



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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March 19, 2012

TO: Parties and Intervenors

FROM: Linda Roberts, Executive Director *LR/MS*

RE: **PETITION NO. 1010** - New Cingular Wireless PCS, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed installation of an concealed tower on a water tank and associated equipment at a water treatment plant located at 455 Valley Road, Greenwich, Connecticut.

Comments have been received from the Department of Public Health, dated March 7, 2012.
Copies are attached for your review.

LR/cm

c: Council Members

STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH



Jewel Mullen, M.D., M.P.H., M.P.A.
Commissioner

Dannel Malloy
Governor

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CONNECTICUT
SITING COUNCIL

March 7, 2012

Linda Roberts
Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

Re: Petition No. 1010—New Cingular Wireless PCS, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed installation of a concealed tower on a water tank and associated equipment at a water treatment plant located at 455 Valley Road, Greenwich, Connecticut
DPH Project #2012-0149

Dear Ms. Roberts:

The Drinking Water Section (DWS) of the Department of Public Health has reviewed the above noted Petition. This proposed project is located on land which is at the terminus of Mianus Mill Pond, an active source of public drinking water for the customers of Aquarion Water Company, Greenwich System, (AWC, PWSID# CT0570011). This land is owned by AWC and is where the Mianus Water Treatment Plant is located. The DWS offers the following comments regarding this petition:

- Since the land located at 455 Valley Road, Greenwich is owned by a water company it is defined as water company land and can be further classified as Class I, II or III water company land pursuant to Connecticut General Statutes (CGS) Section 25-37c.
- The subject proposal for locating a concealed telecommunications tower on an existing water tank is consistent with CGS Section 25-32(f) which specifically allows the use of water company land for telecommunications towers located on existing structures.
- If the building containing the associated equipment is proposed to be located on Class I or II water company land, the department would have direct statutory authority over its construction and operation plan pursuant to CGS Section 25-32.
- For a building location on Class I or II water company land, AWC would be required to apply to the department for a Water Company Land Change in Use Permit pursuant to CGS Section 25-32. The department conducts a detailed review of change in use permit applications and will only approve the activity if AWC demonstrates that the activity will not have a significant adverse impact upon the present and future purity and adequacy of the public drinking water supply. In addition, such permit approvals are subject to any conditions or restrictions in use which may be deemed necessary to maintain the purity and adequacy of the public drinking water supply.



- If the proposed building is located on Class III water company land, AWC would not be required to obtain a permit from the department.

If you have any questions regarding this matter, please contact Lori Mathieu of the DWS at 860-509-7333.

Sincerely,

A handwritten signature in black ink, appearing to read "Jewel Mullen", with a long horizontal flourish extending to the right.

Jewel Mullen, MD, MPH, MPA
Commissioner, DPH

Cc:

Elizabeth Camerino-Schultz, Aquarion Water Company
Ellen Blaschinski, DPH
Leonard Lee, Deputy Commissioner, DPH