



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

Web Site: portal.ct.gov/csc

VIA ELECTRONIC MAIL

January 19, 2022

Margie Weber
Program Manager
NB+C, LLC
1777 Sentry Parkway West, VEVA 17, Suite 400
Blue Bell, PA 19422
mweber@nbcllc.com

RE: **EM-ATC-023-211118** – American Tower Corporation notice of intent to modify an existing telecommunications facility located at 309 East Hill Road (f/k/a 4 Hoffmann Road), Canton, Connecticut.

EM-ATC-105A-211118 – American Tower Corporation notice of intent to modify an existing telecommunications facility located at 232 Shore Road, Old Lyme, Connecticut.

EM-ATC-105B-211118 – American Tower Corporation notice of intent to modify an existing telecommunications facility located at 125 Mile Creek Road, Old Lyme, Connecticut.

Dear Ms. Weber:

The Connecticut Siting Council (Council) is in receipt of your correspondence of January 11, 2022 submitted in response to the Council's December 17, 2021 notification of an incomplete request for exempt modification with regard to the above-referenced matters.

The submission renders the above-referenced requests for exempt modification complete and the Council will process the requests in accordance with the Federal Communications Commission 60-day timeframe.

Thank you for your attention and cooperation.

Sincerely,

Melanie A. Bachman
Executive Director

MAB/FOC/emr

January 11, 2022

State of Connecticut
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051
ATTN: Melanie Bachman

RE: **EM-ATC-023-211118** – American Tower Corporation notice of intent to modify an existing telecommunications facility located at 309 East Hill Road (f/k/a 4 Hoffmann Road), Canton, CT
EM-ATC-105A-211118 – American Tower Corporation notice of intent to modify an existing telecommunications facility located at 232 Shore Road, Old Lyme, CT
EM-ATC-105B-211118 – American Tower Corporation notice of intent to modify an existing telecommunications facility located at 125 Mile Creek Road, Old Lyme, CT

Dear Ms. Bachman,

I am in receipt of your letter dated December 17, 2021 regarding the incompleteness of the submissions for the above referenced packages. Attached please find the documentation from the original facility approval.

Thank you for the opportunity to supplement the submissions. If you have any questions or require additional information, please contact me at mweber@nbcllc.com or 215.416.0363.

Regards,

Margie Weber

Margie Weber
Program Manager



Daniel F. Caruso
Chairman

STATE OF CONNECTICUT

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October 22, 2010

Julie D. Kohler, Esq.
Jesse A. Langer, Esq.
Cohen and Wolf, P.C.
1115 Broad Street
Bridgeport, CT 06604

RE: **DOCKET NO. 391** - T-Mobile Northeast, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located 232 Shore Road, Old Lyme, Connecticut.

Dear Attorney Kohler and Attorney Langer:

By its Decision and Order dated September 23, 2010, the Connecticut Siting Council (Council) granted a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, maintenance and operation of a telecommunications facility located at 232 Shore Road, Old Lyme, Connecticut.

Enclosed are the Council's Certificate, Findings of Fact, Opinion, and Decision and Order.

Very truly yours,

Linda Roberts
Executive Director

LR/jbw

Enclosures (4)



Daniel F. Caruso
Chairman

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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**CERTIFICATE
OF
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED
DOCKET NO. 391**

Pursuant to General Statutes § 16-50k, as amended, the Connecticut Siting Council hereby issues a Certificate of Environmental Compatibility and Public Need to T-Mobile Northeast, LLC for the construction, maintenance and operation of a telecommunications facility located at the Northern Alternative site at 232 Shore Road, Old Lyme, Connecticut. This Certificate is issued in accordance with and subject to the terms and conditions set forth in the Decision and Order of the Council on September 23, 2010

By order of the Council,




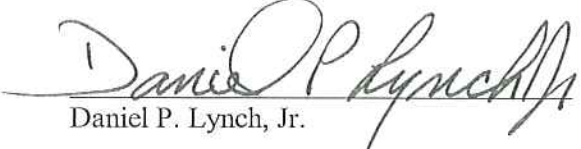
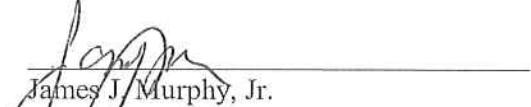

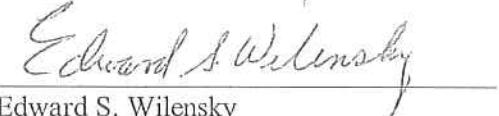


Daniel F. Caruso, Chairman

September 23, 2010

CERTIFICATION

The undersigned members of the Connecticut Siting Council (Council) hereby certify that they have heard this case, or read the record thereof, in **DOCKET NO. 391** - T-Mobile Northeast, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 232 Shore Road, Old Lyme, Connecticut, and voted as follows to approve the proposed Northern Alternative site located at 232 Shore Road, Old Lyme, Connecticut:

<u>Council Members</u>	<u>Vote Cast</u>
 Daniel F. Caruso, Chairman	Yes
 Colin C. Tait, Vice Chairman	Yes
_____ Commissioner Kevin M. DelGobbo Designee: Larry P. Levesque	Abstain
 Designee: Brian Golembiewski	Yes
_____ Philip T. Ashton	Absent
 Daniel P. Lynch, Jr.	Yes
 James J. Murphy, Jr.	Yes
 Dr. Barbara Carrier Bell	Yes
 Edward S. Wilensky	Yes

Dated at New Britain, Connecticut, September 23, 2010.

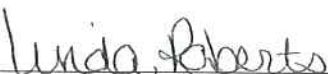
STATE OF CONNECTICUT)

ss. New Britain, Connecticut :

COUNTY OF HARTFORD)

I hereby certify that the foregoing is a true and correct copy of the Findings of Fact, Opinion, and Decision and Order issued by the Connecticut Siting Council, State of Connecticut.

ATTEST:



Linda Roberts
Executive Director
Connecticut Siting Council

I certify that a copy of the Findings of Fact, Opinion, and Decision and Order in Docket No. 391 has been forwarded by Certified First Class Return Receipt Requested mail, on October 22, 2010, to all parties and intervenors of record as listed on the attached service list, dated February 16, 2010.

ATTEST:



Jessica Brito-Weston
Secretary I
Connecticut Siting Council



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

Internet: ct.gov/csc

October 22, 2010

TO: Parties and Intervenors

FROM: Linda Roberts, Executive Director 

RE: **DOCKET NO. 391** - T-Mobile Northeast, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 232 Shore Road, Old Lyme, Connecticut.

By its Decision and Order dated September 23, 2010, the Connecticut Siting Council granted a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 232 Shore Road, Old Lyme, Connecticut.

Enclosed are the Council's Findings of Fact, Opinion, and Decision and Order.

LR/jbw

Enclosures (3)

c: State Documents Librarian

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	<input checked="" type="checkbox"/> U.S. Mail	T-Mobile Northeast, LLC	Julie D. Kohler, Esq. Monte E. Frank, Esq. Jesse A. Langer, Esq. Cohen and Wolf, P.C. 1115 Broad Street Bridgeport, CT 06604 (203) 368-0211 (203) 394-9901 fax jkohler@cohenandwolf.com mfrank@cohenandwolf.com jlanger@cohenandwolf.com
Intervenor <i>(granted on December 18, 2009)</i>	<input checked="" type="checkbox"/> U.S. Mail	Cellco Partnership d/b/a Verizon Wireless	Kenneth C. Baldwin, Esq. Robinson & Cole LLP 280 Trumbull Street Hartford, CT 06103-3597 (860) 275-8200 (860) 275-8299 fax kbaldwin@rc.com
Intervenor <i>(granted on December 18, 2009)</i>	<input checked="" type="checkbox"/> U.S. Mail	New Cingular Wireless PCS, LLC (AT&T)	Christopher B Fisher, Esq. Daniel M. Laub, Esq. Cuddy & Feder LLP 445 Hamilton Avenue, 14 th Floor White Plains, NY 10601 (914) 761-1300 (914) 761-5372 fax cfisher@cuddyfeder.com dlaub@cuddyfeder.com
Party <i>(granted on December 18, 2009)</i>	<input checked="" type="checkbox"/> U.S. Mail	Town of Old Lyme	The Honorable Timothy C. Griswold Office of the Selectmen Town of Old Lyme 52 Lyme Street Old Lyme, CT 06371 firstselectman@oldlyme-ct.gov

DOCKET NO. 391 - T-Mobile Northeast, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located 232 Shore Drive, Old Lyme, Connecticut.	} } }	Connecticut Siting Council
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September 23, 2010

Findings of Fact

Introduction

1. Pursuant to Chapter 277a, Sections 16-50g et seq. of the Connecticut General Statutes (CGS), as amended, and Section 16-50j-1 et. Seq. of the Regulations of Connecticut State Agencies (RCSA), T-Mobile Northeast, LLC (T-Mobile) applied to the Connecticut Siting Council (Council) on October 15, 2009 for the construction, maintenance, and operation of a telecommunications facility, which would include a 100-foot monopole tower, located at 232 Shore Road in the Town of Old Lyme, Connecticut. (See Figures 1, 2, and 3) (T-Mobile 1, p. 1)
2. T-Mobile is a limited liability company, organized under the laws of Delaware, with a Connecticut office at 35 Griffin Road South, Bloomfield, Connecticut. The company and its affiliated entities are licensed by the Federal Communications Commission (FCC) to construct and operate a personal wireless services system in Connecticut. (T-Mobile 1, p. 2)
3. The parties in this proceeding are T-Mobile and the Town of Old Lyme (Town). Cellco Partnership d/b/a Verizon Wireless (Cellco) and New Cingular Wireless PCS, LLC (AT&T) are intervenors. (Transcript 1 – February 4, 2010, 3:05 p.m. [Tr. 1], p. 7)
4. T-Mobile’s proposed facility would provide coverage to Route 156, Mill Creek Road, Hawks Nest Road, and Cross Lane just south of Interstate 95, residential areas in the vicinity, and the Amtrak rail line that passes through the area. (T-Mobile 1, p. 1)
5. Pursuant to CGS § 16-50l(b), notice of the applicant’s intent to submit this application was published on July 23 and 25, 2009 in the New London Day. (T-Mobile 1, pp. 3-4 and Tab F)
6. Pursuant to CGS § 16-50l(b), T-Mobile sent notice of its intent to file an application with the Council to each person appearing of record as owner of property abutting the property on which the site is located. Notices were sent on July 21, 2009. T-Mobile received return receipts from all of the property owners to whom it sent notices except for Capital Holding of CT, Inc. of 230 Shore Road and Michele M. Johnson of 1 Hawks Nest Road. On October 29, 2009, T-Mobile issued a second notice to these abutters and both were returned unable to forward. (T-Mobile 1, p. 4 and Tab G; T-Mobile 2, response 5)
7. Pursuant to CGS § 16-50l (b), T-Mobile provided a copy of its application to all federal, state, regional, and local officials and agencies listed therein. (T-Mobile 1, p. 3 and Tab E)

8. On or about January 20, 2010, T-Mobile posted a sign giving public notice of T-Mobile's pending application for the proposed tower at 232 Shore Drive and the public hearing scheduled for it. Per Council request, the sign was posted along Shore Road, on the host property, so that the public could see it more easily. (T-Mobile 5, Pre-Filed Testimony of Raymond Vergati, response 11 and Attachment A)
9. Pursuant to CGS § 16-50m, the Council, after giving due notice thereof, held a public hearing on February 4, 2010, beginning at 3:00 p.m. and continuing at 7:00 p.m. in the Old Lyme Meeting Hall, Town Hall, 52 Lyme Street, Old Lyme, Connecticut. This was a consolidated hearing for three T-Mobile tower applications in Old Lyme: Docket No. 391 – 232 Shore Road (Self-storage Site); Docket No. 392 – 387 Shore Road (Laundromat Site); and 61-1 Buttonball Road (Commercial Complex Site). The 3:00 p.m. hearing session began with Docket No. 391. The 7:00 p.m. public comment hearing session included all three dockets. (Council's Hearing Notice dated December 23, 2009; Tr. 1, pp. 3-4, 8; Transcript 2 – 7:00 p.m. [Tr. 2], pp. 3, 13)
10. The Council and its staff conducted an inspection of three proposed sites on February 4, 2010, beginning at 1:00 p.m. at the Laundromat Site and continuing to the Self-storage Site, and then the Commercial Complex Site. On the day of the field inspection, T-Mobile flew a red balloon with a diameter of four feet to simulate the height of the proposed tower at the Self-storage Site beginning at approximately 7:00 a.m. and continuing to 10:00 a.m. The balloon was flown again beginning at 12:30 p.m. At approximately 2:20 p.m., T-Mobile was approached by Amtrak personnel requiring that the balloon float be abandoned because the balloon might cross Amtrak's right of way. By approximately 2:30 p.m., the balloon was taken down. During the balloon float, the weather conditions were not favorable, due to a fairly sustained 10 miles per hour wind. Overall, the balloon did not reach its proposed height of 100 feet above ground level (agl). (Council Field Review Notice dated January 27, 2010; Tr. 1, p. 4, 24-28; Tr. 4, p. 32)
11. The Council held continued hearings in New Britain on March 2, April 20, and June 23, 2010. (Transcript 3 – 11:15 a.m. [Tr. 3], p. 3; Transcript 4 – 1:15 p.m. [Tr. 4], p. 3; Transcript 5 – 1:10 p.m. [Tr. 5], p. 4)

State Agency Comments

12. Pursuant to CGS § 16-50l, the Council solicited comments on this application on December 23, 2009 from the following state departments and agencies: Department of Agriculture, Department of Environmental Protection (DEP), Department of Public Health, Council on Environmental Quality (CEQ), Department of Public Utility Control, Office of Policy and Management, Department of Economic and Community Development, and the Department of Transportation (ConnDOT). (CSC Hearing Package dated December 23, 2009)
13. Pursuant to CGS § 16-50l, the Council solicited additional comments on this application on July 24, 2010 from the following state departments and agencies: Department of Agriculture, DEP, Department of Public Health, CEQ, Department of Public Utility Control, Office of Policy and Management, Department of Economic and Community Development, Department of Transportation, and the Department of Emergency Management and Homeland Security. (Letter to State Department Heads dated June 24, 2010)

14. The Council on Environmental Quality (CEQ) responded to the Council's solicitation with comments. The CEQ notes that the visual impact of towers that are very close to the Long Island Sound shoreline cannot be fully assessed without a virtual simulation of their appearance from the waters of this major recreational resource. CEQ is also concerned that the proximity of multiple tall structures to preserved lands, refuges and coastal marshes raises the issues of possible impacts on resident and transient bird populations. (CEQ Comments dated January 27, 2009)
15. Except for CEQ, no state agencies submitted comments in response to the Council's solicitation. (Record)

Municipal Consultation

16. On May 28, 2009, T-Mobile submitted a technical report on its proposed facility to Old Lyme's First Selectman, Timothy Griswold. (T-Mobile 1, p. 17; T-Mobile 1, Exhibit R)
17. On June 25, 2009, T-Mobile met with the First Selectman Griswold and the Zoning and Inlands Wetlands Enforcement Officer to discuss the proposed facility. (T-Mobile 1, p. 17)
18. By letter dated October 21, 2009, First Selectman Griswold indicated that the Town had executed a lease with SBA Towers II, LLC for the development of a telecommunications facility at 14 Cross Lane, Old Lyme. The tower was proposed as 170 feet tall, and, since it would be centrally located, the Town believed T-Mobile would not need additional sites in Old Lyme; thus, a Cross Lane site would avoid the proliferation of towers in Connecticut. The Town believes that a one-site solution would be beneficial to the Town and the wireless customers who reside in or visit Old Lyme. (Town Comment Letter dated October 21, 2009)
19. In January 2010, the Cross Lane site was brought before a Town meeting and was defeated due to various citizen concerns, including the site's proximity to a school. The Cross Lane site is no longer available for consideration. (Tr. 1, pp. 10-11)
20. At both February 4, 2010 hearing sessions, First Selectman Griswold made a statement on behalf of the Board of Selectman and residents in Old Lyme indicating an interest in improving cell reception in Old Lyme, particularly the beach area. (Tr. 1, pp. 9-11; Tr. 2, pp. 12-13)
21. First Selectman Griswold also stated that the Town requested tower space for its emergency services communications. The equipment would require approximately a height of 160 feet on any one of the proposed towers. However, the Town has only expressed an interest in the proposed tower at the proposed site. (Tr. 1, p. 11; Tr. 2, pp. 12-13)
22. T-Mobile would make space on its proposed tower available for the Town's public safety communications free of charge. (T-Mobile 5, Pre-Filed Testimony of Raymond Vergati, response 10)
23. T-Mobile provided additional notice for up to a 170-foot tower to take into account the Town's request. (Tr. 4, p. 31)

24. The Town has not yet allocated the funds necessary to procure its equipment for the proposed facility. However, T-Mobile is willing to initially construct a 110-foot facility that is capable of being expanded to 160-feet in the future. (Tr. 4, pp. 85-86; Tr. 5, p. 107)

Federal Designation for Public Need

25. In 1996, the United States Congress recognized a nationwide need for high quality wireless telecommunications services, including cellular telephone service. Through the Federal Telecommunications Act of 1996, Congress seeks to promote competition, encourage technical innovations, and foster lower prices for telecommunications services. (Council Administrative Notice Item No. 7 – Telecommunications Act of 1996; T-Mobile 1, p. 4)
26. In issuing cellular licenses, the Federal government has preempted the determination of public need for cellular service by the states and has established design standards to ensure technical integrity and nationwide compatibility among all systems. (Council Administrative Notice Item No. 7 – Telecommunications Act of 1996)
27. The Telecommunications Act of 1996 prohibits local and state bodies from discriminating among providers of functionally equivalent services. (Council Administrative Notice No. 7 – Telecommunications Act of 1996)
28. The Telecommunications Act of 1996 prohibits any state or local agency from regulating telecommunications towers on the basis of the environmental effects, which include human health effects, of radio frequency emissions to the extent that such towers and equipment comply with FCC's regulations concerning such emissions. This Act also blocks the Council from prohibiting or acting with the effect of prohibiting the provision of personal wireless service. (Council Administrative Notice No. 7 – Telecommunications Act of 1996; T-Mobile 1, p. 4)
29. Congress enacted the Wireless Communications and Public Safety Act of 1999 (the 911 Act) in order to promote public safety through the deployment of a seamless, nationwide emergency communications infrastructure that includes wireless communications services. (T-Mobile 1, pp. 5-6)
30. As an outgrowth of the 911 Act, the FCC has mandated that wireless carriers provide enhanced 911 services (E911) as part of their communications networks. (T-Mobile 1, p. 6)
31. The proposed facility would be an integral component of T-Mobile's E911 network in southeastern Connecticut and would comply with FCC's E911 requirements. (T-Mobile 1, p. 6)

Existing and Proposed Wireless Coverage

T-Mobile

32. T-Mobile experiences a coverage gap in the area around the proposed facility, specifically along the shore line and the Amtrak rail line, as well as on Route 156, Mill Creek Road, Hawks Nest Road, and Cross Lane just south of Interstate 95. (T-Mobile 1, pp. 4-5)

33. The proposed facility would provide service in the area of T-Mobile’s coverage gap. (T-Mobile 1, p. 5)
34. T-Mobile utilizes Personal Communications Services (PCS) in this area of the state through the deployment of wireless transmitting sites. Its licensed operating frequencies in the New London Basic Trading Area include 1935 to 1944.8 MHz, 1983 to 1984 MHz, and 2140 to 2145 MHz. (T-Mobile 1, p. 6 and Tab P)
35. T-Mobile’s minimum design signal strength for in-vehicle coverage is -84 dBm. For in-building coverage, it is -76 dBm. (T-Mobile 2, responses 2 and 3)
36. T-Mobile’s existing signal strengths in the area that would be covered by the proposed facility range from -84 dBm to below -110 dBm. (T-Mobile 2, response 1)
37. T-Mobile also investigated the ratio of dropped calls to successful calls from cell sites surrounding the proposed coverage area. The average of all of the sites is 3.81 percent which exceeds T-Mobile’s target maximum of two percent. The maximum dropped call rate is about 10 percent. (Tr. 1, p. 88)
38. T-Mobile could best achieve its coverage objectives with its antennas located at the proposed minimum centerline height of 100 feet agl. (T-Mobile 1, p. 9 and Tab H; Tr. 1, p. 33)
39. The lengths of the coverage gaps T-Mobile experiences on the major arteries within the proposed coverage area are listed in the following table.

