Council 10 Franklin Square

Joan S. Angelini, CMC

New Britain, CT 06051

Town Clerk, Town of Westbrook 866 Boston Post Road

Westbrook, CT 06498



#### TOWN OF WESTBROOK, CONNECTICUT BOARD OF SELECTMEN

PUBLIC HEARING Thursday, March 28, 2019 5:30 p.m.

The residents of the Town of Westbrook, Connecticut are hereby notified and warned that a Board of Selectmen Public Hearing will be held in the Multi Media Room of the Teresa Mulvey Municipal Center. 866 Boston Post Road, Westbrook, CT on March 28, 2019 © 5:30 p.m. to discuss a proposal for the installation of Pickle Ball Courts on Town property located at Magna Lane (former tennis courts).

The Public is invited to attend.

#### Town of Clinton LEGAL NOTICE OF PUBLIC HEARING

The Town of Clinton Planning and Zoning Commission will hold a public hearing on Manday, April 1, 2019, at 7:00 P.M. in the Green Room of the William Stanton Andrews Memorial Town Hall, 54 East Main Street, Clinton, Connecticut, to consider

the following:
1. CAM & AR-19-002: Proposed Text Amendments to Zoning Regulations.

CAM & AK-19-402: Proposed Text Amendments to Zoning Regulations, Section 27.2, Bast Main Street: Planning and Zoning Commission.
 At said Hearing all persons will have the right to be heard and written communication received. The application and correspondence are available for public inspection in the Land Use Office of the Town Hall.

M. Ellen Dahlgren, Chairman, Town of Clinton Planning and Zoning Commission

#### Chair Yoga with Rachel Baer

The Estuary Council of Seniors hosts Rachel Baer from Yoga Keeps Me Fit for a Chair Yoga class on Mondays and Thursdays at 10:30 a.m. at the Estuary Senior Center, 220 Main Street, Old Saybrook. Those who are age 50 and up are welcome. These are drop-in classes; each one costs \$8. The first class is free and students can purchase a 10-class pass for \$70. For more information, call the senior center at 860-388-1611, ext. 204,

2019 . HARBOR NEWS . COMMUNITY NEWS

#### NOTICE

NOTICE IS HERBY GIVEN, pursuant to Section 16-50/(b) of the Connecticut General Statutes and Section 16-50/-1(e) of the Regulations of Connecticut State Agencies, of the intent of MCM Holdings, LLC ("MCM") and Cellco Partnership d/b/a Verizon Wireless ("Cellco") (together "Applicants") to file an Application for a Certificate of Environmental Compatibility and Public Need with the Connecticut Siting Council ("Siting Council") on or after March 29, 2019 to construct a wireless telecommunications tower facility ("Facility") at one of two candidate sites within the Town of Westbrook. While two alternatives are proposed, only one candidate location would be constructed subject to the Siting Council's decision.

Candidate A is a 0.62-acre parcel of land owned by the Connecticut Water Company located at 1542 Boston Post Road in the Town of Westbrook and identified as Map 182, Lot 007 on the Town of Westbrook Tax Map. Candidate A is the former site of a water tank facility and the current site of an existing temporary wireless tower facility. Candidate B consists of two parcels of land totaling approximately 2.31-acres near Candidate A off of Kirtland Street in the Town of Westbrook with no specific parcel address but identified as Map 182, Lot 003 (0.39 acre) and Map 177, Lot 122 (1.92 acres) on the Town of Westbrook Tax Map.

The Facility at either Candidate A or Candidate B will consist of a 130' above grade level self-supporting monopole with other related equipment located at grade level within a fenced equipment compound.

The Application explains the need, purpose and benefits of the Facility and also describes the environmental impacts of the proposed Facility. The Facility will be shared by other wireless carriers including AT&T and T-Mobile which have facilities on the temporary tower currently.

A balloon, representative of the proposed height of the facility, will be flown at both candidate sites on the first day of the Siting Council public hearing on the Application or on such other date specified by the Siting Council at a time to be determined by the Siting Council, but anticipated to be between the hours of 12pm and 5pm. The Siting Council public hearing on the Application will be held in the Town of Westbrook.

