

Daniel F. Caruso  
Chairman

# 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](mailto:siting.council@ct.gov)

Internet: [ct.gov/csc](http://ct.gov/csc)

December 29, 2006

Kellie A. Dunn, Site Development  
Tower Resource Management, Inc.  
30 Lyman Street, Suite 12  
Westborough, MA 01581

RE: **EM-CING-148-008-101-002-061130** - New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 23 Wayne Road, Wallingford; 719 Amity Road a/k/a 761 Amity Road, Bethany; 2 Dwight Street a/k/a 4 Dwight Street, North Haven; 922 Northrop Road, Wallingford; and 401 Wakelee Street, Ansonia, Connecticut.

Dear Ms. Dunn:

At a public meeting held on December 12, 2006, the Connecticut Siting Council (Council) acknowledged your notice to modify these existing telecommunications facilities, pursuant to Section 16-50j-73 of the Regulations of Connecticut State Agencies.

1. All AT&T equipment including but not limited to equipment shelters, antennas, tower platforms, T-arms, etc., are removed within 180 days of this acknowledgement unless it can be utilized by another carrier within that time period.
2. If AT&T is at the top position on the tower, any tower extension or mast (that only supports AT&T antennas) is removed within 180 days of this acknowledgement unless it can be utilized by another carrier within that time period.
3. The Council recommends that the compounds are cleared of all weeds, brush, and unnecessary clutter.

The proposed modifications are to be implemented as specified here and in your notice dated November 30, 2006, including the placement of all necessary equipment and shelters within the tower compounds. 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 existing facility sites that would not increase tower heights, extend the boundaries of the tower sites, increase noise levels at the tower site boundaries by six decibels, and increase the total radio frequencies electromagnetic radiation power densities measured at the tower site boundaries to or above the standard adopted by the State Department of Environmental Protection pursuant to General Statutes § 22a-162. These facilities have also been carefully modeled to ensure that radio frequency emissions are conservatively below State and federal standards applicable to the frequencies now used on these towers.

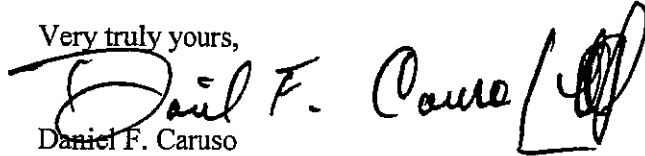
This decision is under the exclusive jurisdiction of the Council. Please be advised that the validity of this action shall expire one year from the date of this letter. Any additional change to any of these facilities will require explicit notice to this agency pursuant to Regulations of

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.

Very truly yours,

A handwritten signature in black ink, appearing to read "Daniel F. Caruso", followed by a large, stylized flourish or checkmark-like mark.

Daniel F. Caruso  
Chairman

DFC/MP/laf

- c: The Honorable James T. DellaVolpe, Mayor, City of Ansonia  
Peter Crabtree, Zoning Enforcement Officer, City of Ansonia  
The Honorable Derrylyn Gorski, Town of Bethany  
Robert H. Brinton, Zoning Enforcement Officer, Town of Bethany  
The Honorable Kevin J. Kopetz, First Selectman, Town of North Haven  
Arthur Hausman, Zoning Enforcement Officer, Town of North Haven  
The Honorable William W. Dickinson, Jr., Mayor, Town of Wallingford  
Linda Bush, Town Planner, Town of Wallingford  
Thomas J. Regan, Esq., Brown Rudnick Berlack Israels LLP  
Kenneth C. Baldwin, Esq., Robinson & Cole LLP  
Christopher B. Fisher, Esq., Cuddy & Feder LLP  
Christine Farrell, T-Mobile  
Michele G. Briggs, New Cingular Wireless PCS, LLC  
American Tower Corporation  
Stephen Tripp



November 30, 2006

HAND DELIVERED  
Connecticut Siting Council  
Ten Franklin Square  
New Britain, CT 06051

EM-CING-148-008-101-002-061130

ATTN: S. Derek Phelps, Executive Director

Re: Notice of Exempt Modifications Pursuant to Sec. 16-50j-72  
Applicant: New Cingular Wireless PCS, LLC

Dear Mr. Phelps:

Please be advised that Tower Resource Management, Inc. ("TRM") as agent of New Cingular Wireless PCS, LLC ("Cingular") hereby files the enclosed Notice of Exempt Modifications (pursuant to Sec. 16-50j-72(b)) for docketing and filing in the usual manner relative to Cingular's desire to decommission the following FIVE (5) sites located in *New Haven County*.

SITE ONE:

LOCATION: 23 Wayne Road, Wallingford, CT  
Latitude: 41-27-45 / Longitude: 72-50-33

CARRIER/USER: AT&T Wireless now known as New Cingular Wireless PCS, LLC

TOWER OWNER: Stephen Tripp a/k/a Tripp Tower

SITE NO./NAME: CT 0172 MOUNT TOM

SITE TWO:

LOCATION: 719 Amity Road a/k/a 761 Amity Road, Bethany, CT  
Latitude: 41-26-33 / Longitude: 72-59-35

CARRIER/USER: AT&T Wireless now known as New Cingular Wireless PCS, LLC

TOWER OWNER: New Cingular Wireless PCS, LLC

SITE NO./NAME: CT 5631 BETHANY NORTH

SITE THREE:

LOCATION: 2 Dwight Street a/k/a 4 Dwight Street, North Haven, CT  
Latitude: 41-25-18.65 / Longitude: 72-50-53.64

CARRIER/USER: AT&T Wireless now known as New Cingular Wireless PCS, LLC

TOWER OWNER: American Tower Corporation

SITE NO./NAME: CT 0170 DEFCO PARK NEXTEL

30 Lyman Street, Suite 12, Westborough, MA 01581





TOWER RESOURCE MANAGEMENT, INC.