Transportation Artery	Coverage Gap	Distance Covered at Proposed Antenna Height of 100 feet
Route 156	3.36 miles	1.58 miles
Mile Creek Road	1.15 miles	0.39 miles
Cross Lane	0.35 miles	0.37 miles
Amtrak Rail Line	4.62 miles	1.22 miles

(T-Mobile 2, responses 15 and 16)

40. The total area T-Mobile could cover from the proposed site with antennas at a height of 100 feet would be approximately 1.50 square miles. (T-Mobile 2, response 17)
41. The lengths of T-Mobile’s coverage areas on the major arteries at lower antenna heights are listed below.

Transportation Artery	Distance Covered at Antenna Height of 90 feet	Distance Covered at Antenna Height of 80 feet
Route 156	1.45 miles	1.38 miles
Mile Creek Road	0.22 miles	0.12 miles
Cross Lane	0.37 miles	0.37 miles
Amtrak Rail Line	1.22 miles	1.02 miles

(T-Mobile 2, response 16)

42. The total area T-Mobile could cover from the proposed site at the lower antenna heights of 90 feet and 80 feet would be 1.29 square miles and 1.10 square miles, respectively. (T-Mobile 2, response 17)
43. T-Mobile’s antennas at the proposed facility would hand off signals to the existing sites identified in the following table.

Site Address	Facility Type	Structure Height	T-Mobile’s Antenna Height	Distance & Direction to proposed facility
125 Mile Creek Road, Old Lyme	Monopole	160 feet	160 feet	1.18 miles SE
72 Boggy Hole Road, Old Lyme	Monopole	175 feet	175 feet	2.41 miles SE
38 Hatchetts Hill Road, Old Lyme	Monopole	190 feet	187 feet	2.01 miles SW
93 Roxbury Road, Old Lyme	Self-supporting Tower	160 feet	103 feet	4.51 miles SW
8 Old Bridge Road, Old Lyme	Utility Pole	175 feet	181 feet	3.63 miles SE
44 Ford Drive, Old Saybrook	Monopole	150 feet	150 feet	4.62 miles SE

(T-Mobile 2, response 9)

44. An antenna height up to 160 feet would not be problem from a purely radio frequency perspective and would likely increase coverage to secondary roads to the north of the proposed site location as well as to the east. (Tr. 1, pp. 33, 39-40)

AT&T

45. AT&T experiences a coverage gap in the area around the proposed facility, specifically along Route 156. (AT&T 2, response 9)
46. The proposed facility would provide service in the area of AT&T’s coverage gap. (AT&T 2, response 10)
47. AT&T’s licensed operating frequencies in this part of the state include the 850 MHz (cellular) band, specifically 880 to 894 MHz, as well as the 1900 MHz (PCS) band. Initially, AT&T would provide cellular service; expansion to PCS service would provide additional capacity as needed. (AT&T 2, response 7)
48. AT&T’s minimum design signal strength for in-vehicle coverage is -82 dBm. For in-building coverage, it is -74 dBm. (AT&T 2, response 3)
49. AT&T’s existing signal strengths in the area that would be covered by the proposed facility vary from -82 dBm to the mid -90 dBm range. (AT&T 2, response 1)

50. AT&T could best achieve its coverage objectives with a minimum antenna centerline height of 90 feet, but the 90-foot level of the tower is reserved for Cellco and 100 feet is reserved for T-Mobile. Thus, AT&T would require a minimum centerline height of 110 feet necessitating a tower ten feet taller than originally proposed. (AT&T 2, response 4; Tr. 2, pp. 88, 91)
51. The lengths of AT&T’s coverage gap and proposed coverage area on a major artery are listed in the following table.

Transportation Artery	Coverage Gap	Distance Covered at Proposed Antenna Height of 110 feet
Route 156	2.5 miles	2.3 miles

(AT&T 2, responses 9 and 10)

52. Based on a target signal level of -74 dBm, the total area AT&T could cover from the proposed site at an antenna height of 110 feet would be approximately 8.4 square miles. (AT&T 2, response 11)
53. The lengths of AT&T’s coverage areas on the major artery at lower antenna heights are listed below.

Transportation Artery	Distance Covered at Antenna Height of 90 feet	Distance Covered at Antenna Height of 80 feet
Route 156	1.45 miles	1.38 miles

(AT&T 2, response 8)

54. Based on a target signal level of -74 dBm, the total area AT&T could cover from the proposed site and at the lower antenna heights of 90 feet and 80 feet would be 4.1 square miles and 2.8 square miles, respectively. (AT&T 2, response 11)
55. AT&T’s antennas at the proposed facility would hand off signals to the existing sites identified in the following table.

Site Address	Facility Type	Structure Height	AT&T’s Antenna Height	Distance & Direction to proposed facility
125 Mile Creek Road, Old Lyme	monopole	170 feet	136 feet	1.2 miles SE
38 Hatchetts Hill Road, Old Lyme	monopole	190 feet	165 feet	1.8 miles SE
15 Liberty Way, East Lyme	rooftop	unknown	62 feet	2.6 miles SW
49 Brainerd Road, East Lyme	monopole	170 feet	170 feet	3.2 miles WSW

(AT&T 2, response 5; Tr. 1, p. 90)

56. An antenna height up to 140 feet would not be a problem from a purely radio frequency perspective and would like increase coverage in outlying areas. (Tr. 2, p. 93)
57. A 170-foot tower is proposed by SBA Towers II, LLC in East Lyme. Whether the East Lyme facility is approved or denied would not significantly affect AT&T's tower co-location at the Self-Storage Site because both towers are very isolated in terms of distance. (Tr. 2, p. 93-94)

Overview of Three Tower Configuration

58. If approved, this tower will not eliminated the need for the other two towers proposed as Docket Nos. 392 and 393. (Tr. 3, pp. 246-247)
59. Increasing the height of any of the proposed facilities (i.e. Docket Nos. 391 through 393) would not obviate the need for any of the facilities or allow T-Mobile to reduce the height of any of the facilities. (Tr. 3, pp. 246-247)

Cellco

60. Cellco experiences a coverage gap in the area around the proposed facility, specifically along Route 156, the southerly portion of Old Lyme, and the Amtrak rail line. (Cellco 2, response 9)
61. The proposed facility would provide service in the area of Cellco's coverage gap. (Cellco 2, response 10)
62. Cellco maintains FCC licenses to operate its wireless system in the cellular (850 MHz), PCS (1900 MHz), and 700 MHz Long Term Evolution (LTE) frequency ranges. (Cellco 2, Response 6)
63. At both PCS and cellular frequencies, Cellco's coverage thresholds are -85 dBm for in-vehicle service and -75 dBm for in-building service. (Cellco 2, Responses 2 and 3)
64. Cellco's existing signal strength within the area that would be served from the proposed facility ranges from -87 dBm to -98 dBm. (Cellco 2, Response 1)
65. Cellco could best achieve its coverage objectives with its antennas located at the proposed minimum centerline height of 90 feet above grade level. (Cellco 2, response 10; Tr. 2, p. 85)
66. The lengths of the coverage gaps Cellco experiences on the major arteries are listed in the following table.

Transportation Artery	Cellular Coverage Gap	PCS Coverage Gap
Route 156	1.0 miles	2.4 miles
Amtrak Rail Line	0.7 miles	1.7 miles

(Cellco 2, response 9)

67. The lengths of Cellco's coverage on the major arteries at the proposed antenna height are listed below:

Transportation Artery	Cellular Distance Covered at Antenna Height of 90 feet	PCS Distance Covered at Antenna Height of 90 feet
Route 156	2.41 miles	2.34 miles
Amtrak Rail Line	2.94 miles	2.10 miles

(Cellco 2, response 10)

68. The lengths of Cellco's coverage areas on the major arteries at an 80-foot antenna height are listed below:

Transportation Artery	Cellular Distance Covered at Antenna Height of 80 feet	PCS Distance Covered at Antenna Height of 80 feet
Route 156	2.33 miles	2.17 miles
Amtrak Rail Line	2.78 miles	1.85 miles

(Cellco 2, response 10)

69. The lengths of Cellco's coverage areas on the major arteries at a 70-foot antenna height are listed below:

Transportation Artery	Cellular Distance Covered at Antenna Height of 70 feet	PCS Distance Covered at Antenna Height of 70 feet
Route 156	2.20 miles	1.86 miles
Amtrak Rail Line	2.61 miles	1.59 miles

(Cellco 2, response 10)

70. The total area Cellco could cover from the proposed site at antenna height of 90 feet would be approximately 17.45 square miles for cellular service and 8.80 square miles for PCS service. (Cellco 2, response 11)
71. The total area Cellco could cover from the proposed site at the lower antenna heights of 80 feet would be 14.45 square miles for cellular service and 7.49 square miles for PCS service. At 70 feet, these coverage areas would be 12.24 square miles for cellular service and 6.72 square miles for PCS service. (Cellco 2, response 11)

72. From the proposed facility, Cellco’s antennas would hand off signals with the adjacent facilities identified in the following table.

Site Address	Facility Type	Structure Height	Distance & Direction to proposed facility
125 Mile Creek Road, Old Lyme	monopole	160 feet	1.1 miles NW
36 Hatchetts Hill Road, Old Lyme	monopole	143 feet	2.0 miles NE

(Cellco 2, Response 5; T-Mobile 1, Tab I)

Site Selection

73. T-Mobile initiated its search for a site in this vicinity on or about July 17, 2008. (T-Mobile 2, response 4)
74. T-Mobile’s site search was centered at the intersection of Cross Lane and the Amtrak rail line. The radius of the search area was approximately 0.2 miles. (T-Mobile 2, response 4)
75. T-Mobile identified six telecommunications towers within approximately four miles of its proposed site. The towers are listed in the table below.

Tower Location	Height and Type Of Tower	Tower Owner	Approx. Distance and Direction from Proposed Tower Location
2 Ferry Place, Old Saybrook	110-foot smokestack	Geoffry Etherington	3.74 miles NW
132 Whippoorwill Road, Old Lyme	100-foot guyed lattice tower	Mr. and Mrs. Andrew Pfeiffer	2.55 miles N
62-1 Boggy Hill Road, Old Lyme	175-foot monopole	Wireless Solutions	2.29 miles NW
38 Hatchetts Hill Road, Old Lyme	190-foot monopole	T-Mobile	2.04 miles NE
30 Short Hills Road, Old Lyme	180-foot monopole	Sprint	1.86 miles NE
125 Mile Creek Road, Old Lyme	160-foot monopole	Cellco	1.10 miles NW

(T-Mobile 1, Exhibits I; T-Mobile 3, response 4)

76. Three of the existing telecommunications towers within a four-mile radius are too far away to meet T-Mobile’s coverage objectives. These towers are located at 2 Ferry Place, Old Saybrook; 132 Whippoorwill Road, Old Lyme; and 30 Short Hills Road, Old Lyme. (T-Mobile 3, response 4)

77. The remaining three existing telecommunications towers within a four-mile radius already have T-Mobile co-located on them. These towers are 62-1 Boggy Hill Road, Old Lyme; 38 Hatchetts Hill Road, Old Lyme; and 125 Mile Creek Road, Old Lyme. (T-Mobile 3, response 4)
78. T-Mobile investigated several different properties in the area of its proposed site. Properties that were investigated include:
- a. Vacant church, 287 Shore Road at the corner of Shore Road and Swan Avenue: This property hosts a vacant church, with a flat roof steeple that is approximately 35 feet tall. T-Mobile's radio frequency engineers determined that the rooftop is too low to meet the coverage objectives.
 - b. Existing water tank, Cross Lane: This site hosts a water tank with a height of approximately 25 feet. T-Mobile's radio frequency engineers determined that the water tank is too low to meet the coverage objectives. Also, the property owner was not amenable to having a new stand-alone tower installed on the property.
 - c. Old Lyme Self Storage, 240-1 Shore Road: This is another self-storage site. However, this site is closer to residential homes than the proposed site. Also, the property owner was not interested in having a tower installed on the property.
 - d. 234 Shore Road: This site hosts an approximately 30-foot tall office building. T-Mobile's radio frequency engineers determined that the building is too low to meet the coverage objectives.
- (T-Mobile 1, Exhibit J; Tr. 1, p. 52)
79. During this proceeding, another alternative site at 14 Cross Lane, Old Lyme was explored. This is the site of a proposed SBA tower on Town property. This tower could provide adequate coverage to T-Mobile, AT&T, and Cellco. However, the site is no longer available. (AT&T 2, response 13; Cellco 2, response 13; T-Mobile 2, response 18)
80. An outdoor Distributed Antenna System (DAS) would not be a feasible alternative to a tower because of the following reasons:
- a) The unavailability of a sufficient number of existing utility poles on which to string fiber-optic cable and install DAS nodes in the coverage area;
 - b) The existing utility poles are generally low in height;
 - c) The existing uneven terrain and mature vegetation would prevent DAS nodes from providing reliable coverage throughout the target area;
 - d) The unavailability of unused fiber-optic cables to serve as the backbone of the DAS network in the area; and
 - e) There would be a need to enter into access easements, enter into pole attachment agreements, etc. which would be compounded by the large amount (roughly 45) of DAS nodes required to cover the total area to be served by the three towers proposed in Docket Nos. 391, 392, and 393. (T-Mobile 24)

81. Repeaters, microcell transmitters, and other types of transmitting technologies are not practicable or feasible means to provide service within the coverage area that T-Mobile is seeking to serve due to significant terrain variations and tree cover, the relatively large size of the coverage area compared with the devices' limited transmission range, and other practical considerations. (T-Mobile 1, p. 7)

Amtrak

82. T-Mobile does not have a specific agreement with Amtrak to provide coverage to its corridor, but seeks to provide coverage to the shoreline which includes Amtrak's corridor. However, T-Mobile would still seek to construct the tower even without the presence of Amtrak's corridor. (Tr. 1, pp. 34-35)
83. Amtrak does not allow telecommunications co-locations on their catenary structures. (Tr. 4, p. 32)

Facility Description

84. The proposed facility would be located at 232 Shore Road on a 5-acre parcel owned by South Shore Landing Self Storage (the South Shore property) and used as a self-storage business. The Amtrak rail line right-of-way abuts the South Shore property to the north. (See Figures 1 and 2) (T-Mobile 1, pp. 1, 10 and Exhibit B)
85. The South Shore property is zoned Light Industry (LI-80). Telecommunications towers are allowed in a LI-80 zoning district with a special permit. (T-Mobile 1, p. 9; T-Mobile 1b – Town of Old Lyme Zoning Regulations)
86. The proposed facility would be located near the northwest corner of the host property. (T-Mobile 1, Exhibit B)
87. For its proposed facility, T-Mobile would lease a 2,100 square foot area (30 feet by 70 feet). The facility, as proposed, would include a 100-foot tall steel monopole tower within a 30-foot by 60-foot (1,800 square feet) compound. The compound would be enclosed by an eight-foot high chain link fence. (See Figure 3) (T-Mobile 1, p. 9; Exhibit B)
88. T-Mobile would install anti-climbing weave mesh on the compound fence. T-Mobile could also install a standard chain-link fence with barbed wire if required by the Council. (T-Mobile 2, response 20)
89. A 12-foot sliding gate on the fenced storage area would allow access to the tower compound area. (Tr. 1, p. 31)
90. The proposed tower would be located at 41° 17' 30.18" north latitude and 72° 17' 13.18" west longitude. Its ground elevation would be 30 feet above mean sea level (amsl). (T-Mobile 1, Tab B)

91. The proposed tower would be designed as a monopole in accordance with the 2005 Connecticut State Building Code and the Electronic Industries Association Standard ANSI/TIA-222-F "Structural Standards for Steel Antenna Towers and Antenna Support Structures" for New London County. The tower would be designed to accommodate the antennas of four wireless carriers. (T-Mobile 1, Tab B)
92. T-Mobile would initially install nine panel antennas (three per sector) at a centerline height of 100 feet agl on T-arm mounts. (T-Mobile 1, p. 9 and Tab B; T-Mobile 2, response 10)
93. The top of T-Mobile's antennas would reach 102-feet 3-inches agl. (Tr. 1, p. 35)
94. T-Mobile could utilize flush-mounted antennas, but that configuration would require T-Mobile to occupy two levels instead of one, with the second 10 feet higher. (T-Mobile 2, response 11; Tr. 1, p. 49)
95. T-Mobile did not consider alternative or stealth tower designs. (Tr. 1, p. 33)
96. T-Mobile would install two radio equipment cabinets on a concrete pad within the fenced compound. (Tr. 1, p. 32)
97. T-Mobile would use battery backup power for its proposed facility. The battery power system could operate for 4 to 12 hours. (T-Mobile 2, response 21)
98. AT&T would initially install six panel antennas on a low-profile platform at the 110-foot level of the tower, necessitating that the tower be 10 feet higher than originally proposed. In the near future, AT&T would need to increase to nine antennas. (AT&T 2, response 4; Tr. 2, p. 96)
99. AT&T could utilize flush-mounted antennas, but that configuration would require T-Mobile to occupy two levels instead of one, with the second 10 feet higher. (AT&T 2, response 6)
100. AT&T would install a 12-foot by 20-foot equipment shelter to house its antenna-related ground equipment. (AT&T 2, response 14)
101. AT&T would utilize battery backup and a mobile diesel generator to provide backup power. (AT&T 2, response 15)
102. The diesel fuel tank would be double-walled to protect against leakage. (Tr. 2, p. 92)
103. AT&T's battery backup would provide about eight hours of run time. The mobile generator would provide about five days worth backup power. (Tr. 2, pp. 91-92)
104. Cellco would install 12 antennas at a centerline height of 90 feet AGL. Cellco would prefer to attach it antennas to a low-profile platform for ease of maintenance, but could use T-arms if required by the Council. (Cellco 2, response 4)
105. Cellco could utilize a flush-mounted antenna configuration, but it would require three antenna array locations spaced 10 feet apart center to center. Such locations would be the 100-foot, 90-foot, and 80-foot levels of the tower. (Cellco 2, response 6)