Interested parties and residents of Westbrook, Connecticut are invited to review the Application during normal business hours after March 29, 2019 when the Application is anticipated to be filed, at the following offices:

Connecticut Siting Council 10 Franklin Square New Britain, CT 06051 Joan S. Angelini, CMC Town Clerk, Town of Westbrook 866 Boston Post Road Westbrook, CT 06498

#### **CERTIFICATION OF NOTICE**

I hereby certify that on the of March 2019, a copy of the foregoing notice of the intent to file an Application with the Connecticut Siting Council, was sent by certified mail, return receipt requested to each of the parties listed below:

Dated: 3 27 2

Cuddy & Feder LLP

45 Hamilton Avenue, 14<sup>th</sup> Floor White Plains, New York 10601

Attorneys for:

MCM Holdings, LLC and Cellco Partnership d/b/a Verizon Wireless

#### Abutters List Site A: 1542 Boston Post Road Map 182, Lot 007

DATTILO FAMILY HOLDING LLC 1525 BOSTON POST RD WESTBROOK, CT 06498	1551 BOSTON POST RD ASSOCIATES LLC C MARASCO PO BOX 688 WESTBROOK, CT 06498
DATTILO FAMILY HOLDING LLC 1525 BOSTON POST RD WESTBROOK, CT 06498	WATERS EDGE REALTY LLC PO BOX 688 WESTBROOK, CT 06498
DATTILO FAMILY HOLDING LLC 1525 BOSTON POST RD WESTBROOK, CT 06498	DATTILO FAMILY HOLDINGS LLC 1525 BOSTON POST RD WESTBROOK, CT 06498
DATTILO FAMILY HOLDINGS LLC 1525 BOSTON POST RD WESTBROOK, CT 06498	WESTBROOK LAND CONSERVATION TRUST INC PO BOX 1124 WESTBROOK, CT 06498
CONN WATER CO 93 W MAIN STREET CLINTON, CT 06413	

#### **CERTIFICATION OF NOTICE**

I hereby certify that on the normal of March 2019, a copy of the foregoing notice of the intent to file an Application with the Connecticut Siting Council, was sent by certified mail, return receipt requested to each of the parties listed below:

Dated:

Cuddy & Feder LLP

45 Hamilton Avenue, 14<sup>th</sup> Floor White Plains, New York 10601

Attorneys for:

MCM Holdings, LLC and Cellco Partnership d/b/a Verizon Wireless

#### Abutters List Site B: Map 182, Lot 003 and Map 177, Lot 122

HYDE KAREN LYNN	DATTILO FAMILY HOLDINGS LLC
6 TOWER HILL RD	1525 BOSTON POST RD
KILLINGWORTH, CT 06419	WESTBROOK, CT 06498
HOLTON DOREEN	SOUTHERN NEW ENGLAND TELEPHONE CO
39 MAPLE RIDGE RD	C/O FRONTIER COMMUNICATIONS
WESTBROOK, CT 06498	401 MERRITT
	NORWALK, CT 06851
DATTILO FAMILY HOLDING LLC	DATTILO FAMILY HOLDING LLC
1525 BOSTON POST RD	1525 BOSTON POST RD
WESTBROOK, CT 06498	WESTBROOK, CT 06498
JENSENS INC	DATTILO FAMILY HOLDING LLC
PO BOX 608	1525 BOSTON POST RD
SOUTHINGTON, CT 06489	WESTBROOK, CT 06498
WRIGHT PATRICIA K	JENSENS INC
37 KIRTLAND ST	PO BOX 608
WESTBROOK, CT 06498	SOUTHINGTON, CT 06489
WESTBROOK, CT 00498	3001HINGTON, C1 00489
BARRETT JULIE A & JON A TTEES	DATTILO FAMILY HOLDINGS LLC
21 SOUTH COURT	1525 BOSTON POST RD
TIVERTON, RI 02878	WESTBROOK, CT 06498
ROWE DAVID H	DATTILO FAMILY HOLDINGS LLC
1493 BOSTON POST RD	1525 BOSTON POST RD
WESTBROOK, CT 06498	WESTBROOK, CT 06498
WEST BROOK, CT 00430	WESTBROOK, CT 00496

DATTILO FAMILY HOLDINGS LLC	
1525 BOSTON POST RD	
WESTBROOK, CT 06498	

March \_\_\_\_, 2019

#### VIA CERTIFIED MAIL/ RETURN RECEIPT REQUESTED ADDRESSEE

ADDRESSEE ADDRESS

-		
ĸ	ρ.	