Connecticut Siting Council  
ATTN: S. Derek Phelps, Executive Director  
Page Two of Two  
November 28, 2006

SITE FOUR:

LOCATION: 922 Northrup Road, Wallingford, CT  
Latitude: 41-29-21.8 / Longitude: 72-46-6

CARRIER/USER: AT&T Wireless now known as New Cingular Wireless PCS, LLC

TOWER OWNER: American Tower Corporation

SITE NO./NAME: CT 0113 WALLINGFORD SWISS CHALET

SITE FIVE:

LOCATION: 401 Wakelee Street, Ansonia, CT  
Latitude: 41-21-21.85 / Longitude: 73-05-29.66

CARRIER/USER: AT&T Wireless now known as New Cingular Wireless PCS, LLC

TOWER OWNER: American Tower Corporation

SITE NO./NAME: CT 0285 ANSONIA NORTH WEST

As required by the Council, I have provided notice to the Chief Elected Officials for the Town of Wallingford (two notices), Town of Bethany, Town of North Haven and City of Ansonia Salem and included a copy of same in the modification notice. I have also enclosed *twenty five (25) copies* of the Notice of Exempt Modification for each site and the required application fee in the amount of Five Hundred and 00/100 (\$500.00) Dollars.

If possible, please provide me with the hearing date for these matters and should you or your staff require any additional documentation to complete these filings please do not hesitate to contact me.

Thank you for your assistance.

Very truly yours,  
FOR CINGULAR WIRELESS PCS, LLC

  
Kellie A. Dunn, Site Development  
Tower Resource Management, Inc.  
Telephone: (603) 318-8000  
Email: [kdunn@trmcom.com](mailto:kdunn@trmcom.com)

30 Lyman Street, Suite 12, Westborough, MA 01581

## **NOTICE OF EXEMPT MODIFICATIONS**

**(Pursuant to RCSA § 16-50j-72(b))**

**LOCATION:** 401 Wakelee Street, Ansonia, CT  
Latitude: 41-21-21.85 / Longitude: 73-05-29.66

**CARRIER/USER:** AT&T Wireless now known as New Cingular Wireless PCS, LLC,  
a Delaware limited liability company with a mailing address of  
6100 Atlantic Boulevard, Norcross, Georgia 30071

**OWNER:** American Tower Corporation

**TOWER TYPE:** SSL

**TOWER HEIGHT:** 196 FEET

**ELEVATION:** Unknown

**EQUIPMENT TYPE:** Panel antennas

**ANTENNA HEIGHT:** 158 feet

**EQUIPMENT BLDG:** No – outdoor cabinets only

**SITE REFERENCE:** CT 0285 – ANSONIA NW

**DATE:** November 29, 2006

### **A. Summary**

As a result of the merger of AT&T Wireless (“AT&T”) and New Cingular Wireless PCS, LLC (“Cingular”), Cingular desires to decommission sites located within the State of Connecticut. In particular Cingular is removing the AT&T Wireless antennas and a portion of the associated equipment located at the above-referenced site. Cingular will no longer require the use and operation of the AT&T Wireless portion of the above site and requests the Siting Council to allow this exempt modification.

### **B. Compliance with RCSA §16-50j-72(b)**

The modifications Cingular is requesting comply with the requirements of RCSA §16-50j-72(b) because they do not have any substantial adverse environmental effect detailed as follows:

1. The facility is located at 401 Wakelee Street, Ansonia, CT (Latitude: 41-21-21.85 / Longitude: 73-05-29.66). The AT&T antennas have a rad center of 158 feet. The existing equipment is located inside the interior of the existing site compound and will not extend the boundaries of the existing tower site. *See attached photographs marked as Exhibit "A".*
2. Cingular will be ceasing operations of the AT&T antennas, coaxial cable and other equipment located at this site. The antennas, mounts, coaxial cable, 911, ice canopy and other equipment cabinets are to be removed. Concrete pad, power box, telco box and backboard are to remain at the site. Conduit feeds into power and telco have been cut and capped at grade and will remain at the site. *See attached photographs marked as Exhibit "B".*
3. The cessation of operation and removal of the AT&T antennas and associated equipment complies with the requirements of RCSA § 16-50j-72(b) because:
  - The cessation of operation and removal of the AT&T equipment will not increase the tower height;
  - The cessation of and removal of the AT&T equipment will not extend the boundaries of the tower site;
  - The cessation of operation and removal of the AT&T equipment will not increase noise levels at the tower site boundary by 6 decibels but will reduce it;
  - The cessation of operation and removal of the AT&T equipment will not add radio frequency sending or receiving capability which increases the total radio frequency 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 §22a-162 of the Connecticut General Statutes but will reduce it.
4. In addition, the work associated with Cingular's cessation of operation and removal of AT&T equipment shall be done in the same workmanlike manner as any replacement of facility components would be handled in accordance with RCSA §16-50j-72(b)(1) regarding routine general maintenance; and
5. Said cessation of operation and removal of AT&T antennas and equipment is necessary for the reliable operation of the Cingular network.

### **C. Prior Decision and Order**

No Siting Council decision is available for reference; however, the modifications Cingular is requesting comply with the requirements of RCSA §16-50j-72(b) regarding this site. The AT&T Wireless antennas and associated equipment were allowed pursuant

to a notice of intent to modify an existing telecommunications facility on or about July 11, 2001.