106. Cellco would install a 12-foot by 30-foot equipment shelter to house its antenna-related ground equipment. (Cellco 2, response 15)
107. Cellco would install a 60-kilowatt propane-fueled generator for backup power. The generator would be located inside the proposed 12-foot by 30-foot equipment shelter. (Cellco 2, response 15; Tr. 2, p. 82)
108. Cellco would also install a 1,000-gallon propane tank within the fenced compound to provide up to 75 hours of run time. (Tr. 2, p. 82)
109. The generator would also run approximately 20 minutes per week as an exercise to maintain it proper working condition. The time could be scheduled to accommodate the neighbors. (Tr. 1, p. 83)
110. Other than AT&T and Cellco, no other wireless carriers have expressed an interested in co-locating on the proposed tower. (Tr. 1, p. 34)
111. Construction of the proposed facility would require 230 cubic yards of cut and 264 cubic yards of fill. (T-Mobile 2, response 19)
112. Vehicular access to the proposed facility would extend from Shore Road over an existing paved driveway for a distance of approximately 420 feet and then continue over an existing gravel parking lot for approximately 600 feet to the proposed compound. (T-Mobile 1, p. 9; T-Mobile 1, Tab B)
113. Utility service would be extended underground approximately 770 feet to the proposed facility from an existing transformer on the host property. (T-Mobile 1, p. 9 and Tab B)
114. The tower's setback radius would extend approximately 48 feet onto the Amtrak rail line right-of-way. (T-Mobile 1, Exhibit B)
115. To reduce the tower's setback radius, T-Mobile would incorporate a yield point, or hinge point, into the design of the tower at approximately 48 feet agl. (T-Mobile 1, Exhibit B; Tr. 1, p. 30)
116. The nearest adjacent properties are the Amtrak right-of-way, which is located approximately 52 feet to the north of the proposed tower, and another parcel owned by Garvin Family Corp., Inc., which is located approximately 110 feet to the west of the proposed tower location. (T-Mobile 1, Exhibit B)
117. There are 14 residences within 1,000 feet of the proposed facility. (T-Mobile 1, Exhibit L)
118. The nearest single family residence not on the host property is located 567 feet away at 226 Shore Road and is owned by Garvin Family Corp., Inc. (T-Mobile 1, Tabs L and B)
119. Land use in the vicinity of the proposed facility consists of Amtrak right of way to the north, commercial office uses to the south, residential and commercial/warehouse uses to the east, and vacant land to the west. (T-Mobile 2, response 6)

120. The estimated cost of the proposed facility is the following:

Tower and foundation costs	\$ 81,000
Site development costs	77,000
Utility installation costs	55,000
T-Mobile equipment cabinets	30,000
<u>T-Mobile RF components e.g. antennas and cable</u>	<u>15,000</u>
Total estimated costs	\$258,000

(T-Mobile 1, pp. 19; T-Mobile 3, response 1)

Environmental Considerations

121. The proposed facility at 100 or 110 feet agl would have no effect on historic, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places. (T-Mobile 1, Exhibit O, Letter from SHPO dated December 23, 2008; Tr. 4, p. 34)
122. The proposed facility would not affect any threatened or endangered species or designated critical habitats. (T-Mobile 1, p. 13)
123. The proposed facility would not affect any of the “listed” categories of the National Environmental Policy Act (NEPA): wilderness preserves; endangered or threatened species; critical habitats; National Register historic districts, sites, buildings, structures or objects; Indian religious sites; flood plains; or federal wetlands. (T-Mobile 1, p. 16; Tab Q)
124. The proposed facility is not located with the 100-year or 500-year floodplain. (T-Mobile 1, Tab Q)
125. Development of the proposed facility would require the removal of approximately eight trees with a diameter of breast height of at least six inches. (T-Mobile 1, Tabs B and M)
126. The maximum tower height that would not require notice to the Federal Aviation Administration or marking or lighting is 200 feet agl. (T-Mobile 1, Tab S)
127. The nearest wetlands are located 24 feet west of the proposed compound and 5 feet east of the proposed underground utilities. The entire facility would be located within the 100-foot Upland Review Area. However, no direct wetland impacts are expected to occur. Silt fence will be installed and maintained to protect the wetlands during construction. Thus, adverse impacts to the wetlands are not expected. (T-Mobile 1, Exhibit J; Tr. 1, pp. 57-58)
128. If the tower location were shifted 20 feet to the north, the wetland buffer would increase to 38 feet, resulting in even less wetland impacts. (Tr. 1 p. 61; T-Mobile 23)
129. Shifting the tower 20 feet to the north would require the removal of two large black oaks that have diameters of 33 and 22 inches at breast height. These two trees were examined by a certified forester and found to be in declining health with recommendations for removal. (T-Mobile 23)

130. Shifting the tower 300 feet to the east would result in a wetland boundary of 40 to 50 feet and no likely adverse impacts to wetlands. (T-Mobile 23)
131. T-Mobile would establish and maintain appropriate soil erosion and sedimentation control measures, in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control established by the Connecticut Council for Soil and Water Conservation, in cooperation with the Connecticut Department of Environmental Protection, throughout the construction period of the proposed facility. (T-Mobile 1, p. 17)
132. The entire Atlantic seaboard is a migratory bird flyway. However, towers less than 200 feet agl generally do not have a significant adverse effect on birds or result in increased bird strikes. (Tr. 1, p. 62)
133. There are no important bird areas which are designated by the Audubon Society in Old Lyme as important bird concentration areas for bird breeding, stopovers, etc. (Tr. 1, p. 63)
134. Cellco's and AT&T's backup generators would meet all applicable noise standards. (AT&T 2, response 16; Cellco 2, response 16)
135. The total cumulative worst-case maximum power density from the radio frequency emissions of the proposed T-Mobile, AT&T, and Cellco antennas is calculated to be 63.84 percent of the standard for Maximum Permissible Exposure, as adopted by the FCC, at the base of the proposed tower. This calculation was based on methodology prescribed by the FCC Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997) that assumes all antennas would be pointed at the base of the tower and all channels would be operating simultaneously, which creates the highest possible power density levels. Under normal operation, the antennas would be oriented outward, directing radio frequency emissions away from the tower, thus resulting in significantly lower power density levels in areas around the tower. (T-Mobile 1, p. 13)

Visibility

Height of 100 feet as Originally Proposed

136. The majority of the year-round visibility of the tower is over open water. Approximately 1,773 acres, or over 97 percent of the 1,817 acres of year-round visibility, is over open water on Long Island Sound to the south at a distance from 0.80 miles to 1.14 miles. (T-Mobile 1, Tab N)
137. The tower would be visible year-round on land from approximately 44 acres within a two-mile radius of the site. The tower would be seasonally visible from approximately 55 acres on land within a two-mile radius of the site. (T-Mobile 1, Tab N)
138. Specific areas of year-round visibility of the tower on land include areas within a 0.25 mile radius of the tower: select portions of Shore Road, Otter Rock Road, Hawks Nest Road, and Washington Avenue. Specific areas of limited year-round visibility also include portions of Pond Road and Corsino Avenue located further to the southeast. (T-Mobile 1, Tab N)

139. Approximately 21 residences would have year-round visibility of the proposed tower including three residences on Otter Rock Road; three residences along Hawks Nest Road; six residences along Washington Avenue; four residences along Shore Road (Route 156); two residences along Corsino Avenue; and three residences along Pond Road. (T-Mobile 1, Tab N)
140. A total of approximately 14 additional homes located on select portions of Center Beach Road, Hawks Nest Road, Washington Avenue, and Columbus Avenue would have seasonal views of the proposed tower. (T-Mobile 1, Tab N)
141. The ground elevation increases to the north of the proposed tower, from 28 feet AMSL to as high as 180 feet. Thus, the view from Long Island Sound will include rising topography in the background, not simply a tower with blue skies behind it. (Tr. 1, p. 65)
142. Visibility of the tower at the originally proposed height of 100 feet from specific locations in the surrounding area is summarized in the table below.

Location	Visible	Approx. Portion of 100' Tower Visible (ft.)	Approx. Distance and Direction to Tower
1 – Otter Rock Road adjacent to house #14, looking east	Yes	9 feet – above tree line	0.28 miles E
2 – Route 156 (Shore Road) at Dogwood Drive, looking northeast	Yes	25 feet – above tree line	0.29 miles NE
3 – Route 156 (Shore Road) at Hawks Nest Road, looking northwest	Yes	28 feet – partially obstructed by trees	0.17 miles NW
4 – Hawks Nest Road adjacent to house #10, looking northwest	Yes	20 feet – above tree line	0.17 miles NW
5 – Center Beach Avenue adjacent to house #14, looking north	Yes	8 feet – above tree line	0.26 miles N
6 – Liberty Street at Corsino Avenue, looking northwest	Yes	10 feet – above tree line	0.51 miles NW
7 – Pond Road adjacent to house #18A, looking northwest	Yes	10 feet – through trees	0.65 miles NW
8 – Washington Avenue adjacent to house #14, looking northwest	No	n/a	0.27 miles NW
9 – Hawks Nest Road north of Avenue A, looking northwest	No	n/a	0.59 miles NW
10 – West End Drive adjacent to house #82, looking northeast	No	n/a	0.76 miles NE
11 – Center Beach Avenue adjacent to house #40, looking northwest	No	n/a	0.40 miles NW
12 – Hartford Avenue north of Pond Road, looking northwest	No	n/a	0.67 miles NW

(T-Mobile 1, Exhibit N)

Revised Height of 110 feet to accommodate AT&T

143. The total acreage of year-round visibility for a 110-foot tower would increase about three percent from 1,817 acres (for a 100-foot tower) to 1,876 acres. The visibility area would be mostly over open water, at a distance ranging from approximately 0.80 miles to 1.14 miles. (AT&T 4)
144. The views of the proposed facility would not change significantly if the height of the facility were increased from 100 feet to 110 feet. (T-Mobile 21)
145. The number of homes with visibility of the tower is not expected to change if the tower height was increased from 100 feet to 110 feet. (Tr. 5, p. 34)
146. Visibility of the tower at the revised height of 110 feet from specific locations in the surrounding area is summarized in the table below.

Location	Visible	Approx. Portion of 110' Tower Visible (ft.)	Approx. Distance and Direction to Tower
1 – Otter Rock Road adjacent to house #14, looking east	Yes	19 feet – above tree line	0.28 miles E
2 – Route 156 (Shore Road) at Dogwood Drive, looking northeast	Yes	35 feet – above tree line	0.29 miles NE
3 – Route 156 (Shore Road) at Hawks Nest Road, looking northwest	Yes	38 feet – partially obstructed by trees	0.17 miles NW
4 – Hawks Nest Road adjacent to house #10, looking northwest	Yes	30 feet – above tree line	0.17 miles NW
5 – Center Beach Avenue adjacent to house #14, looking north	Yes	18 feet – above tree line	0.26 miles N
6 – Liberty Street at Corsino Avenue, looking northwest	Yes	20 feet – above tree line	0.51 miles NW

(AT&T 4)

Alternative Location to the 20 feet to the north with a tower height of 110 feet

147. There would be no material difference in visibility from this location versus the proposed site. (Tr. 4, p. 37)

Alternative Location approximately 300 feet to the east with a tower height of 110 feet

148. This location would shift the visibility to the east and increase visibility of the tower at a nearby elementary school and its ball field. There would be a direct line of sight to the tower from the ball field, especially during leaf-off conditions. (Tr. 4, p. 36)

Coastal Management Act

149. The tower would be located approximately 0.8 miles to the north of Long Island Sound. (T-Mobile 1, Tab N).
150. Although the proposed facility is located within the Connecticut Coastal Management Act's (CCMA) coastal boundary, there are no coastal resources on the subject property. The nearest coastal resources are tidal wetlands associated with Mile Creek, which is located approximately 800 feet west of the proposed tower. No coastal resources, as defined in the CCMA, would be adversely affected by the proposed tower at either 100 or 110 feet tall agl. (T-Mobile 1, p. 14 and Tab O; Tr. 4, pp. 33-34)
151. Views of the tower from Long Island Sound would be distant and rising topography to the north provides the backdrop of the view. (T-Mobile 21)

Figure 1: Location Map of Proposed Site



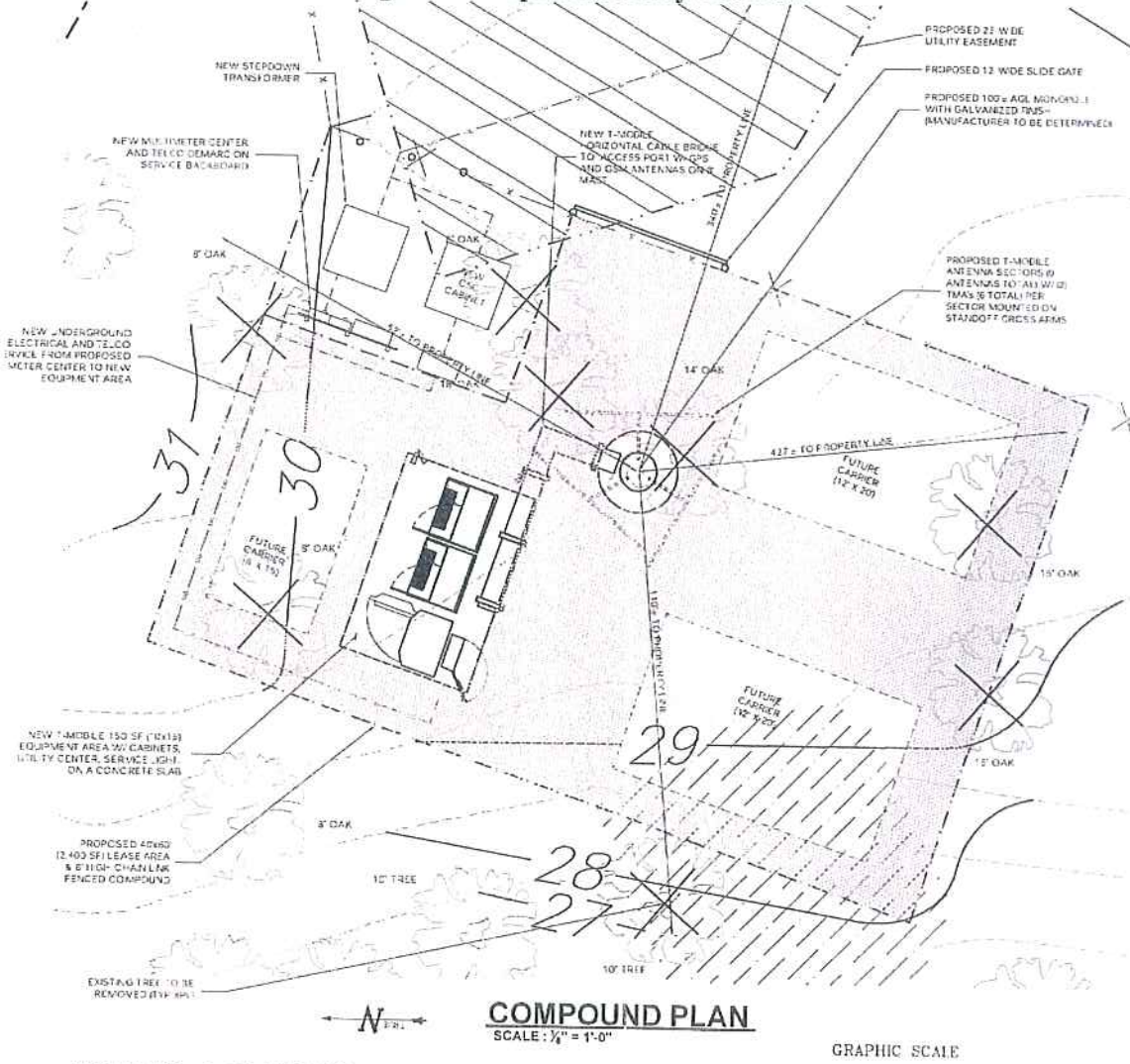
(T-Mobile 1, Tab C)

Figure 2: Aerial Photograph of Proposed Site Location



(T-Mobile 1, Tab B)