MCM Holdings, LLC ("MCM") and Cellco Partnership d/b/a Verizon Wireless ("Cellco")

Wireless Telecommunications Tower Facility

Water Tank Facility Replacement

Westbrook, Connecticut

-		
Dear	•	•
Dear		٠

We are writing on behalf of our clients MCM Holdings, LLC ("MCM") and Cellco Partnership d/b/a Verizon Wireless ("Cellco") with respect to the above referenced matter and our clients' intent to file an application with the State of Connecticut Siting Council ("CSC") for approval of a proposed wireless communications tower (the "Facility") at one of two proposed candidate sites within the Town of Westbrook.

We are writing to you to provide notice as you are an abutting neighbor to either Candidate A or Candidate B. Candidate A is located at 1542 Boston Post Road in the Town of Westbrook and is identified as Map 182, Lot 007 on the Town of Westbrook Tax Map. Candidate A is the former site of a water tank facility and the current site of an existing temporary wireless tower facility. Candidate B consists of two parcels of land totaling approximately 2.31-acres off of Kirtland Street in the Town of Westbrook with no specific parcel address but identified as Map 182, Lot 003 (0.39 acre) and Map 177, Lot 122 (1.92 acres) on the Town of Westbrook Tax Map. Included with this letter please find a Notice of this application with details of the proposed Facility. While two candidate sites are proposed, only one facility would be constructed subject to CSC approval.

The location, height and other features of the Facility are subject to review and potential change by the CSC under the provisions of Connecticut General Statutes §16-50g et seq.

If you have any questions concerning this application, please contact the CSC or the undersigned after March 29, 2019, the date which the application is expected to be on file.

Very truly yours,

Christopher B. Fisher

Enclosure

#### **CERTIFICATION OF SERVICE**

I hereby certify that on the 29<sup>th</sup> day of March 2019, a copy of the foregoing Application to the State of Connecticut Siting Council for a Certificate of Environmental Compatibility and Public Need, was sent by first class certified mail to the list below.

Dated:	
	Cuddy & Feder LLP
	45 Hamilton Avenue, 14 <sup>th</sup> Floor
	White Plains, New York 10601
	Attorneys for:
	MCM Holdings, LLC and Cellco
	Partnership d/b/a Verizon Wireless

#### State

	State
THE HONORABLE GEORGE JEPSEN ATTORNEY GENERAL OFFICE OF THE ATTORNEY GENERAL 55 ELM STREET HARTFORD, CT 06106	DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT CATHERINE SMITH, COMMISSIONER 505 HUDSON STREET HARTFORD, CT 06106
DEPARTMENT OF PUBLIC HEALTH DR. RAUL PINO, COMMISSIONER 410 CAPITOL AVENUE P.O. BOX 340308 HARTFORD, CT 06134	DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION PUBLIC UTILITIES REGULATORY AUTHORITY CHAIR KATIE DYKES TEN FRANKLIN SQUARE NEW BRITAIN, CT 06051
COUNCIL ON ENVIRONMENTAL QUALITY PETER B. HEARN, EXECUTIVE DIRECTOR 79 ELM STREET HARTFORD, CT 06106	DEPARTMENT OF TRANSPORTATION JOSEPH GIULIETTI, COMMISSIONER 2800 BERLIN TURNPIKE NEWINGTON, CT 06111
DEPARTMENT OF ENERGY & ENVIRONMENTAL PROTECTION ROB KLEE, COMMISSIONER 79 ELM STREET HARTFORD, CT 06106	DEPARTMENT OF AGRICULTURE MELODY A. CURREY, ACTING COMMISSIONER 450 COLUMBUS BOULEVARD, SUITE 701 HARTFORD, CT 06103
OFFICE OF POLICY AND MANAGEMENT BENJAMIN BARNES, SECRETARY 450 CAPITOL AVENUE HARTFORD, CT 06106	STATE SENATOR - 33RD DISTRICT ART LINARES LEGISLATIVE OFFICE BUILDING 300 CAPITAL AVENUE ROOM 3400 HARTFORD, CT 06106