**D. Municipality Notification**

The modifications Cingular is requesting comply with the requirements of RCSA §16-50j-72(b) and Cingular has notified the Town of Ansonia of its intention to cease the operations and remove the AT&T Wireless antennas and associated equipment at this site. *See attached Municipal Notice marked as Exhibit "C".*

**E. Tower Owner Notification and Acceptance of Assets**

Cingular has also provided notice to the tower owner, American Towers, Inc. a/k/a American Tower Corporation of Cingular's intention to cease operations and remove the AT&T antennas and equipment at this site and met its obligations under the Lease between the parties. *See attached Benjamin Lambert correspondence and landlord acknowledgement to Harry May marked as Exhibit "D".*

Cingular has also transferred ownership interest in the equipment and fixtures which remain at the site to the Tower Owner. *See Bill of Sale marked as Exhibit "E".*

**F. Conclusion**

Based upon the foregoing information, Cingular requests the Connecticut Siting Council approve Cingular's request for an Exempt Modification pursuant to §16-50j-72(b) at 401 Wakelee Street, Ansonia, CT (Latitude: 41-21-21.85 / Longitude: 73-05-29.66).

Respectfully submitted:

For CINGULAR WIRELESS PCS, LLC:



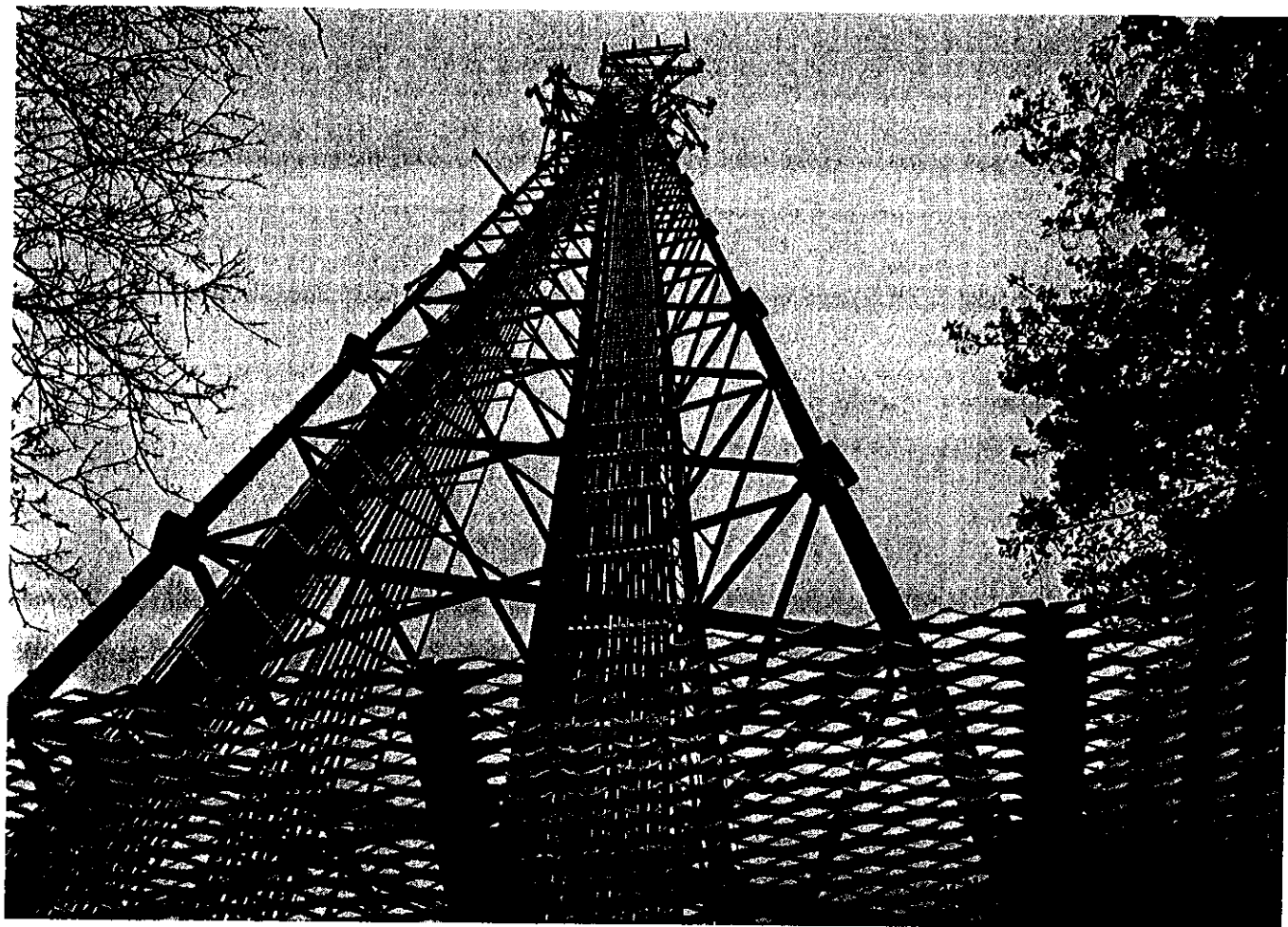
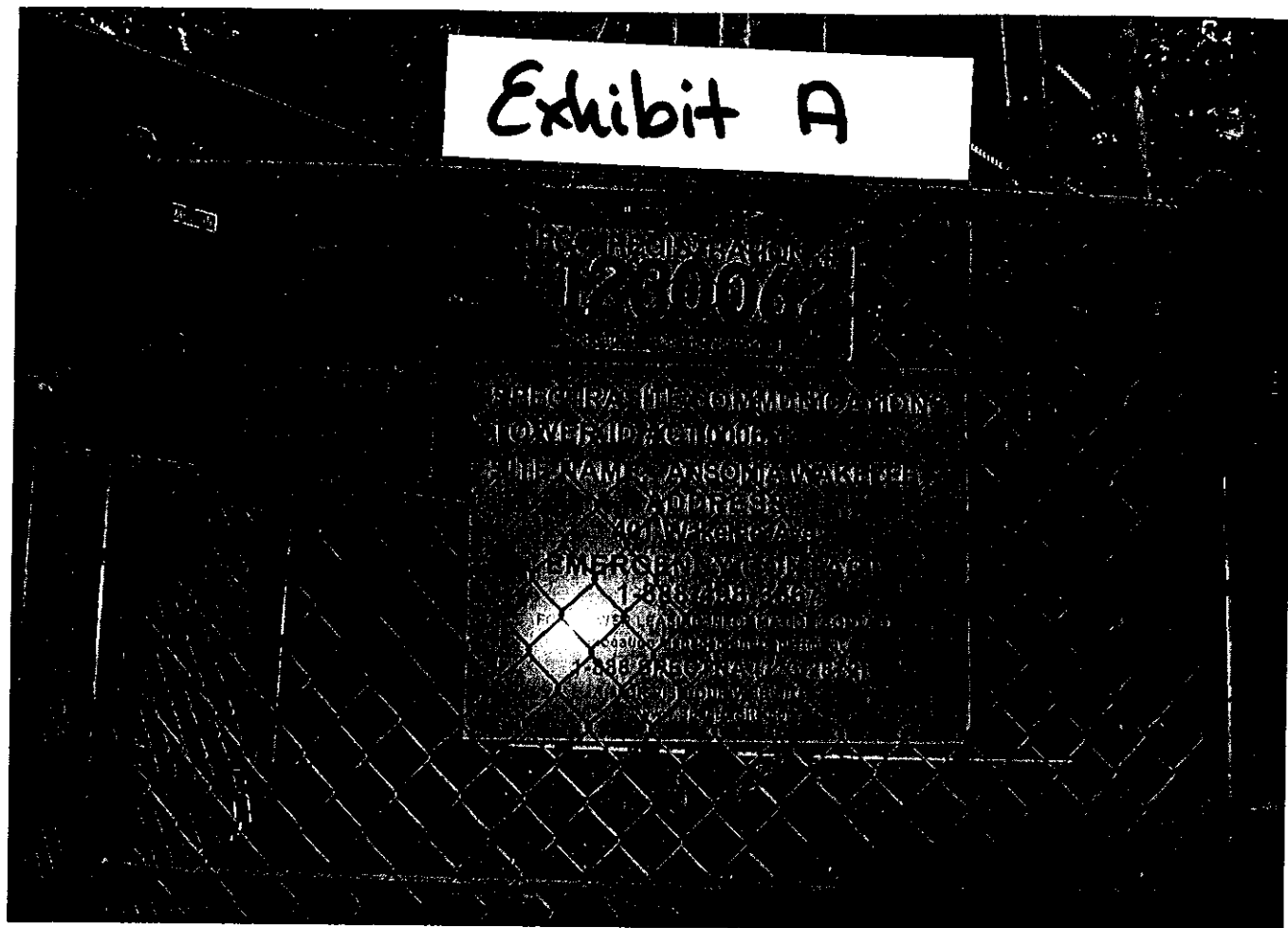
Kellie A. Dunn, Site Development  
Tower Resource Management