Figure 3: Proposed Facility Site Plan



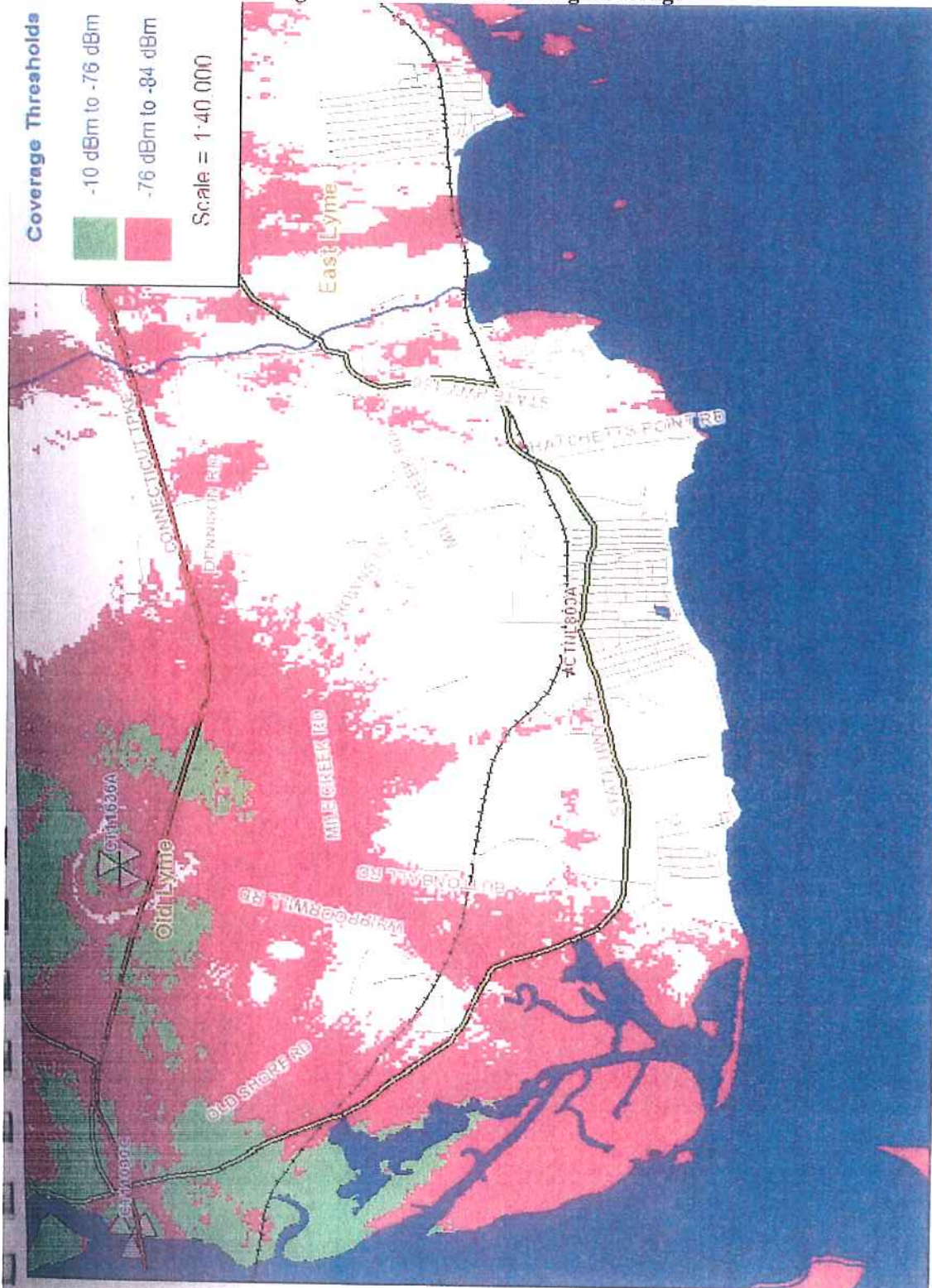
(T-Mobile 1, Exhibit B)

Figure 4: Alternative Site Locations on Subject Property



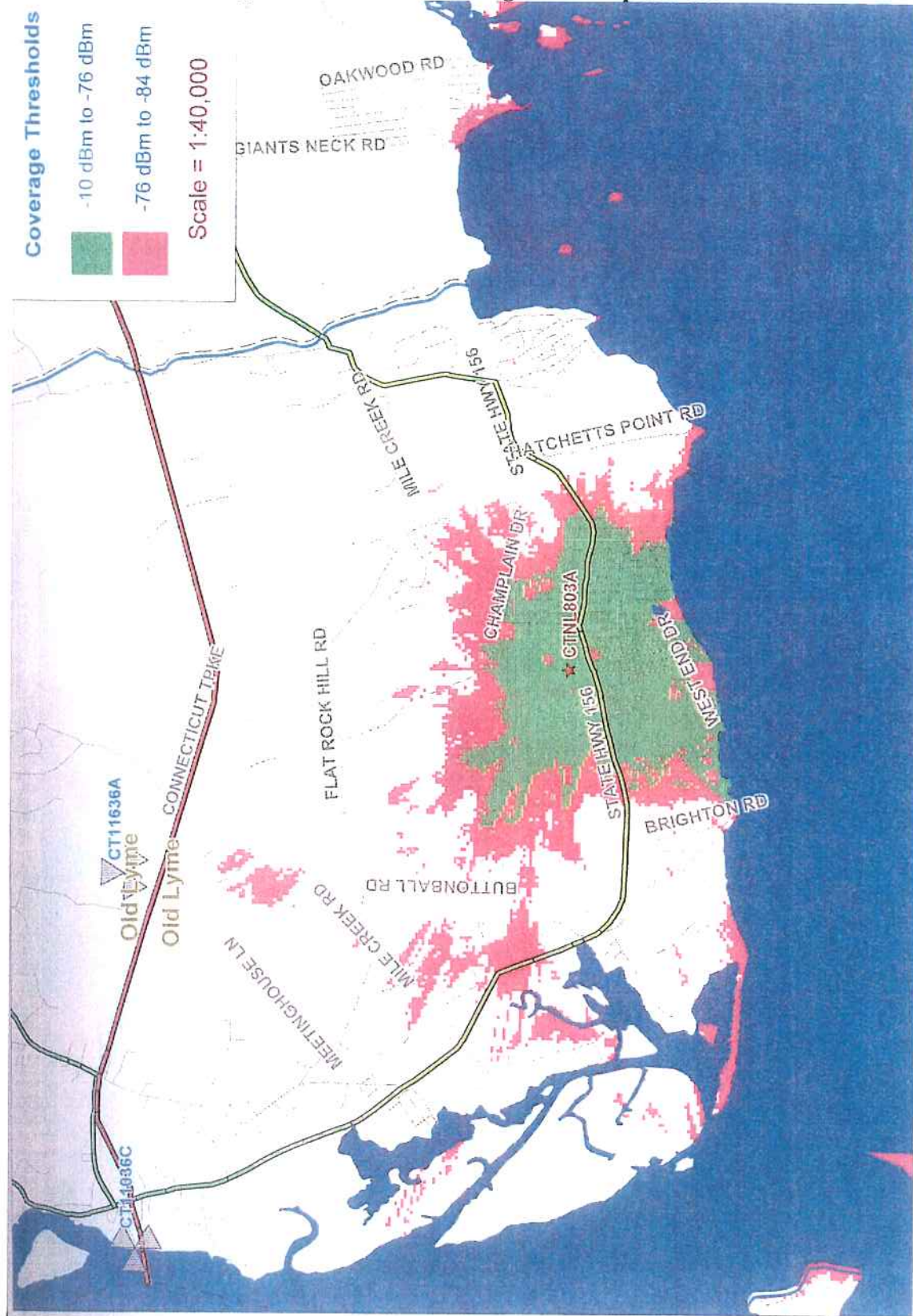
(T-Mobile 23)

Figure 5: T-Mobile's Existing Coverage



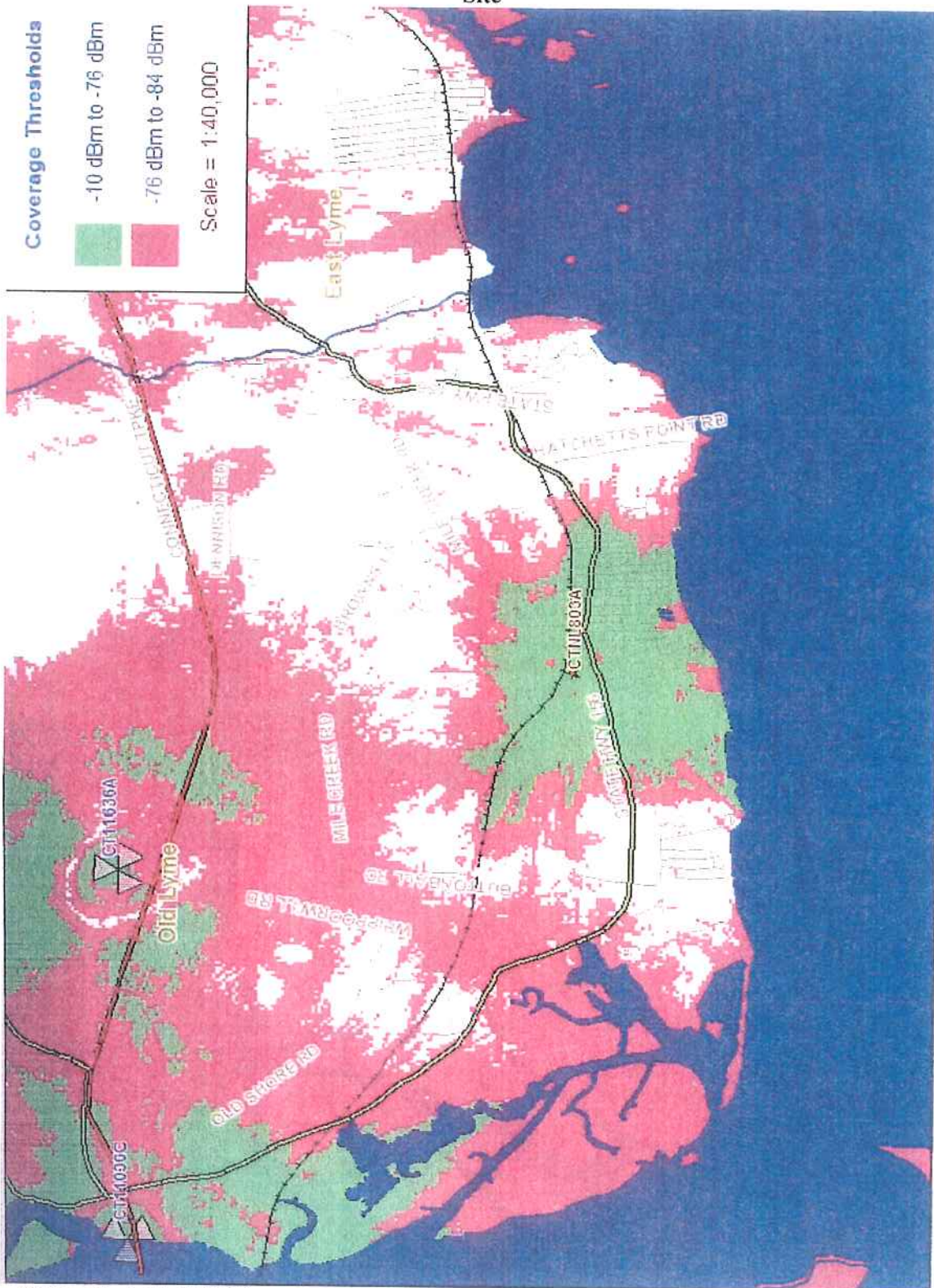
(T-Mobile 1, Exhibit H)

Figure 6: T-Mobile's Coverage from Proposed Site



(T-Mobile 1, Exhibit H)

Figure 7: T-Mobile's Existing Coverage with Proposed Site



(T-Mobile 1, Exhibit H)

Figure 8: T-Mobile's Existing and Proposed Coverage with Three Proposed Towers
(Dockets 391-393)

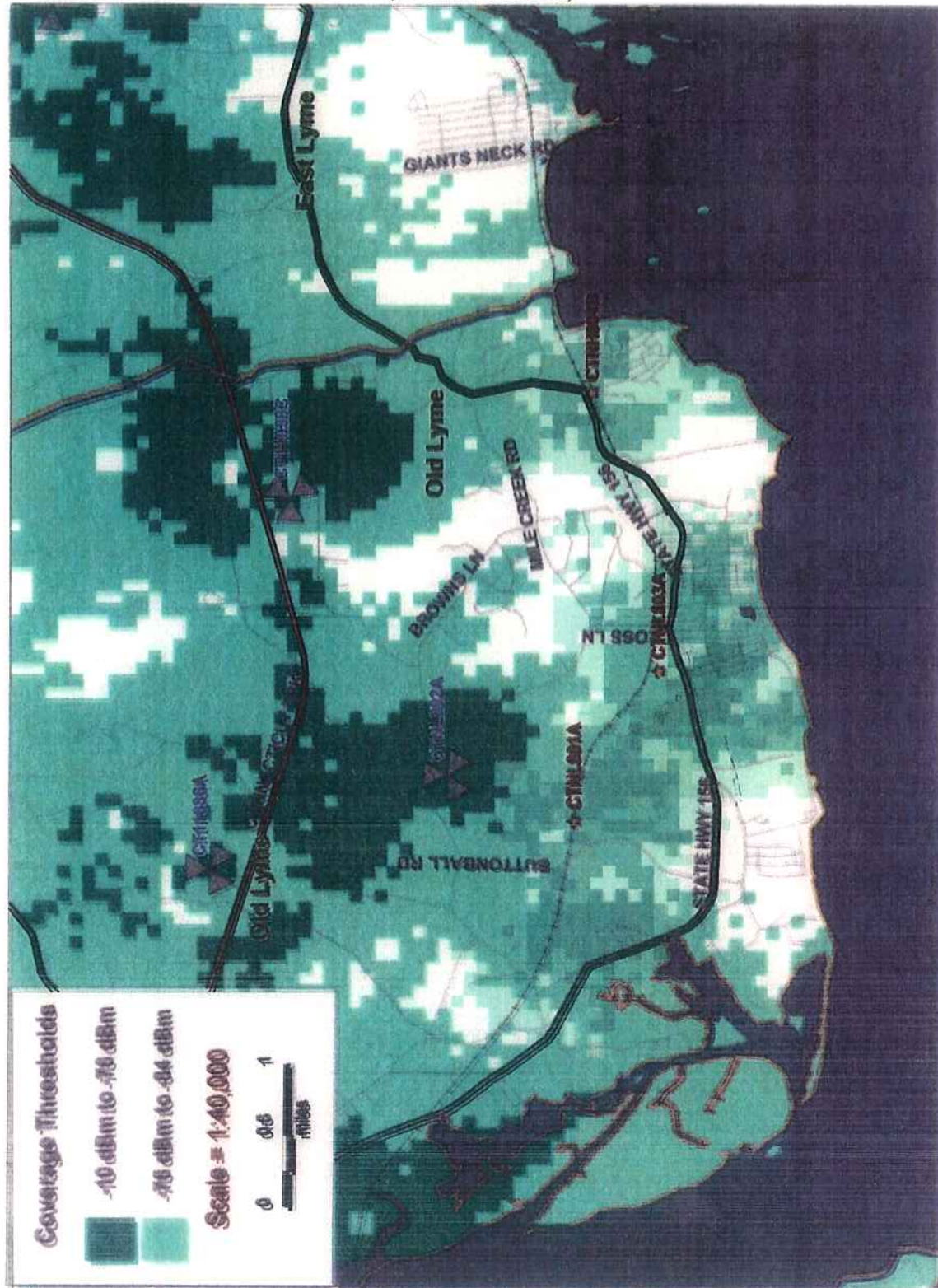
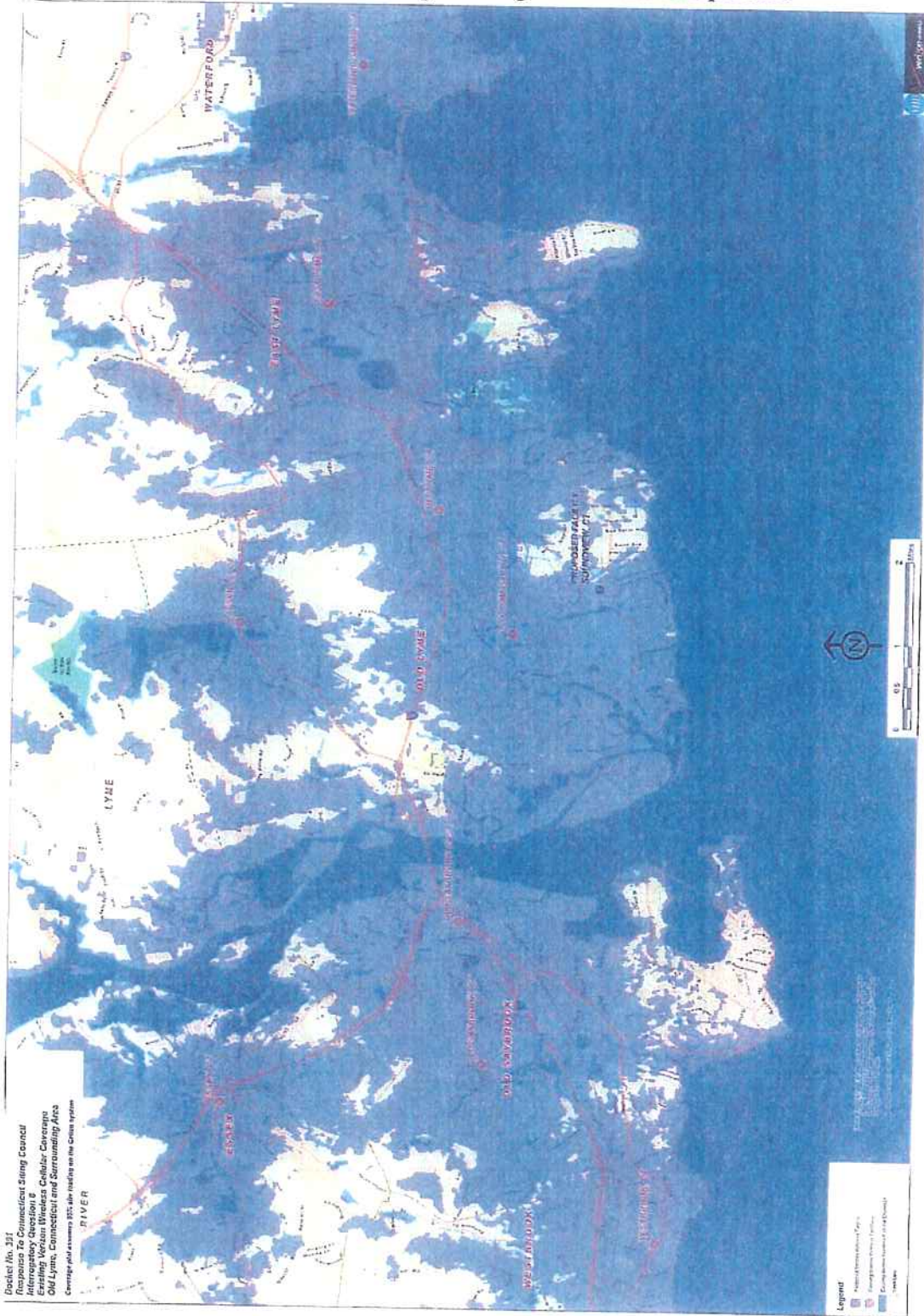
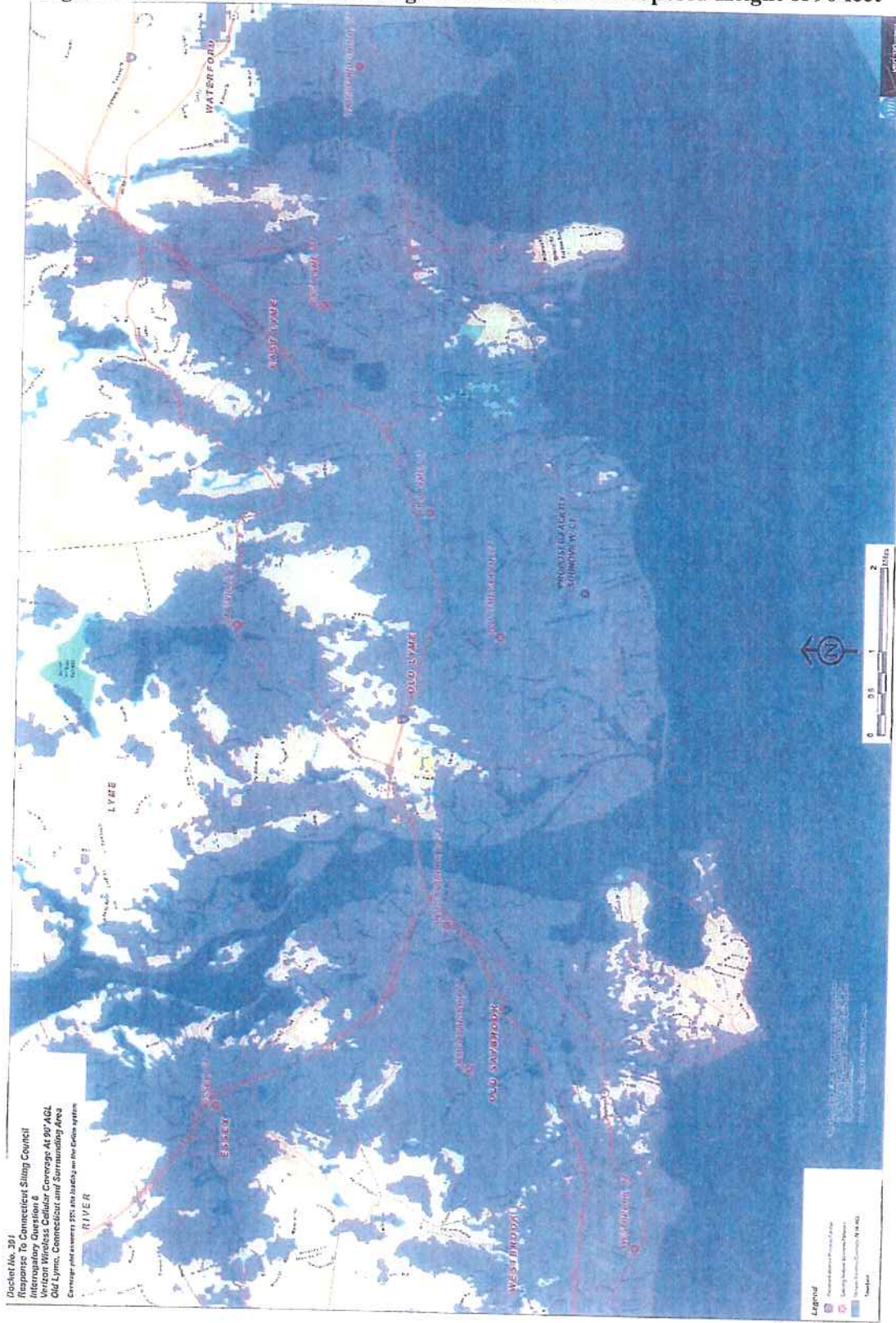