LOWER CT RIVER VALLEY COUNCIL OF DEPARTMENT OF EMERGENCY SERVICES & GOVERNMENTS **PUBLIC PROTECTION** SAM GOLD, EXECUTIVE DIRECTOR DIVISION OF EMERGENCY MANAGEMENT AND 145 DENNISON ROAD **HOMELAND SECURITY** ESSEX, CT 06426 JAMES C. ROVELLA, DEPUTY COMMISSIONER 25 SIGOURNEY STREET 6<sup>TH</sup> FLOOR HARTFORD, CT 06106-5042 DEPARTMENT OF ECONOMIC AND COMMUNITY STATE HOUSE REPRESENTATIVE- DISTRICT **DEVELOPMENT-OFFICES OF CULTURE AND** 035 TOURISM TODD LEVINE, STATE HISTORIC JESSE MACLACHLAN PRESERVATION OFFICER, LEGISLATIVE OFFICE BUILDING HISTORIAN/ENVIRONMENTAL REVIEWER ONE 300 CAPITAL AVENUE CONSTITUTION PLAZA, 2<sup>ND</sup> FLOOR **ROOM 4044** HARTFORD, CT 06103 HARTFORD, CT 06106

#### **Federal**

FEDERAL COMMUNICATIONS COMMISSION	FEDERAL AVIATION ADMINISTRATION
445 12 <sup>™</sup> STREET SW	800 INDEPENDENCE AVENUE, SW
WASHINGTON, DC 20554	WASHINGTON, DC 20591
U.S. SENATOR CHRISTOPHER MURPHY	U.S. SENATOR RICHARD BLUMENTHAL
COLT GATEWAY	90 STATE HOUSE SQUARE, 10TH FLOOR
120 HUYSHOPE AVENUE	HARTFORD, CT 06103
SUITE 401	
HARTFORD, CT 06106	
U.S. CONGRESSMAN - 2ND DISTRICT	
JOE COURTNEY	
55 MAIN STREET, SUITE 250	·
NORWICH, CT 06360	

#### **Town of Westbrook**

NOEL BISHOP, FIRST SELECTMAN	ZONING COMMISSION
TOWN HALL	TOWN HALL
866 BOSTON POST ROAD	866 BOSTON POST ROAD
WESTBROOK, CT 06498	WESTBROOK, CT 06498
PLANNING COMMISSION	INLAND WETLANDS & WATERCOURSES
TOWN HALL	COMMISSION
866 BOSTON POST ROAD	TOWN HALL
WESTBROOK, CT 06498	866 BOSTON POST ROAD
	WESTBROOK, CT 06498

ERIC KNAPP, TOWN PLANNER TOWN HALL 866 BOSTON POST ROAD WESTBROOK, CT 06498 CONSERVATION COMMISSION TOWN HALL 866 BOSTON POST ROAD WESTBROOK, CT 06498