30 Lyman Street, Suite 12  
Westborough, MA 01581

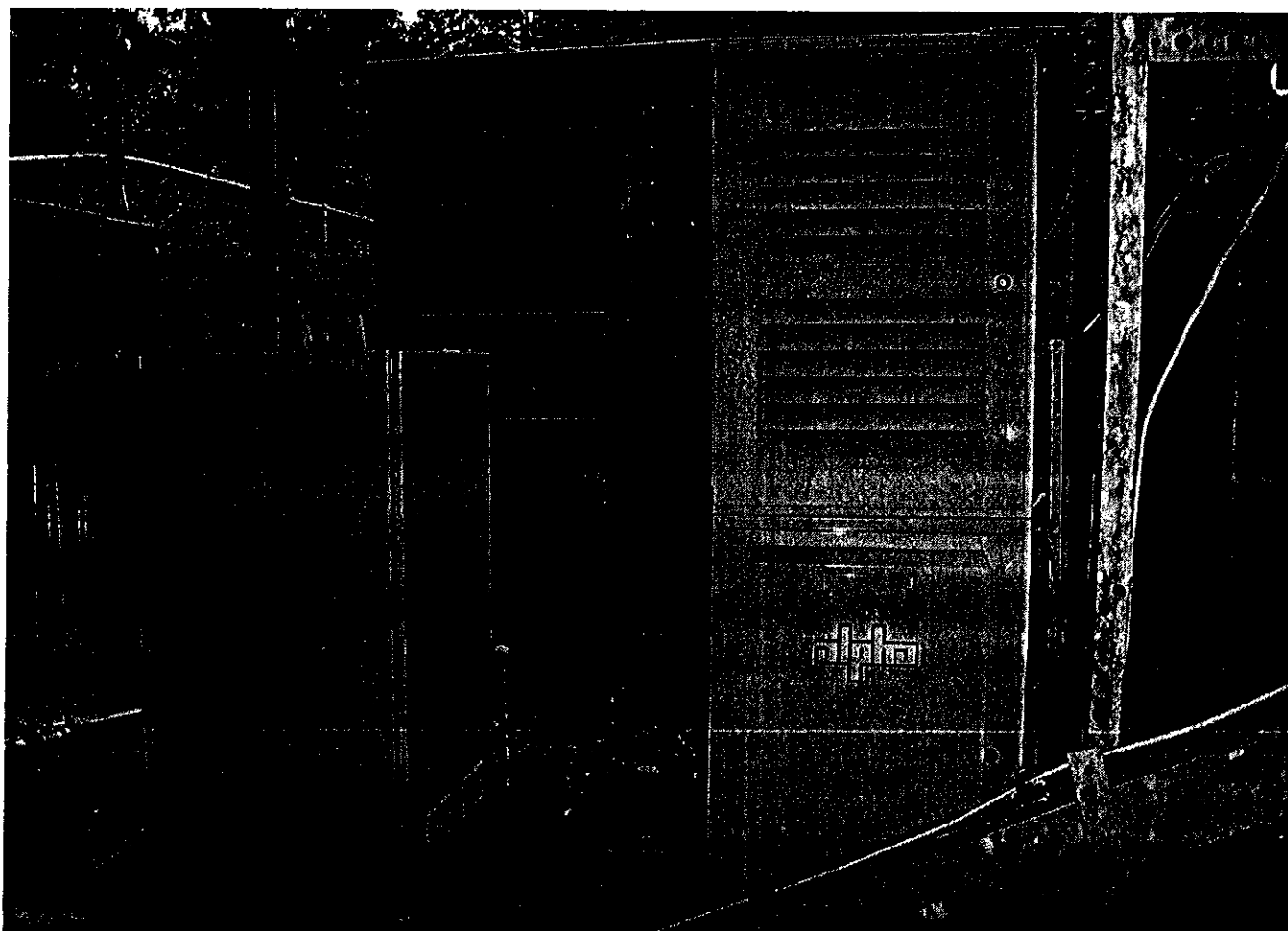
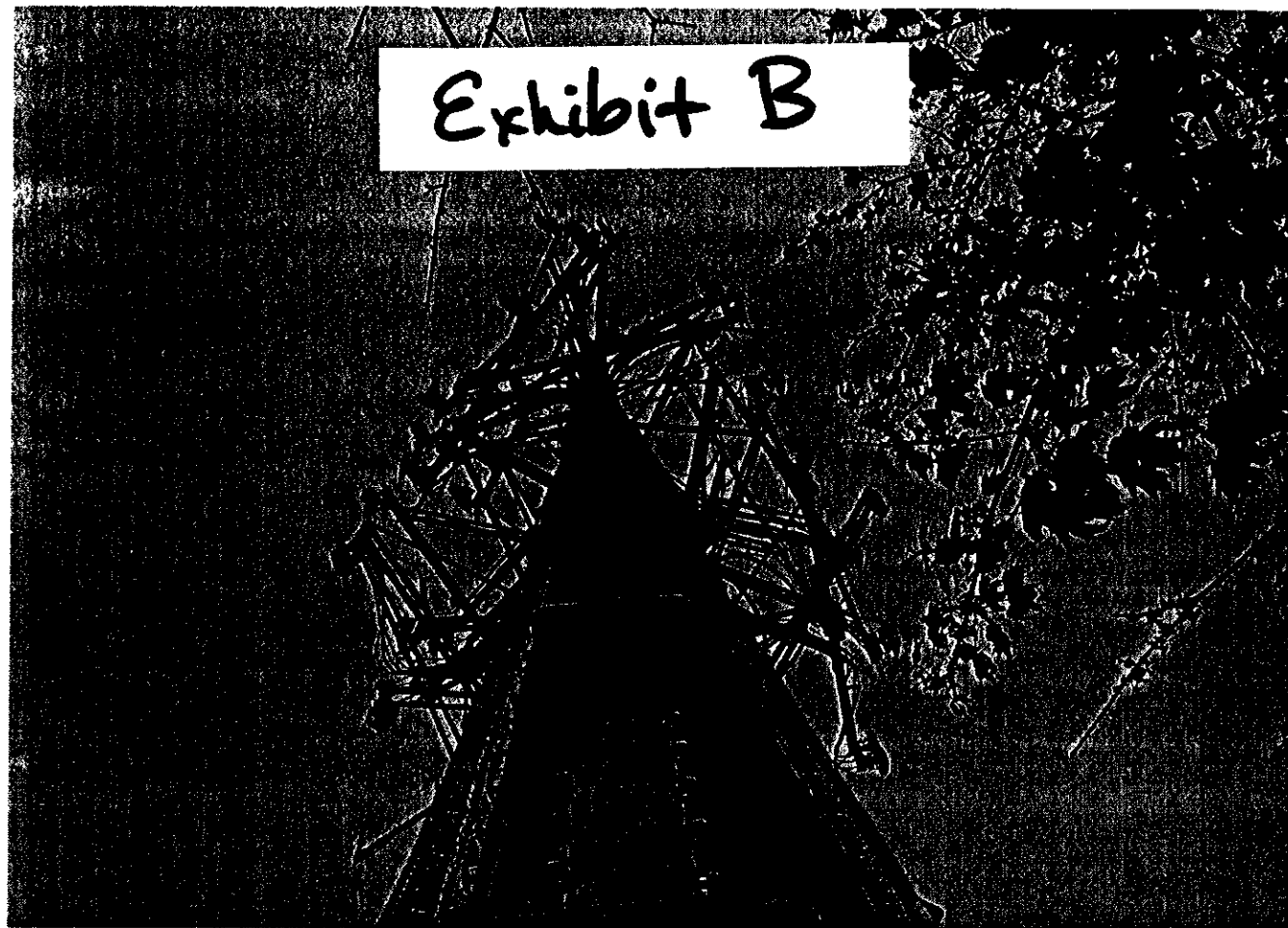
Mobile: 603-318-8000  
Email: kdunn@trmcom.com