Figure 9: Cellco's Existing Coverage at Cellular Frequencies



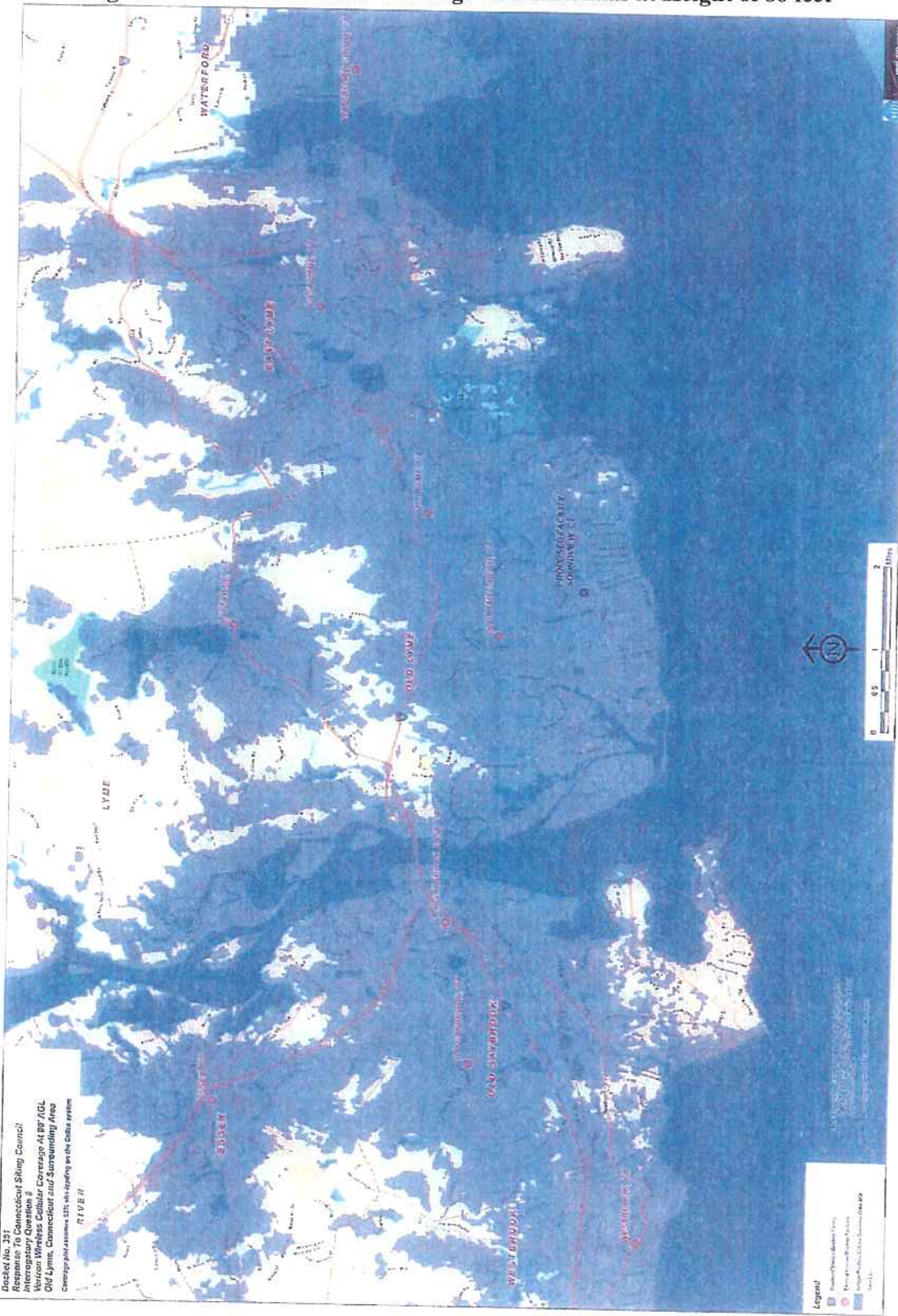
(Cellco 2, response 8)

Figure 10: Cellco's Cellular Coverage with Antennas at Proposed Height of 90 feet



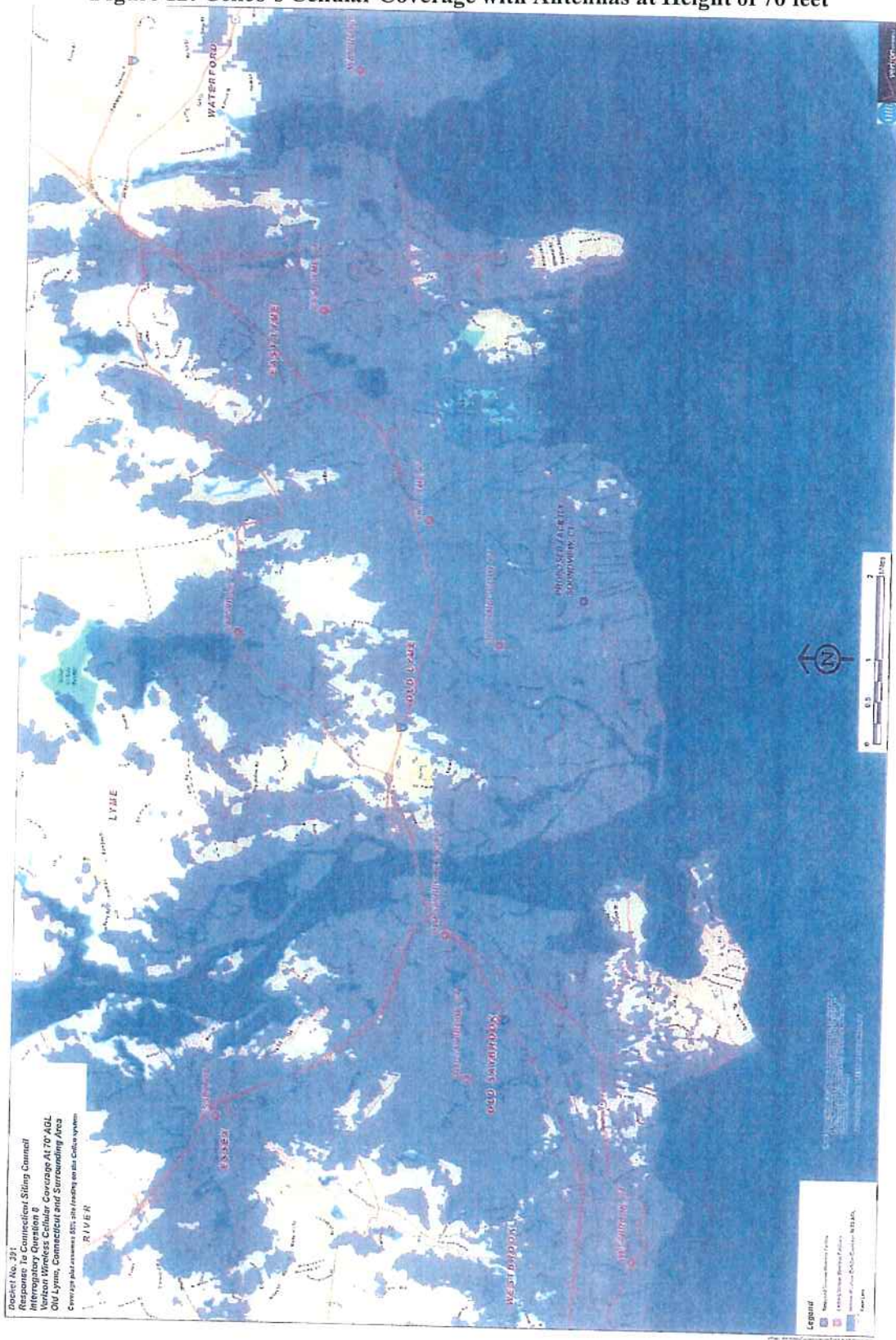
(Cellco 2, response 8)

Figure 11: Cellco's Cellular Coverage with Antennas at Height of 80 feet



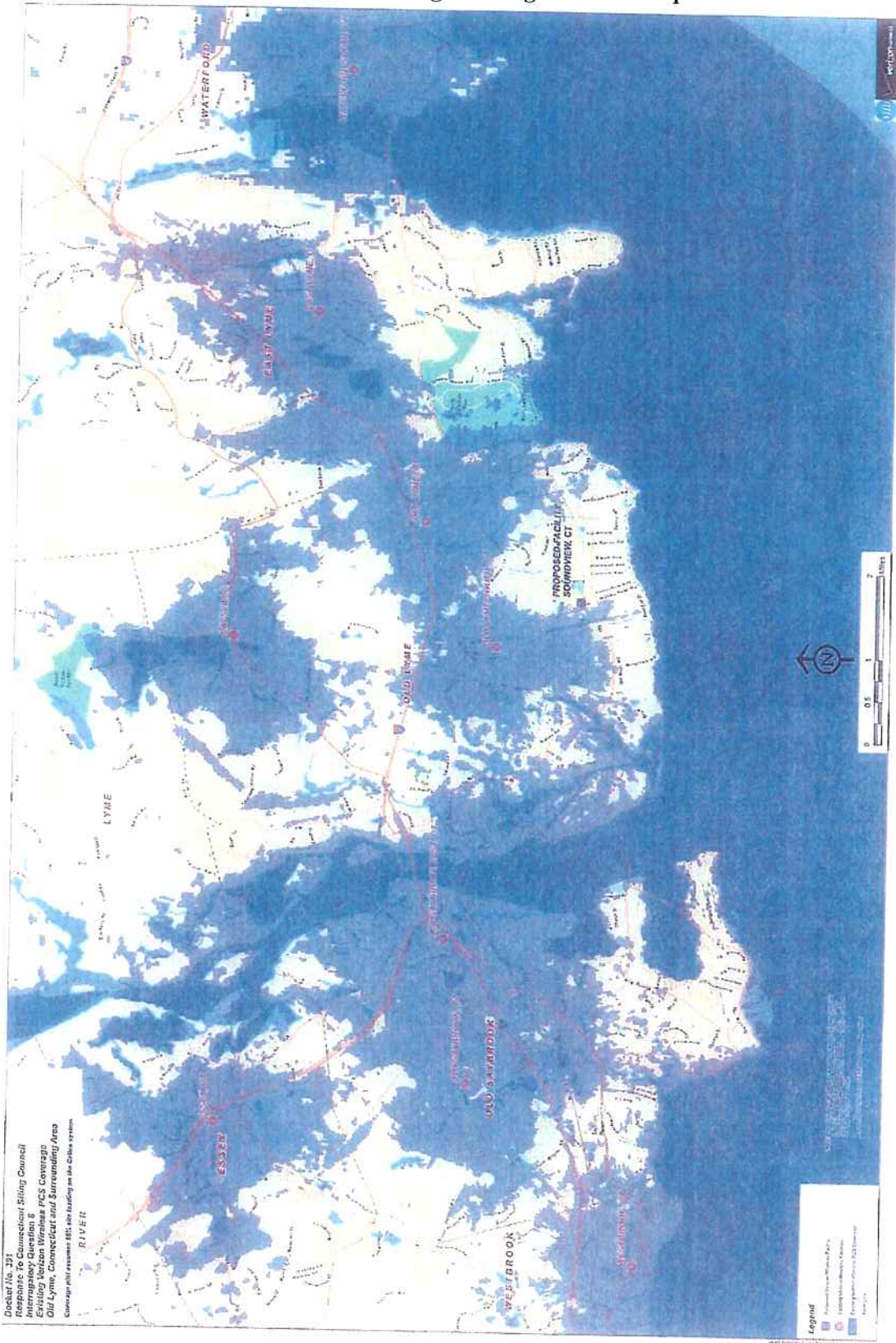
(Cellco 2, response 8)

Figure 12: Cellco's Cellular Coverage with Antennas at Height of 70 feet



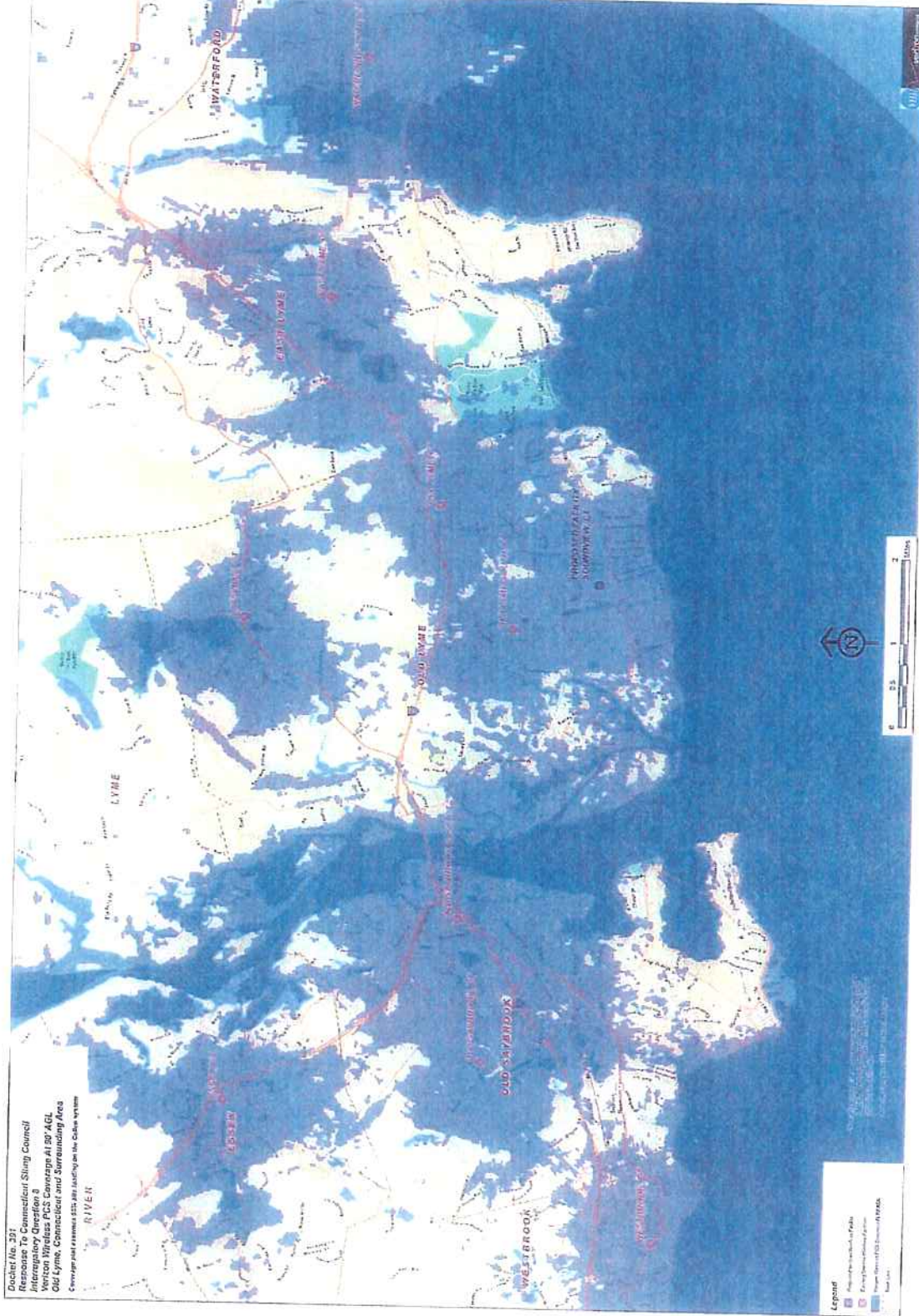
(Cellco 2, response 8)

