# ROBINSON & COLELLP

KENNETH C. BALDWIN

280 Trumbull Street Hartford, CT 06103-3597 Main (860) 275-8200 Fax (860) 275-8299 kbaldwin@rc.com Direct (860) 275-8345

# ORIGINAL

September 24, 2009

S. Derek Phelps **Executive Director** Connecticut Siting Council 10 Franklin Square New Britain, CT 06051

Re:

EM-VER-002-090807

1 Deerfield Lane, Ansonia, Connecticut **Completion of Construction Activity** 

Dear Mr. Phelps:

The purpose of this letter is to notify you and the Connecticut Siting Council that the modifications to the above-referenced telecommunications facility approved in EM-VER-002-090807 have been completed and the cell site has now been activated.

If you have any questions or need any additional information regarding this facility please do not hesitate to contact me.

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KCB/kmd Copy to:

Sandy M. Carter

STAMFORD

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Sincerely,

Kenneth C. Baldwin

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### 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

September 10, 2009

Kenneth C. Baldwin, Esq. Robinson & Cole LLP 280 Trumbull Street Hartford, CT 06103-3597

RE: **EM-VER-002-090807** – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 1 Deerfield Lane, Ansonia, Connecticut.

Dear Attorney Baldwin:

The Connecticut Siting Council (Council) hereby acknowledges your notice to modify this existing telecommunications facility, pursuant to Section 16-50j-73 of the Regulations of Connecticut State Agencies.

The proposed modifications are to be implemented as specified here and in your notice dated August 6, 2009, including the placement of all necessary equipment and shelters within the tower compound. The modifications are in compliance with the exception criteria in Section 16-50j-72 (b) of the Regulations of Connecticut State Agencies as changes to an existing facility site that would not increase tower height, extend the boundaries of the tower site, increase noise levels at the tower site boundary by six decibels, and increase the total radio frequencies electromagnetic radiation power density measured at the tower site boundary to or above the standard adopted by the State Department of Environmental Protection pursuant to General Statutes § 22a-162. This facility has also been carefully modeled to ensure that radio frequency emissions are conservatively below State and federal standards applicable to the frequencies now used on this tower.

This decision is under the exclusive jurisdiction of the Council. Please be advised that the validity of this action shall expire one year from the date of this letter. Any additional change to this facility will require explicit notice to this agency pursuant to Regulations of Connecticut State Agencies Section 16-50j-73. Such notice shall include all relevant information regarding the proposed change with cumulative worst-case modeling of radio frequency exposure at the closest point of uncontrolled access to the tower base, consistent with Federal Communications Commission, Office of Engineering and Technology, Bulletin 65. Any deviation from this format may result in the Council implementing enforcement proceedings pursuant to General Statutes § 16-50u including, without limitation, imposition of expenses resulting from such failure and of civil penalties in an amount not less than one thousand dollars per day for each day of construction or operation in material violation.

Thank you for your attention and cooperation.

Executive Director

SDP/MP/laf

c: The Honorable James T. DellaVolpe, Mayor, City of Ansonia Peter Crabtree, Zoning Enforcement Officer, City of Ansonia SBA



# Daniel F. Caruso

#### 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 Internet: ct.gov/csc

Daniel F. Caruso Chairman

August 7, 2009

The Honorable James T. DellaVolpe Mayor City of Ansonia City Hall 253 Main Street Ansonia, CT 06401-1866

RE: **EM-VERIZON-002-090807** – Cellco Partnership d/b/a Verizon Wireless notice of intent to modify an existing telecommunications facility located at 1 Deerfield Lane, Ansonia, Connecticut.

Dear Mayor DellaVolpe:

The Connecticut Siting Council (Council) received this request to modify an existing telecommunications facility, pursuant to Regulations of Connecticut State Agencies Section 16-50j-72.

If you have any questions or comments regarding this proposal, please call me or inform the Council by August 21, 2009.

Thank you for your cooperation and consideration.

S. Derek Phelps

**Executive Director** 

SDP/laf

Enclosure: Notice of Intent

c: Peter Crabtree, Zoning Enforcement Officer, City of Ansonia



### **ROBINSON & COLE**

KENNETH C. BALDWIN

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# ORIGINAL

August 6, 2009

S. Derek Phelps Executive Director Connecticut Siting Council 10 Franklin Square New Britain, CT 06051

Re: Notice of Exempt Modification
1 Deerfield Lane, Ansonia, Connecticut

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AUG -7 2009

CONNECTICUT
SITING COUNCIL

Dear Mr. Phelps:

Cellco Partnership d/b/a Verizon Wireless ("Cellco") intends to share the new telecommunications facility at 1 Deerfield Lane in Ansonia. Cellco's shared use of this facility was approved by the Council in Docket No. 340 and as a part of the Development and Management ("D&M") Plan. Since the time of D&M Plan approval, Cellco has decided to install a propane-fueled generator in lieu of the diesel-fueled generator previously proposed. To accommodate this change, Cellco will need to install a 1,000 gallon propane tank in the corner of the existing facility compound. Attached to this letter is an exhibit showing the location of Cellco's equipment shelter and the proposed propane tank.

Please accept this letter as notification pursuant to R.C.S.A. § 16-50j-73, for construction that constitutes an exempt modification pursuant to R.C.S.A. § 16-50j-72(b)(2). In accordance with R.C.S.A. § 16-50j-73, a copy of this letter is being sent to James Della Volpe, Mayor of Ansonia. Pursuant to Siting Council directive a copy of the letter is also being sent to Macabee Properties, LLC, the owner of the property on which the tower is located.

The installation of the propane tank at the Ansonia facility falls squarely within those activities explicitly provided for in R.C.S.A. § 16-50j-72(b)(2).

- 1. The proposed modification will not result in an increase the overall height of the tower.
- 2. The proposed installation of a 1000 gallon propane tank will not require the expansion of the approved fenced compound area or lease area.
- 3. The proposed installation will not increase the noise levels at the facility by six decibels or more.



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S. Derek Phelps August 6, 2009 Page 2

4. The installation of a propane tank will not result in any change in RF emissions from the site, nor will it impact the structural capacity of the tower. Neither power density calculations nor a structural analysis report for the tower is needed as a part of this filing.

For the foregoing reasons, Cellco respectfully submits that the proposed antenna installation at the facility constitutes an exempt modification under R.C.S.A.  $\S 16-50j-72(b)(2)$ .

Sincerely,

Kenneth C. Baldwin

Attachment Copy to:

Sandy M. Carter Brian Ragozzine