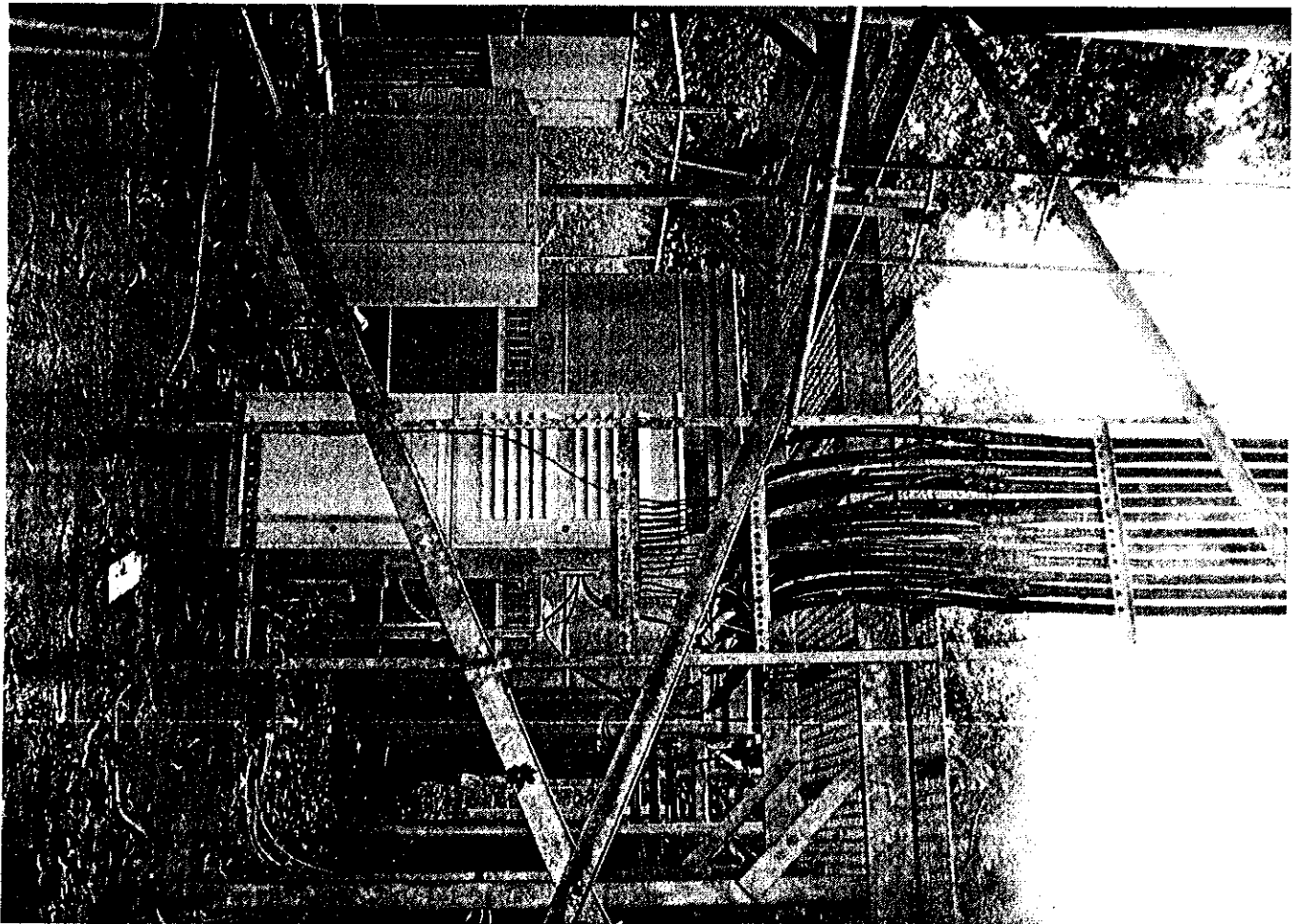
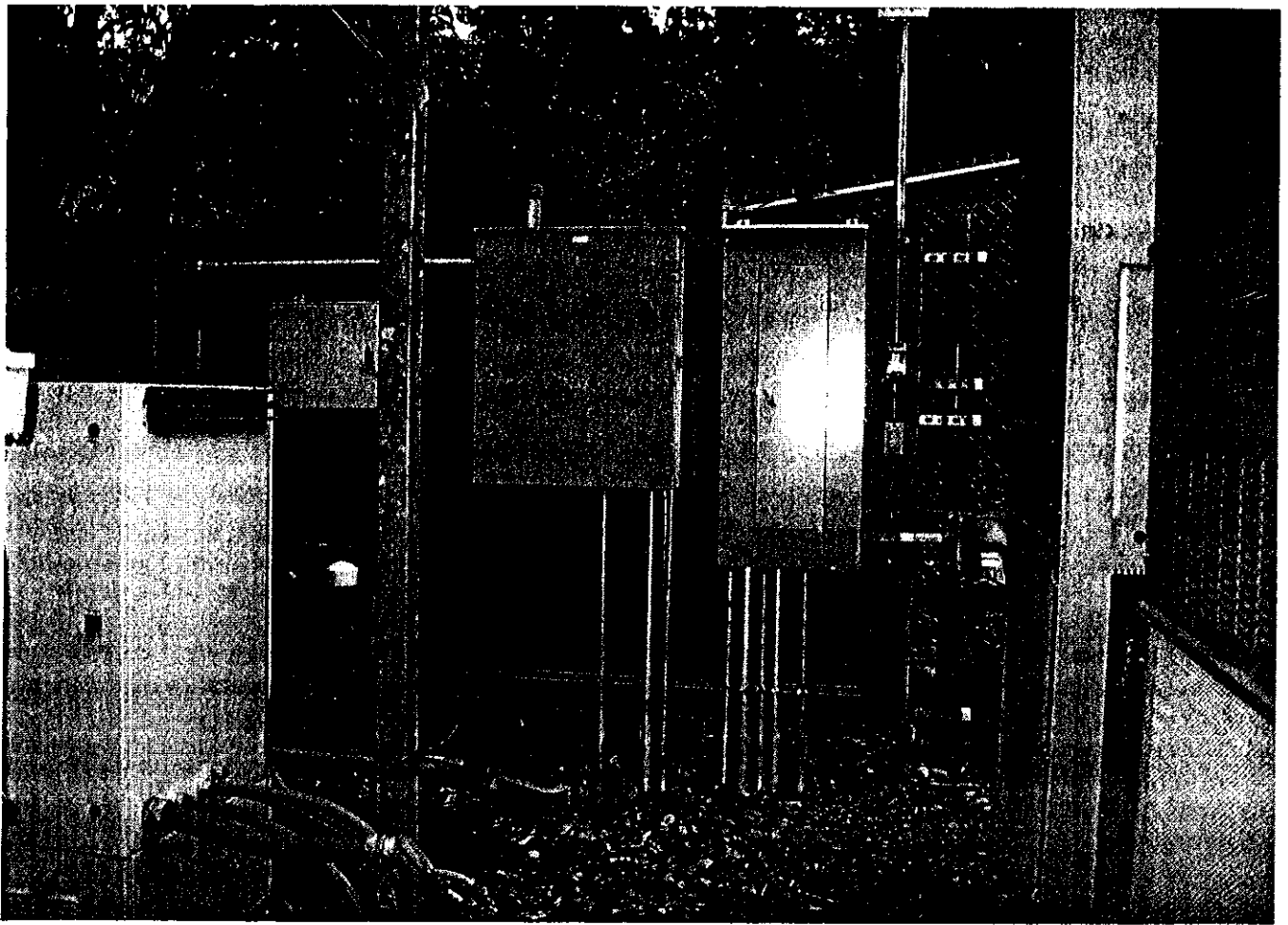