Figure 13: Cellco's Existing Coverage at PCS Frequencies



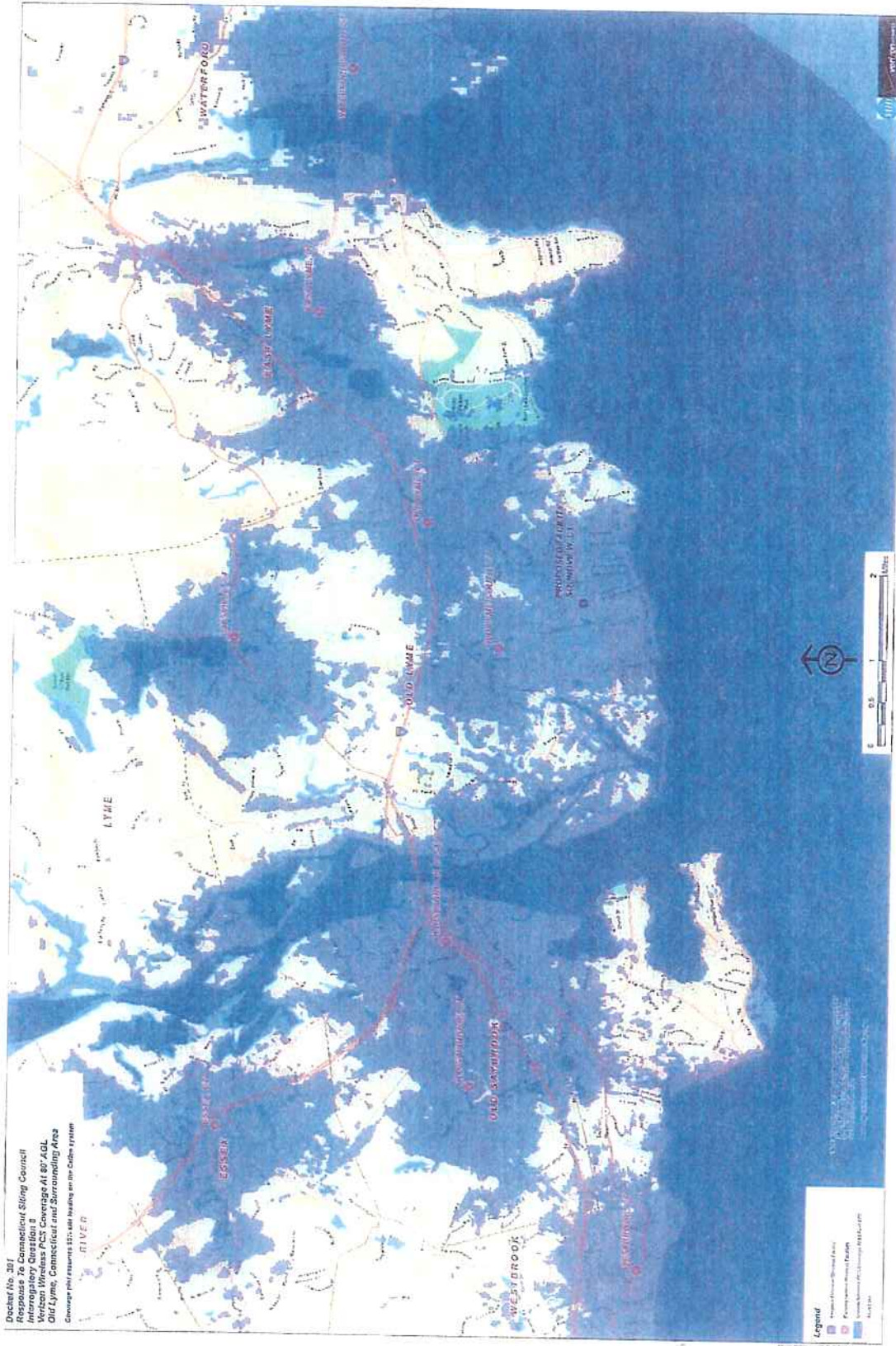
(Cellco 2, response 8)

Figure 14: Celco's PCS Coverage with Antennas at Proposed Height of 90 feet



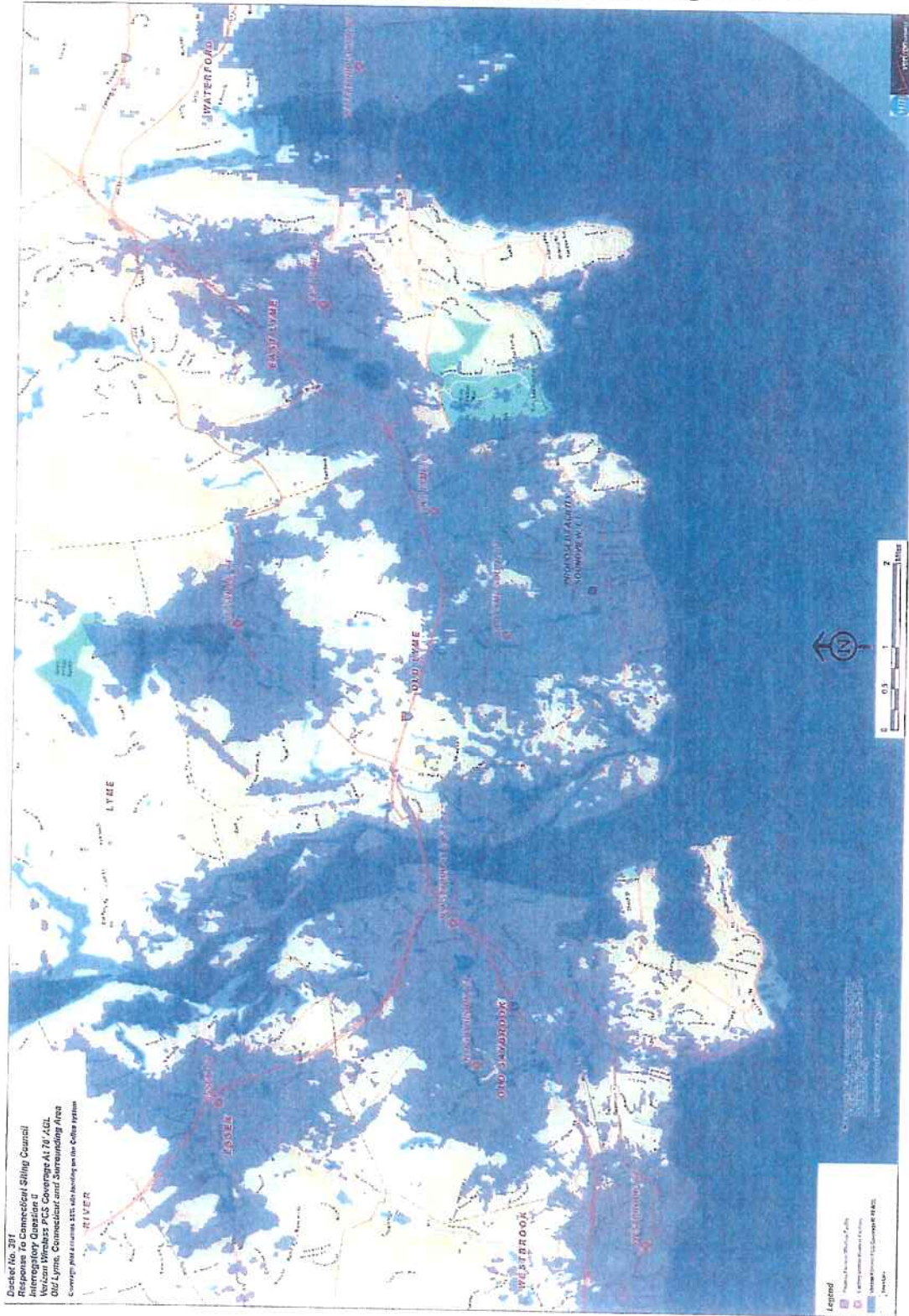
(Celco 2, response 8)

Figure 15: Cellco's PCS Coverage with Antennas at Height of 80 feet



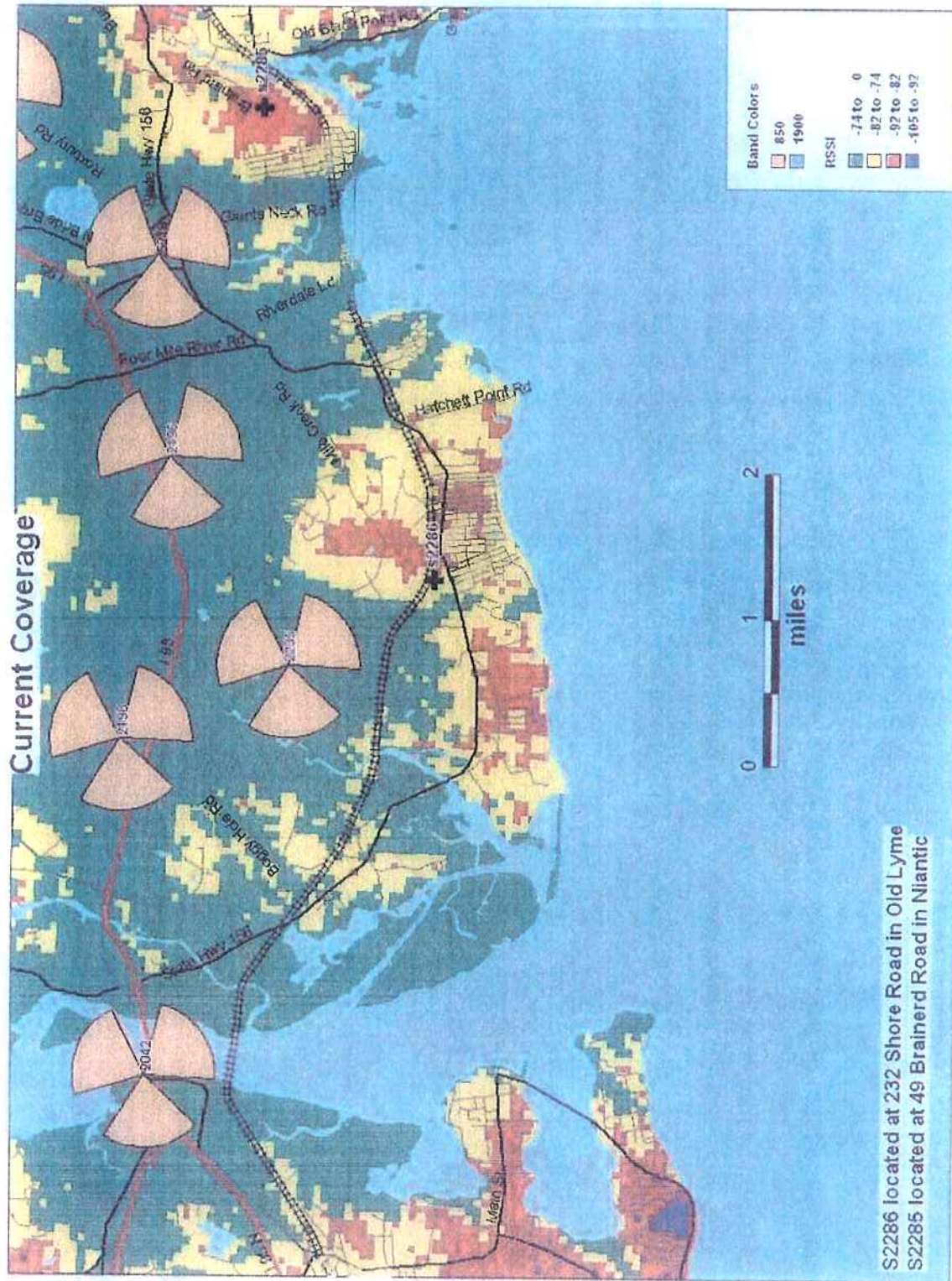
(Cellco 2, response 8)

Figure 16: Cellco's PCS Coverage with Antennas at Height of 70 feet



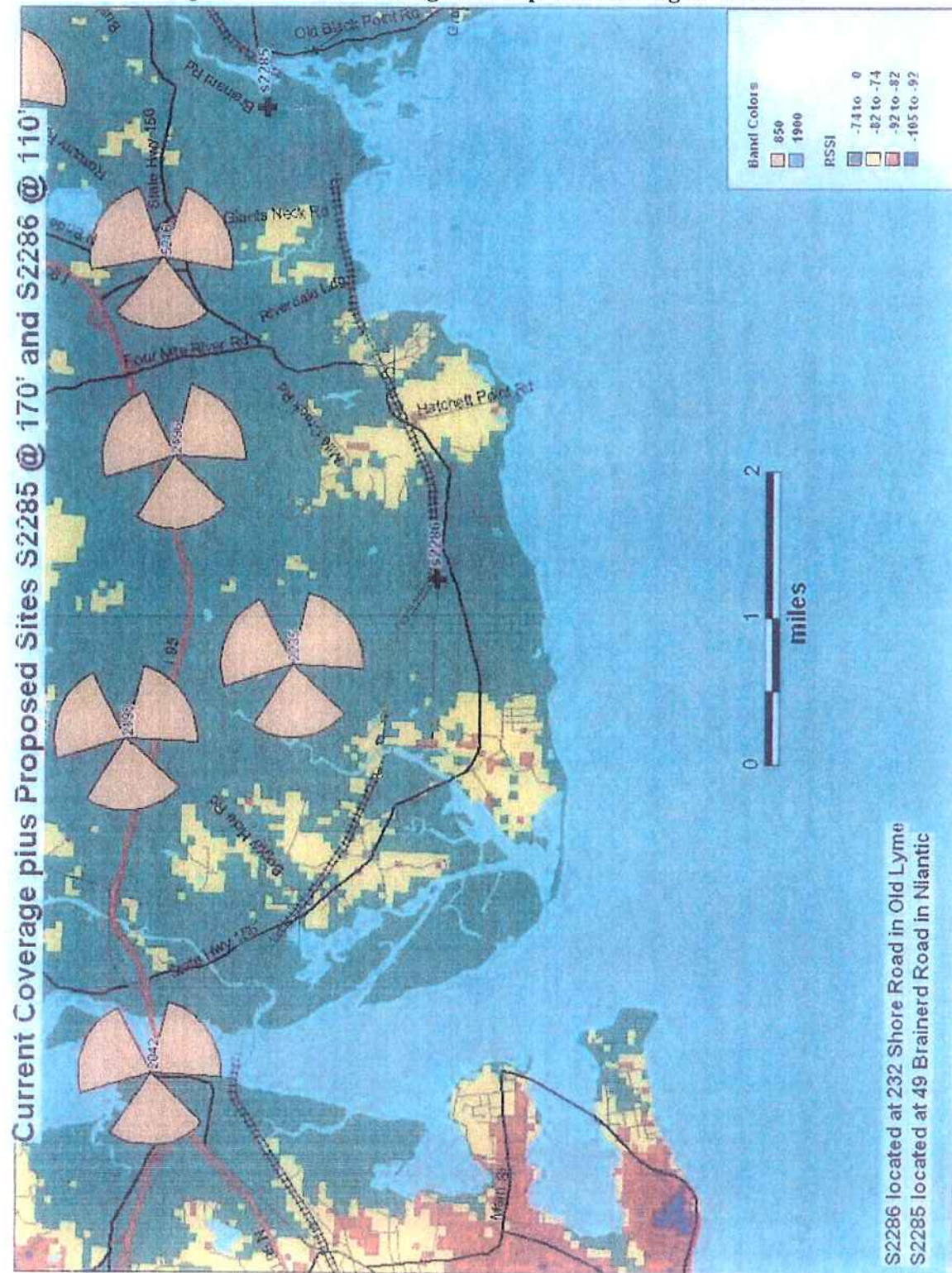
(Cellco 2, response 8)

Figure 17: AT&T Existing Coverage



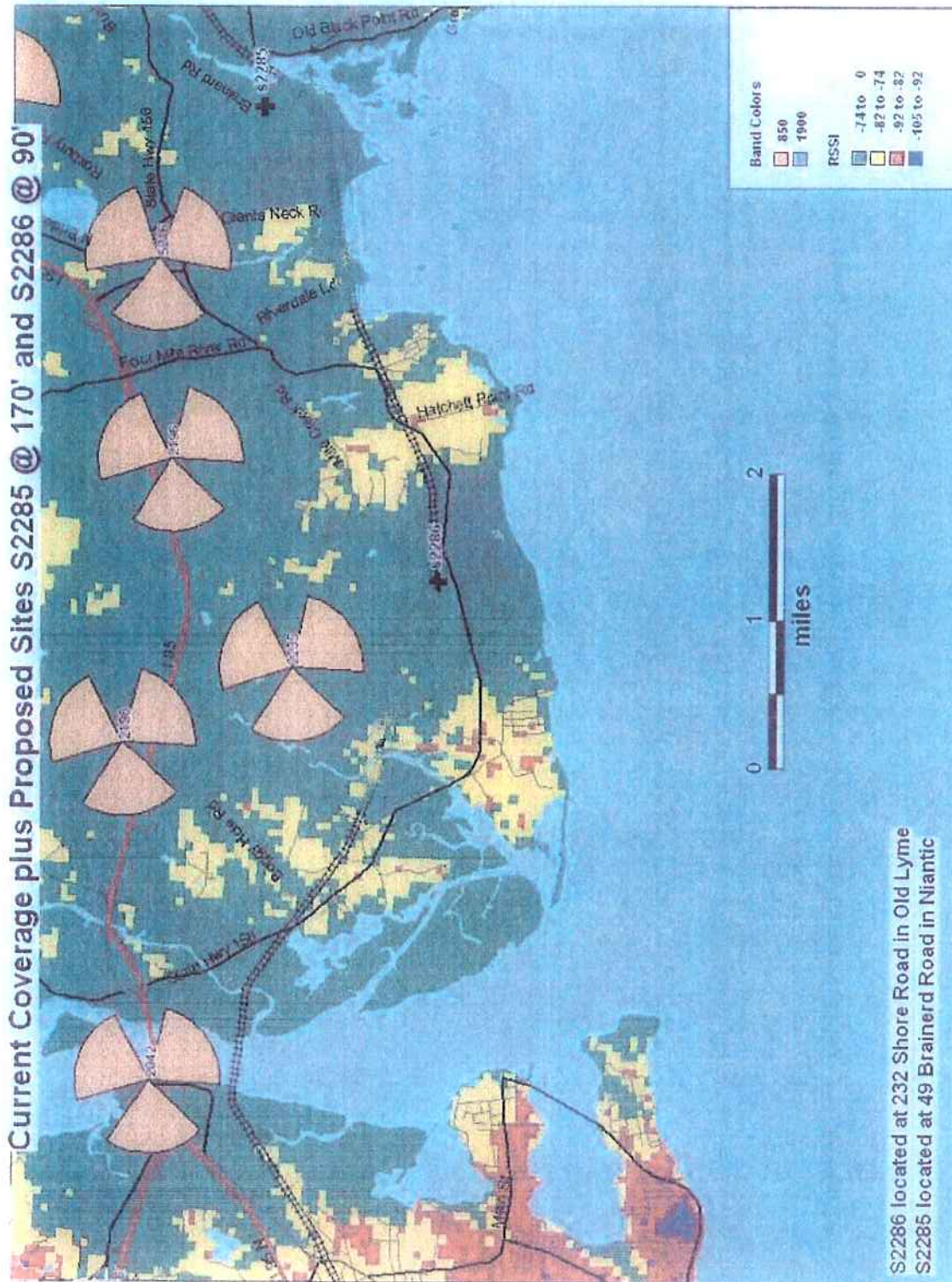
(AT&T 2, response 8)