# Tab 11

#### ATTACHMENT 11

Connecticut Siting Council Application Guide

Application Guideline	Location in Application
(A) An Executive Summary containing the	Section I.B
addresses and proposed locations of the	
proposed facility and any alternatives,	
including height of tower and associated	
antennas, access roads and utility services;	
special design features; type/size/number of	
transmitters and receivers with signal	
frequency; map showing fixed facilities with	
which facility would interact; coverage signal	
strength; forecast of hen maximum capability	
would be reached.	
(B) Statement of the need for the proposed	Section III; Attachment 1
facility with as much specific information as	,
is practicable.	
(C) Statement of the benefits expected from	Section III.B; Attachment 1
the proposed facility.	,
(D) Maps and drawings for the proposed	Attachment 3, Attachment 4, Attachment 5
facility and any alternatives.	
(E) A description of the proposed site and any	Sections V & VII; Attachment 3, Attachment
alternative sites, including zoning	4, Attachment 5, Attachment 6
classification, planned land uses and	
surrounding areas.	
(F) A description of the scenic, natural,	Attachment 6
historic, and recreational characteristics of the	
proposed site and any alternative sites and	
surrounding areas including but not limited to	
officially designated nearby hiking trails,	
nature preserves, and scenic roads.	
(G) Visibility Analyses of the proposed site	Section V.A; Attachment 7
area and any alternative site areas.	
(H) An affidavit for each balloon float	Attachment 7
conducted at the proposed site and any	
alternative sites including the date, time, and	
demonstrated height.	
(I) List describing the type and height of all	Attachment 2
existing and proposed towers and facilities	
within a four mile radius within the site	
search area or within any other area from	
which use of the proposed towers might be	
feasible from a location standpoint for	
purposes of the application.	
(J) A description of efforts to share existing	Section IV
towers, including but not limited to	
installations on electric transmission poles, or	
to consolidate telecommunications antennas	

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of public and private services onto the	
proposed facility including efforts to offer	
tower space, where feasible at no charge for	
space for municipal antennas.	
(K) A description of technological	Section III.C
alternatives and a statement containing	
justification for the proposed facility.	
(L) A description of rejected sites with a	Section IV.A; Attachment 2
U.S.G.S. topographic quadrangle maps	
marked to show the location of rejected sites.	
(M) A detailed description and justification	Section IV.A; Attachment 2
for the sites selected, including a description	,
of siting criteria and the narrowing process by	
which other possible sites were considered	
and eliminated including, but not limited to,	
environmental effects, cost differential,	
coverage lost or gained, potential interference	
with other facilities, and signal loss due to	
geographical features compared to the	
proposed site.	
(N) A statement describing hazards to human	Section VI.C; Attachment 8
health, if any, with such supporting data,	Section VI.C, Attachment o
including signal frequency, power density and	
references to regulatory standards.  (O) A statement of estimated costs for site	Section IX.A; Attachment 6
	Section IA.A, Attachment 0
acquisition, construction, and equipment for a	
facility at the various proposed sites of the	
facility, including all candidates referred to in	
the application.	C ' N/D A // 1
(P) A schedule showing proposed program of	Section IX.B; Attachment 6
site acquisition, construction, completion,	
operation, and relocation or removal of	
existing facilities for the name sites.	
(Q) A statement indicating that, weather	Section VI.A; Attachment 10
permitting, the applicant will raise a balloon	
with a diameter of at least three feet, at the	
sites of the various proposed sites of the	
facility, including all candidates referred to in	
the application, on the date of the CSC's first	
hearing on the application or at a time	
otherwise specified by the CSC.	
(R) Such information as any department or	Sections VI & VII & VIII; Attachment 6,
agency of the State exercising environmental	Attachment 9
controls may, by regulation, require including	
but not limited to any federal, state, regional,	
and municipal agencies and the most recent	

conservation, inland wetland zoning, and plan	
of development documents of the	
municipality.	
(S) Description of proposed site clearing for	Section V; Attachment 4, Attachment 5
access road and compound including type of	
vegetation scheduled for removal and quantity	
of trees greater than six inches diameter at	
breast height and involvement with wetlands.	
(T) A statement explaining mitigation	Sections VI.D & VII.D; Attachment 3,
measures for the proposed facility including,	Attachment 4, Attachment 5, Attachment 6
but not limited to, construction techniques	
designed to minimize adverse effects7 on	
natural areas and sensitive areas, special	
design features made specifically to avoid or	
minimize adverse effects on natural areas and	
sensitive areas, establishment of vegetation	
proposed near residential/recreation/scenic	
areas, methods for preservation of vegetation	
for wildlife habitat and screening, and other	
environmental concerns identified by the	
applicant, the CSC, or any other public	
agency.	