# Exhibit A



# Exhibit B







# Exhibit C

November 28, 2006

CERTIFIED MAIL / RETURN RECEIPT REQUESTED  
James T. Della Volpe, Mayor  
Chief Elected Official - City of Ansonia  
City Hall  
253 Main Street  
Ansonia, CT 06401

**Re: Notice of Exempt Modifications Pursuant to RCSA §16-50j-72**  
**Applicant: New Cingular Wireless PCS, LLC**

Dear Mayor Volpe:

Please be advised that Tower Resource Management ("TRM") as agent of New Cingular Wireless PCS, LLC ("Cingular") is filing the enclosed Notice of Exempt Modification (pursuant to RCSA § 16-50j-72) with the Connecticut Siting Council regarding Cingular's decommissioning of this site which is located within your community. You are receiving a copy of this Notice as required by the Council and this Notice represents Cingular's desire to cease operations of the AT&T Wireless antennas and associated equipment at the following site:

**LOCATION:** 401 Wakelee Street, Ansonia, CT  
Latitude: 41-21-21.85 / Longitude: 73-05-29.66

**CARRIER/USER:** AT&T Wireless now known as New Cingular Wireless PCS, LLC

**TOWER OWNER:** American Tower Corporation

**SITE NO./NAME:** CT 0285 ANSONIA NORTH WEST

In the event you require any additional documentation or information pertaining to this matter, please contact me.

Thank you for your time.

Very truly yours,  
FOR CINGULAR WIRELESS PCS, LLC

  
Kellie Dunn, Site Development  
Tower Resource Management  
30 Lyman Street, Suite 12  
Westborough, MA 01581  
Telephone: 603-318-8000  
Email: [kdunn@trmcom.com](mailto:kdunn@trmcom.com)

Enclosure



Exhibit D

October 18, 2006

American Tower Corporation  
10 Presidential Way  
Woburn, MA 01801

ATTN: Benjamin Lambert, Esq., Project Manager – Contracts Administration

**Re: Site # and Name: CT 0285 / ATC 302470 Ansonia NW Spectra Tower**  
**Facility address: 401 Wakelee Avenue, Ansonia, CT**

Dear Mr. Lambert:


As Cingular ends our relationship with American Tower Corporation on the above-referenced site, Cingular Wireless, LLC seeks to confirm that it has met its obligations regarding the removal of its equipment and restoration of your property. Specifically, pursuant to the agreement of Tom Burgoyne, Connecticut Site Supervisor, the following took place at this site and has been fully completed:

- Remove 911 cabinet and two (2) alpha / power cabinets;
- Remove all coax cable from tower and adjoining ice canopy;
- Remove all antennas and mounts;
- Remove ice canopy;
- Cut and cap conduit feeds into power and telco boxes at grade;
- Power and telco boxes to remain; backboard to remain, concrete pad to remain.

Enclosed is an original Bill of Sale and the Cingular Site Closure correspondence to Harry May, Site Restoration Project Manager which will indicate ATC's approval of our site removal work. Please return fully executed copies of the Bill of Sale and May letter to me so that I may close out this site.

Thank you for all your assistance on this matter.