Figure 19: AT&T Existing and Proposed Coverage at 110 feet



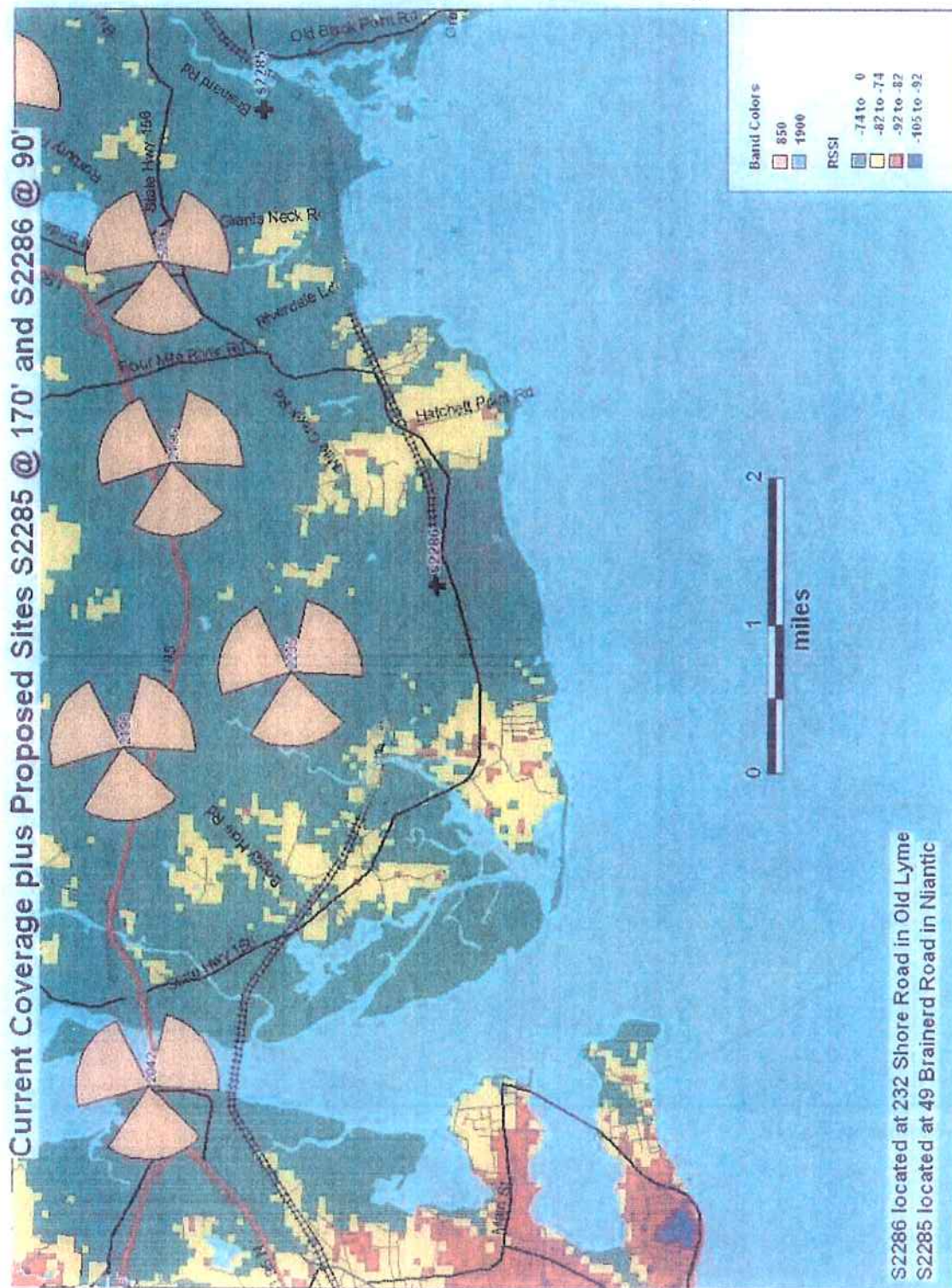
(AT&T 2, response 8)

Figure 18: AT&T Existing and Proposed Coverage at 90 feet



(AT&T 2, response 8)

Figure 20: AT&T Existing and Proposed Coverage at 80 feet



(AT&T 2, response 8)

Figure 21: Viewshed Analysis














(T-Mobile 1, Tab N)

Figure 22: Viewshed Analysis Key

Map Compiled July, 2009

Legend

-  Tower Location
- Photographs - May 5, 2009
 -  Balloon is not visible
 -  Balloon visible above trees
 -  Year-Round Visibility (Approximately 1817 acres)
 -  Seasonal Visibility (Approximately 55 acres)
-  Protected Municipal and Private Open Space Properties (1997)
 - Cemetery
 - Preservation
 - Conservation
 - Existing Preserved Open Space
 - Recreation
 - General Recreation
 - School
 - Uncategorized
-  CT DEP Protected Properties (2007)
 - State Forest
 - State Park
 - DEP Owned Waterbody
 - State Park Scenic Reserve
 - Historic Preserve
 - Natural Area Preserve
 - Fish Hatchery
 - Flood Control
 - Other
 - State Park Trail
 - Water Access
 - Wildlife Area
 - Wildlife Sanctuary
-  Federal Protected Properties (1997)
-  CT DEP Boat Launches (1994)
-  Scenic Road (State and Local)
-  Town Line

(T-Mobile 1, Tab N)

DOCKET NO. 391 - T-Mobile Northeast, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located 232 Shore Drive, Old Lyme, Connecticut.	} } }	Connecticut Siting Council
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September 23, 2010

Opinion

On October 15, 2009, T-Mobile Northeast, Inc. (T-Mobile) applied to the Connecticut Siting Council (Council) for a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, maintenance and operation of a wireless telecommunications facility to be located at 232 Shore Road in the Town of Old Lyme, Connecticut. T-Mobile is seeking to develop a facility on property owned by the South Shore Landing Self Storage and used as a commercial self-storage facility. This proposed site in Docket No. 391 is otherwise known as the “Self-Storage Site.” To further improve coverage in Old Lyme, T-Mobile also filed applications for two other towers: Docket No. 392, known as “the Laundromat Site” located at 387 Shore Road, Old Lyme; and Docket No. 393, known as “the Commercial Complex Site” located at 61-1 Buttonball Road to further improve coverage in Old Lyme.

T-Mobile’s coverage objective in this area is to provide coverage to existing gaps in the vicinity of the proposed tower along the shoreline and the Amtrak rail line, as well as on Route 156, Mill Creek Road, Hawks Nest Road, and Cross Lane just south of Interstate 95. New Cingular Wireless PCS, LLC (AT&T) participated as an intervenor in this proceeding to demonstrate their need for the proposed facility which is to fill a coverage gap along Route 156. Cellco Partnership d/b/a Verizon Wireless (Cellco) also participated as an intervenor in this proceeding to demonstrate their need to fill a coverage gap along Route 156, the Amtrak corridor, and the southern portion of Old Lyme. The Town of Old Lyme (Town) participated in this proceeding as a Party.

T-Mobile established a search ring for its target service area on or about July 17, 2008. T-Mobile’s search area was centered at the intersection of Cross Lane and the Amtrak rail line and had a radius of approximately 0.2 miles. T-Mobile identified six existing structures suitable for telecommunications use within a four-mile radius of the proposed location. T-Mobile is already co-located at three of these sites. The remaining three sites would not meet T-Mobile’s coverage objectives because they are too far away.

T-Mobile also investigated four raw land sites. These sites were rejected either because they would not meet coverage objectives or the property owner was not interested in a tower facility on their property. T-Mobile also considered co-location at a SBA facility that was originally proposed for 14 Cross Lane, Old Lyme. This site is no longer available. T-Mobile also considered co-location on Amtrak’s catenary structures, but found that Amtrak does not allow telecommunications co-locations on its structures.

T-Mobile also, at the Council’s request, reviewed the feasibility of a distributed antenna system (DAS) in lieu of a tower. The DAS alternative is not feasible because the uneven terrain and mature vegetation in the area would necessitate the installation of numerous DAS nodes (roughly 45), while, at the same time, the area lacks both a sufficient number of utility poles high enough for the purpose and sufficient installed fiber-optic capacity. After reviewing the original

alternatives in T-Mobile's application, as well as others brought up during the proceeding, the Council finds no feasible or available alternatives to the proposed site.

In this docket, the Council has considered two special issues regarding the height of the tower. First: the Town requested a tower 160 feet high to accommodate its own equipment for a planned upgrade of municipal telecommunications. To date, the Town has not yet been able to secure funding for the plan. However, T-Mobile is willing to install a tower that is designed to be expandable to 160 feet. The Council finds that this option would be prudent on behalf of public safety, and will order a tower with the capability for such expansion. When the Town obtains the necessary funds, they can come back to the Council and petition for the added height.

Second: although T-Mobile originally proposed a 100-foot monopole, it increased the proposed tower height to 110 feet on account of the particular coverage needs of co-locator AT&T. The Council acknowledges that T-Mobile has taken steps to provide adequate notice to the public about the height increase, and also notes that the visibility models show the number of homes with views of a 100-foot tower and a 110-foot tower are approximately the same.

The proposed 110-foot tower would be located in a 30-foot by 70-foot compound surrounded by an eight-foot high chain-link fence with anti-climbing weave. AT&T proposes to install six panel antennas on a low profile platform at the 110-foot level. T-Mobile would install nine panel antennas at a centerline height of 100 feet on T-arm mounts. Cellco would install 12 panel antennas at 90 feet on either a low-profile platform or T-arms.

At 110 feet, the tower would be visible year-round on land from approximately 44 acres within a two-mile radius of the site. It would be seasonally visible from approximately 55 acres on land within the same radius. Most of the year-round visibility of the tower – 95 percent – is over open water on Long Island Sound, approximately 0.80 to 1.14 miles away.

Residences with year-round visibility of the tower on land include 16 in the immediate vicinity of the tower, and five farther to the southeast along Pond Road and Corsino Avenue, where views are more limited. Fourteen additional homes close to the tower would have views of the tower in seasonal (leaf-off) conditions.

The Council finds that the proposed site limits visibility of the tower as far as possible, consistent with the carriers' coverage goals. However, to minimize further visual impact and provide a uniform visual profile, the Council will require all carriers to mount their antennas on T-arms, which are not as obtrusive as mounts utilizing platforms.

A 110-foot tower at the proposed site would have a setback radius that extends 58 feet onto the Amtrak rail line right-of-way. To ensure that the tower setback radius remains on the subject property, the Council will require that the tower be designed with a yield point.

Vehicular access to the proposed facility would extend from Shore Road over an existing paved driveway for about 420 feet and then continue across an existing gravel parking lot for approximately 600 feet to the proposed compound. Utility service would extend underground approximately 770 feet to the proposed facility from an existing transformer on the subject property.

Approximately eight trees with a diameter at a breast height of at least six inches would have to be cut down to develop the proposed facility. The nearest wetlands are located 24 feet west of the proposed compound and five feet east of the proposed underground utilities. No direct wetland

impacts are expected, especially since, as a precaution, the Council will require T-Mobile to establish and maintain appropriate soil and erosion control measures in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control. Nonetheless, if the tower location were shifted 20 feet to the north (Northern Alternative Location), the wetland buffer would increase to 38 feet, decreasing indirect wetland impacts. Although the shift would require cutting down two large black oaks with diameters of 33 and 22 inches at breast height, a certified forester has examined these trees, found them to be diseased, and recommended their removal.

Another option for mitigating indirect wetland impacts would be to shift the tower 300 feet to the east: this would increase the wetland buffer to roughly 40 or 50 feet, preventing any likely adverse impacts to wetlands at all. However, the tradeoff for this option would be that the tower would be visible from a school ballfield on the other side of the railroad tracks. In the interest of protecting wetlands, the Council chooses the Northern Alternative Location: it would provide a larger buffer for the wetlands than the proposed site offers, but without increasing the tower's visibility.

The proposed facility would not affect any of the "listed" categories of the National Environmental Policy Act (NEPA): wilderness preserves; endangered or threatened species; critical habitats; National Register historic districts, sites, buildings, structures or objects; Indian religious sites; flood plains; or federal wetlands.

The Council is concerned about impacts to migratory birds. The entire Atlantic seaboard is a migratory bird flyway. However, towers less than 200 feet agl generally do not have a significant adverse effect on birds or result in increased bird strikes. In addition, no areas in Old Lyme have been designated by the Audubon Society as important bird concentration areas for bird breeding, stopovers, or other activities critical to survival.

Although the proposed facility is located within the Connecticut Coastal Management Act's (CCMA) coastal boundary, it is 0.8 miles from the coastline and there are no coastal resources on the subject property. Thus, no coastal resources, as defined in the CCMA, would be adversely affected by the facility. Furthermore, the facility would have no effect on historic, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places.

According to a methodology prescribed by the FCC Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997), the combined radio frequency power density levels of the T-Mobile, AT&T, and Cellco antennas proposed to be installed on the tower have been calculated by Council staff to amount to 63.84% of the FCC's Maximum Permissible Exposure, as measured at the base of the tower. This percentage is well below federal and state standards established for the frequencies used by wireless companies. If federal or state standards change, the Council will require that the tower be brought into compliance with such standards. The Council will require that the power densities be recalculated in the event other carriers add antennas to the tower. The Telecommunications Act of 1996 prohibits any state or local agency from regulating telecommunications towers on the basis of the environmental effects of radio frequency emissions to the extent that such towers and equipment comply with FCC's regulations concerning such emissions.

Based on the record in this proceeding, the Council finds that the effects associated with the construction, maintenance, and operation of the telecommunications facility at the proposed subject property, including effects on the natural environment; ecological integrity and balance; public health and safety; scenic, historic, and recreational values; forests and parks; air and water purity; and fish and wildlife are not disproportionate either alone or cumulatively with other

effects when compared to need, are not in conflict with policies of the State concerning such effects, and are not sufficient reason to deny this application. Therefore, the Council will issue a Certificate for the construction, maintenance, and operation of a 110-foot monopole telecommunications facility at the Northern Alternative Location at 232 Shore Drive, Old Lyme, Connecticut.

DOCKET NO. 391 - T-Mobile Northeast, LLC application for a }
Certificate of Environmental Compatibility and Public Need for }
the construction, maintenance and operation of a }
telecommunications facility located 232 Shore Road, Old Lyme, }
Connecticut. }

Connecticut

Siting

Council

September 23, 2010

Decision and Order

Pursuant to the foregoing Findings of Fact and Opinion, the Connecticut Siting Council (Council) finds that the effects associated with the construction, maintenance, and operation of a telecommunications facility, including effects on the natural environment; ecological integrity and balance; public health and safety; scenic, historic, and recreational values; forests and parks; air and water purity; and fish and wildlife are not disproportionate, either alone or cumulatively with other effects, when compared to need, are not in conflict with the policies of the State concerning such effects, and are not sufficient reason to deny the application, and therefore directs that a Certificate of Environmental Compatibility and Public Need, as provided by General Statutes § 16-50k, be issued to T-Mobile Northeast, LLC (T-Mobile), hereinafter referred to as the Certificate Holder, for a telecommunications facility at the Northern Alternative Location, located at 232 Shore Road, Old Lyme, Connecticut.

Unless otherwise approved by the Council, the facility shall be constructed, operated, and maintained substantially as specified in the Council's record in this matter, and subject to the following conditions:

1. The tower shall be constructed as a monopole, no taller than necessary to provide the proposed telecommunications services, sufficient to accommodate the antennas of AT&T Wireless PCS, LLC, T-Mobile, and Cellco Partnership d/b/a Verizon Wireless and other entities, both public and private, but such tower shall not exceed a height of 110 feet above ground level (agl). The wireless antennas shall be attached to the tower via T-arm mounts.
2. The tower and foundation shall be designed to accommodate a tower extension up to 160 feet agl.
3. The Certificate Holder shall prepare a Development and Management (D&M) Plan for this site in compliance with Sections 16-50j-75 through 16-50j-77 of the Regulations of Connecticut State Agencies. The D&M Plan shall be served on the Town of Old Lyme for comment, and all parties and intervenors as listed in the service list, and submitted to and approved by the Council prior to the commencement of facility construction and shall include:
 - a) a final site plan(s) of site development to include specifications for the tower, tower foundation, antennas, equipment compound, radio equipment, access road, utility line, and landscaping; and
 - b) construction plans for site clearing, grading, landscaping, water drainage, and erosion and sedimentation controls consistent with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended.