For Cingular Wireless,

  
Kellie A. Dunn, Site Development  
Tower Resource Management  
30 Lyman Street, Suite 12  
Westborough, MA 01581

Mobile: 603-318-8000  
email: [kdunn@trmcom.com](mailto:kdunn@trmcom.com)

American Tower Corporation  
10 Presidential Way  
Woburn, MA 01801

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Harry May, Site Restoration Project Manager  
Cingular Wireless  
580 Main Street  
Bolton, MA 01740

**Re: Site # and Name: CT 0285 / ATC 302470 Ansonia NW Spectra Tower**  
**Facility address: 401 Wakelee Avenue, Ansonia, CT**

To Whom It May Concern:

American Towers, Inc., a Delaware corporation, has inspected the above-referenced site located upon the Premises leased by Cingular Wireless, f/k/a AT&T Wireless, and confirmed that Cingular Wireless has removed its equipment and other materials from the Property and Premises as required under the lease. The Property has been returned to Landlord in acceptable condition. Except for those provisions that expressly survive the termination of the lease, Landlord confirms that Cingular has no further obligations to Landlord regarding this site.

Sincerely,

American Towers, Inc., a Delaware corporation, a  
wholly owned subsidiary of American Tower Corporation,  
a Delaware corporation

BY: \_\_\_\_\_

NAME: Richard Rossi

TITLE: Director of Contract Management

DATE: 10-20-06

**BILL OF SALE**

**Exhibit E**

Know All Men By These Presents that **NEW CINGULAR WIRELESS PCS, LLC**, a Delaware limited liability company, having a mailing address of 6100 Atlantic Boulevard, Norcross, Georgia 30071 (hereinafter "Seller") has agreed to sell the fixtures and equipment described on Exhibit "A" annexed hereto and hereby made a part hereof (the same being presently used in connection with a certain site known as **ATC 302470 / CT 0286 – Ansonia NW** located at 401 Wakelee Avenue, Ansonia, CT and on property owned by **AMERICAN TOWERS, INC.** (hereinafter "Buyer"). For and in consideration of the sum of Ten and 00/100 (\$10.00) Dollars the receipt hereof is hereby acknowledged and further, that the Seller does hereby convey the said fixtures and equipment to Buyer effective of the date stated below.

***SEE ATTACHED EXHIBIT "A"***

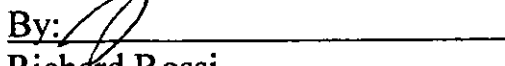
SELLER MAKES NO WARRANTIES, EXPRESS OR IMPLIED, AS TO THE CONDITION OR FITNESS FOR A PARTICULAR PURPOSE OF THE FIXTURES AND EQUIPMENT LISTED ON EXHIBIT "A" AND REFERENCED HEREIN; AND ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE WHICH EXCEEDS THE WARRANTIES HEREIN EXPRESSLY SET FORTH IS HEREBY DISCLAIMED BY SELLER. THE FIXTURES AND EQUIPMENT ARE SOLD "AS-IS" AND IN ITS CURRENT CONDITION.

Seller warrants and represents that this is not all or substantially all of the assets of the Corporation.

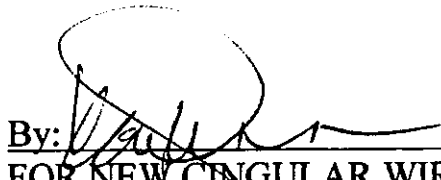
To have and to hold all and singular the said fixtures and equipment and delivers same to Buyer for their use and behoof forever. Seller covenants with the Buyer that the Seller is the lawful owner of said furniture, fixtures and equipment; that they are free from all encumbrances, that Seller has good right to sell the same as aforesaid; and that Seller will warrant and defend the same against the lawful claims and demands of all persons and/or entities.

Dated this 20<sup>th</sup> day of October, 2006.

**AMERICAN TOWERS, INC.**,  
a Delaware Corporation, a wholly  
owned subsidiary of American Tower  
Corporation, a Delaware Corporation

By:   
Richard Rossi  
Director – Contract Management

**NEW CINGULAR WIRELESS PCS, LLC**, a  
Delaware limited liability company

By:   
FOR NEW CINGULAR WIRELESS  
BECHTEL DECOM PROJECT  
Kellie A. Dunn, Site Development  
Tower Resource Management, Inc.

## EXHIBIT A

### **EQUIPMENT ASSETS** (LEFT ON SITE)

- Conduit feeds into power boxes
- Conduit feeds into telco boxes
- Power boxes
- Telco boxes
- Backboard
- Concrete pad





# 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](mailto:siting.council@ct.gov)

Internet: [ct.gov/csc](http://ct.gov/csc)

Daniel F. Caruso

Chairman

December 7, 2006

The Honorable James T. DellaVolpe

Mayor

City of Ansonia

City Hall

253 Main Street

Ansonia, CT 06401-1866

RE: **EM-CING-148-008-101-002-061130** – New Cingular Wireless PCS, LLC notice of intent to modify existing telecommunications facilities located at 23 Wayne Road, Wallingford; 719 Amity Road a/k/a 761 Amity Road, Bethany; 2 Dwight Street a/k/a 4 Dwight Street, North Haven; 922 Northrup Road, Wallingford; and 401 Wakelee Street, 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.

The Council will consider this item at the next meeting scheduled for Tuesday, December 12, 2006 at 1:30 p.m. in Hearing Room One, Ten Franklin Square, New Britain, Connecticut.

If you have any questions or comments regarding this proposal, please call me or inform the Council by noon on December 12, 2006.

Thank you for your cooperation and consideration.

Very truly yours,

S. Derek Phelps  
Executive Director

SDP/MP

Enclosure: Notice of Intent

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