4. Prior to the commencement of operation, the Certificate Holder shall provide the Council worst-case modeling of the electromagnetic radio frequency power density of all proposed entities' antennas at the closest point of uncontrolled access to the tower base, consistent with Federal Communications Commission, Office of Engineering and Technology, Bulletin No. 65, August 1997. The Certificate Holder shall ensure a recalculated report of the electromagnetic radio frequency power density be submitted to the Council if and when circumstances in operation cause a change in power density above the levels calculated and provided pursuant to this Decision and Order.
5. Upon the establishment of any new State or federal radio frequency standards applicable to frequencies of this facility, the facility granted herein shall be brought into compliance with such standards.
6. The Certificate Holder shall permit public or private entities to share space on the proposed tower for fair consideration, or shall provide any requesting entity with specific legal, technical, environmental, or economic reasons precluding such tower sharing.
7. The Certificate Holder shall provide reasonable space on the tower for no compensation for any Town of Old Lyme public safety services (police, fire and medical services), provided such use can be accommodated and is compatible with the structural integrity of the tower.
8. Unless otherwise approved by the Council, if the facility authorized herein is not fully constructed with at least one fully operational wireless telecommunications carrier providing wireless service within eighteen months from the date of the mailing of the Council's Findings of Fact, Opinion, and Decision and Order (collectively called "Final Decision"), this Decision and Order shall be void, and the Certificate Holder shall dismantle the tower 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 Final 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 Certificate Holder shall provide written notice to the Executive Director of any schedule changes as soon as is practicable.
9. Any request for extension of the time period referred to in Condition 8 shall be filed with the Council not later than 60 days prior to the expiration date of this Certificate and shall be served on all parties and intervenors, as listed in the service list, and the Town of Old Lyme. Any proposed modifications to this Decision and Order shall likewise be so served.
10. If the facility ceases to provide wireless services for a period of one year, this Decision and Order shall be void, and the Certificate Holder shall dismantle the tower and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made.
11. Any nonfunctioning antenna, and associated antenna mounting equipment, on this facility shall be removed within 60 days of the date the antenna ceased to function.
12. In accordance with Section 16-50j-77 of the Regulations of Connecticut State Agencies, the Certificate Holder shall provide the Council with written notice two weeks prior to the commencement of site construction activities. In addition, the Certificate Holder shall provide the Council with written notice of the completion of site construction, and the commencement of site operation.

13. The Certificate Holder 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.
14. This Certificate may be transferred in accordance with Conn. Gen. Stat. §16-50k(b), provided both the Certificate Holder\transferor and the transferee are current with payments to the Council for their respective annual assessments and invoices under Conn. Gen. Stat. §16-50v. In addition, both the Certificate Holder\transferor and the transferee shall provide the Council a written agreement as to the entity responsible for any quarterly assessment charges under Conn. Gen. Stat. §16-50v(b)(2) that may be associated with this facility.

Pursuant to General Statutes § 16-50p, the Council hereby directs that a copy of the Findings of Fact, Opinion, and Decision and Order be served on each person listed below, and notice of issuance shall be published in *The Day*.

By this Decision and Order, the Council disposes of the legal rights, duties, and privileges of each party named or admitted to the proceeding in accordance with Section 16-50j-17 of the Regulations of Connecticut State Agencies.

The parties and intervenors to this proceeding are:

Applicant

T-Mobile Northeast, LLC

Its Representative

Julie D. Kohler, Esq.
Monte E. Frank, Esq.
Jesse A. Langer, Esq.
Cohen and Wolf, P.C.
1115 Broad Street
Bridgeport, CT 06604

Intervenor

Cellco Partnership d/b/a Verizon Wireless

Its Representative

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

New Cingular Wireless PCS, LLC

Christopher B. Fisher, Esq.
Daniel M. Laub, Esq.
Cuddy & Feder LLP
445 Hamilton Avenue, 14th Floor
White Plains, NY 10601

Party

Town of Old Lyme

Its Representative

The Honorable Timothy G. Griswold
Office of the Selectman
Town of Old Lyme
52 Lyme Street
Old Lyme, CT 06371



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square
New Britain, Connecticut 06051
Phone: (860) 827-2935
Fax: (860) 827-2950

October 25, 1999

J. Brendan Sharkey, Esq.
Omnipoint Communications, Inc.
100 Filley Street
Bloomfield, CT 06002

RE: TS-OCI-023-991008 - Omnipoint Communications request for an order to approve tower sharing at an existing telecommunications facility located at the Canton Volunteer Fire Company on 14 Canton Springs Road in Canton, Connecticut.

Dear Attorney Sharkey:

At a public meeting held October 21, 1999, the Connecticut Siting Council (Council) ruled that the shared use of this existing tower site is technically, legally, environmentally, and economically feasible and meets public safety concerns, and therefore, in compliance with General Statutes § 16-50aa, the Council has ordered the shared use of this facility to avoid the unnecessary proliferation of tower structures.

This facility has been carefully modeled to ensure that radio frequency emissions are conservatively below State and federal standards applicable to the frequency now used on this tower. 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 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.

This decision applies only to this request for tower sharing and is not applicable to any other request or construction.

The proposed shared use is to be implemented as specified in your letter dated October 8, 1999.

Thank you for your attention and cooperation.

Very truly yours,

Mortimer A. Gelston
Chairman

MAG/SLL/sll

cc: Honorable Kathleen C. Corkum, First Selectman, Town of Canton
Sandy M. Carter, Manager - Regulatory, Bell Atlantic Mobile
Peter W. van Wilgen, Director - Real Estate Operations, SNET Wireless, Inc. ✓
Ronald C. Clark, Manager - Real Estate, Nextel Communications

RECORDED

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

136 Main Street, Suite 401
New Britain, Connecticut 06051-4225
Phone: 827-7682

February 16, 1994

Peter J. Tyrrell, Senior Attorney
Springwich Cellular Limited Partnership
227 Church Street - Room 1021
New Haven, Connecticut 06506

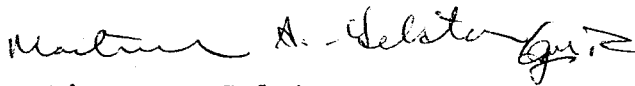
RE: DOCKET NO. 62 - Springwich Cellular Limited Partnership
Certificate of Environmental Compatibility and Public Need for
the operation and maintenance of a cellular telecommunications
facility in the Town of Canton, Connecticut.

Dear Attorney Tyrrell:

At a public meeting on February 10, 1994, the Connecticut Siting Council found the construction of a 150-foot monopole tower and equipment building located off East Hill Road in Canton, Connecticut, to be substantially in compliance with the Council's Decision and Order of August 4, 1986, and voted to approve the facility as constructed.

Enclosed is a copy of the February 10, 1994, staff report on the final Council review of this project.

Very truly yours,



Mortimer A. Gelston
Chairman

MAG/foc
enclosure

7667E-2

RECEIVED
DATE 2/22/94
SNET LEGAL DIV.



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

136 Main Street, Suite 401
New Britain, Connecticut 06051-4225
Phone: 827-7682

Docket No. 62
Springwich Cellular Limited Partnership
Canton, Connecticut
February 10, 1993

On November 12, 1993, Connecticut Siting Council (Council) staff members Fred O. Cunliffe, Stephen M. Howard, and Robert K. Erling inspected the Springwich Cellular Limited Partnership (Springwich) facility located off East Hill Road in Canton, Connecticut.

Springwich constructed a 150-foot monopole tower, equipment building, and fence within a 100-foot by 100-foot leased parcel. A 150-foot, gravel-covered access drive is angled from East Hill Road limiting the view of the facility site. Although Springwich proposed to plant evergreens within the fenced facility, none were observed; however, evergreens were planted along the access road and the north fence line providing necessary screening. Also, while approaching the site from the west, the visibility of the site and tower is reduced by a 30-foot drop in elevation and surrounding vegetation with the remainder of the site surrounded by woods. All disturbed areas have naturally revegetated.

Springwich shares this facility site with the Town of Canton Police. A 15-foot whip is mounted at the 117-foot level, and a small, wood, garden shed houses the Town's equipment within the fenced facility.

Fred O. Cunliffe
Siting Analyst

7667E



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

1 CENTRAL PARK PLAZA • NEW BRITAIN, CONN. 06051

PHONE: 827-2604

GLORIA DIBBLE POND
CHAIRPERSON

COMMISSIONERS

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JAMES G. HORSFALL
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WILLIAM H. SMITH
COLIN C. TAIT

CHRISTOPHER S. WOOD
EXECUTIVE DIRECTOR
STANLEY J. MODZELESKY
EXECUTIVE ASSISTANT

August 13, 1986

Mr. Donald R. Chapman
Vice President-Operations
SNET Cellular Inc.
555 Long Wharf Drive
Room 751
New Haven, Connecticut 06511

RE: Docket No. 62 - The Southern New England Telephone Company Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of facilities to provide cellular service in the Town of Canton, Connecticut. Development and Management Plan.

Dear Mr. Chapman:

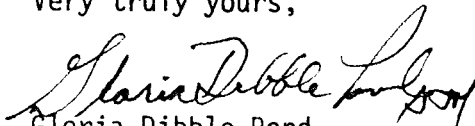
At a meeting of the Siting Council held on August 12, 1986, the Council considered and approved the Development and Management Plan (D&M) submitted pursuant to Council Order 7 of the Decision and Order in the above-referenced docket.

Enclosed for your information is a copy of the Staff Report dated August 12, 1986, recommending the Council's approval.

This approval applies only to those D&M plans submitted by SNET Cellular on August 11, 1986. Modifications to those D&M plans require advance Council notification and approval.

Contact Robert K. Erling of the Council Staff if you have any questions on this matter.

Very truly yours,


Gloria Dibble Pond
Chairperson

GDP/RKE/cp

enclosure



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

1 CENTRAL PARK PLAZA • NEW BRITAIN, CONN. 06051

PHONE: 827-2604

DOCKET NO. 62

THE SOUTHERN NEW ENGLAND TELEPHONE COMPANY

DEVELOPMENT AND MANAGEMENT PLAN

CANTON, CONNECTICUT

AUGUST 12, 1986

On August 6, 1986, Robert Erling of the Council staff met with Donald Chapman of the Southern New England Telephone Company (SNET) to review the draft Development and Management Plan (D&M) for the Canton tower site.

The 100'x100' parcel would be accessed by a 12' wide driveway constructed of 12" minimum compacted gravel fill. The slopes of this driveway will be loamed and seeded with grass.

To screen the visibility of the 21'x24' equipment building, SNET will plant evergreens along the boundaries of the parcel visible from Hoffmann Road, East Hill Road, and the Small property. A buffer of existing trees will be left intact.

Utilities would be brought into the tower site underground along the driveway. The parcel will be surrounded by an 8' fence.

Erosion control will be accomplished by spreading hay on loose soil. The site is fairly level, so run-off should not be a problem at this site.

All other requirements of the Council's Decision and Order in this docket have been met and staff therefore recommends approval of this D&M plan.

Robert K. Erling
Siting Analyst

RKE/go

SNET Cellular, Inc.
555 Long Wharf Drive
Room 751
New Haven, Connecticut 06511
Phone (203) 786-3121



Donald R. Chapman
Vice President-Operations

August 11, 1986

Gloria Dibble Pond, Chairperson
Connecticut Siting Council
One Central Park Plaza
New Britain, Connecticut 06051

Dear Chairperson Pond:

In re Docket No. 62
Application of SONECOR Cellular, Inc.
for a Certificate of Environmental
Compatibility and Public Need.

Submitted herewith for approval is the Development and Management Plan (D&M) for the Canton cellular mobile radio site as required by the Connecticut Siting Council's Decision and Order in Docket 62.

A draft of this plan was reviewed with the Council's staff on August 6th. The final plan is now being submitted for the Council's approval.

Working drawings have been provided to Mr. Robert Erling under separate cover.

Sincerely yours,

1590M

SNET Cellular, Inc.

Development and Management Plan

Canton

The enclosed Development and Management Plan for the Canton site consists of a Plan Drawing at a scale of 1 inch = 100 feet or larger, which contains the following information:

1. The edges of the proposed site.
2. Public roads adjoining the site.
3. The approximate location on the site of each ten foot contour line.
4. The exact location and height of the proposed tower, description of the tower foundation and the location of utilities.
5. The points of access to the site.
6. The edges of the proposed clearing areas.
7. Sensitive area and conditions within and adjoining the tower site including:
 - a.) Locations where construction may create waterflow disruption and the means by which it will be controlled.
 - b.) Areas of erosion potential and the means by which it will be controlled.
 - ~~c.) Rare or endangered species of plants or animals has been addressed in our applications.~~
 - d.) No special or unusual features have been identified.

Supplemental Information

1. Due to the gradual slope of the site, stacked hay bales will not be necessary to control erosion potential. The gentle slopes will be seeded as soon as possible to take advantage of the fall growing season.
2. Evergreens will be placed on three sides of the site to maximize screening from neighbors and from East Hill Road.
3. No herbicide will be used in the initial clearing of the access drive or site.
4. The location of public recreational areas was addressed in our application.
5. Excess excavated materials and logs and brush removed are the responsibility of the contractor and will be removed by him, unless the property owner requests some or all of the material to be otherwise disposed of.
6. Trees to be removed are shown on the work prints.
7. All utilities will be placed underground.

227 Church Street
New Haven, Connecticut 06506
Phone (203) 771-7381

Peter J. Tyrrell
Senior Attorney



June 4, 1986

Gloria Dibble Pond, Chairperson
Connecticut Siting Council
One Central Park Plaza
New Britain, Connecticut 06051

Dear Honorable Chairperson Pond:

In re Docket No. 62
Application of the Southern
New England Telephone Company
for a Certificate of Environmental
Compatibility and Public Need.

Enclosed are copies of Canton Exhibits 1 and 2 and Southern New England Telephone Exhibits 4-7, as requested by the Connecticut Siting Council during the public hearing of May 15, 1986.

Very truly yours,

By Peter J. Tyrrell
Southern New England Telephone Company
Peter J. Tyrrell, Its Senior Attorney
227 Church Street, Room 1021
New Haven, Connecticut 06506

An original and 15 copies of the foregoing have been delivered to Gloria Dibble Pond, Chairperson Connecticut Siting Council, One Central Park Plaza, New Britain, Connecticut 06051 on June 4, 1986 and sent via U.S. Mail, postage prepaid, to all parties of record on this 4th day of June 1986.

Peter J. Tyrrell
Peter J. Tyrrell
Commissioner of the Superior Court

Attachments

0721M

Investigation of the Proposed Expansion Area
of the Canton Industrial Park

At the Connecticut Siting Council hearing of Docket 62 in Canton on May 15, 1986, the Council suggested that SNET investigate the area of the proposed expansion to the Canton Industrial Park as a possible alternate site for SNET's Cellular radio telecommunication facility.

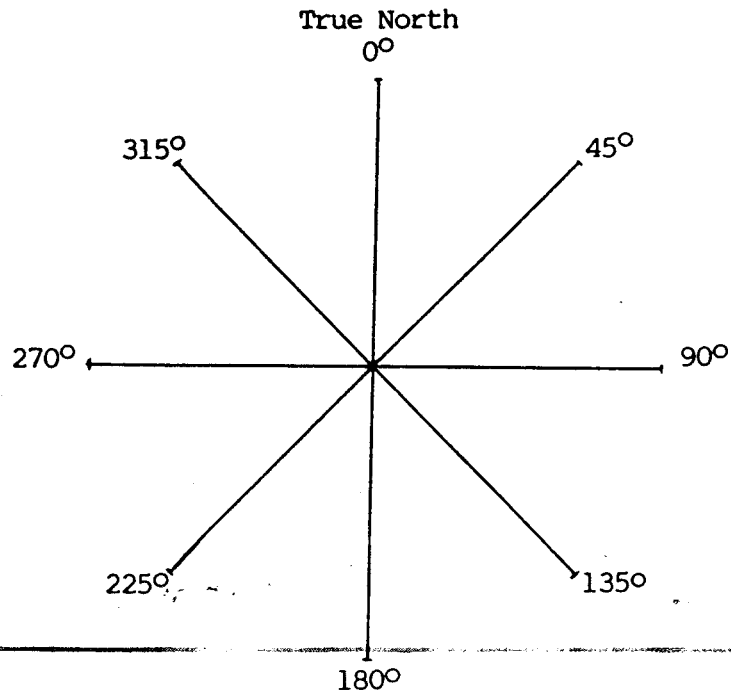
On May 19, 1986 Mr. Peter W. van Wilgen of SNET met with Mrs. Adore Kurtz, Canton Planning Clerk, to review the proposed expansion area. A copy of the present undeveloped industrial park and the proposed expansion area is attached to this exhibit.

The following observations regarding the present industrial park and the proposed expansion area are significant.

- 1) The present industrial park consists of 76 acres and is heavily wooded and undeveloped with respect to roadways or utilities.
- 2) There are no tenants located in the present industrial park.
- 3) As noted on Page 3, Section VI of SNET's Application, the elevations in the industrial park are approximately 250' to 300' lower than at our proposed site.
- 4) The proposed expansion area is not owned by the Town of Canton, options to purchase the property have not been negotiated, nor is there a time table for acquisition of the many parcels of property involved in the expansion.
- 5) The plan for the area of highest elevation within the expansion area of the the industrial park calls for a Town recreation area, and not to be developed for industrial use.
- 6) The highest available point in the proposed expansion area is approximatley 660', compared to 786' at SNET's proposed site.
- 7) Both the present and proposed expansion areas of the Canton Industrial Park are out of SNET's search area and coverage provided by a much taller tower located in either of these areas would be substantially less than the 150' tower proposed at East Hill Road.

In view of the above, SNET concludes that neither the present industrial park or it's proposed expansion area provides a viable alternate site for it's proposed Canton cellular radio telecommunications facility.

Power Densities at One Half Mile
along Eight Radials



<u>Radial</u>	<u>Elevation at Each Radial</u>	<u>Power Density ($\mu\text{W}/\text{cm}^2$)</u>
0°	718 feet	0.00036014
45°	638 feet	0.00035796
90°	613 feet	0.00035715
135°	545 feet	0.00035466
180°	811 feet	0.00036187
225°	740 feet	0.00036063
270°	805 feet	0.00036178
315°	731 feet	0.00036043



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

1 CENTRAL PARK PLAZA • NEW BRITAIN, CONN. 06051

PHONE: 827-2604

April 21, 1986

TO: Parties of Record

FROM: Stanley J. Modzelesky *SJM*
Executive Assistant

RE: Docket No. 62 - An application of the Southern New England Telephone Company for a certificate of environmental compatibility and public need for the construction, maintenance, and operation of facilities to provide cellular service in the Town of Canton, Connecticut.

The following were made parties to the proceedings on the subject docket.

The Hartford Cellular Company

represented by:

Howard L. Slater
Byrne, Slater, Sandler, Shulman
& Rouse, P.C.
111 Pearl Street
P.O. Box 3216
Hartford, Connecticut 06103

Town of Simsbury

represented by: *651-3751*

Mr. Leonard D. Tolisano
Town Planner
Town of Simsbury
P.O. Box 495
Simsbury, Connecticut 06070

760 Highmeadow St.

Please forward a copy of all filings made to date in this proceeding to the new parties, unless service has been waived. A revised service list is also enclosed for your reference.

SJM/kp

cc: Council members

enclosure

Site line drawings

mtg 10 AM

4/29/86

puw

RECEIVED
DATE 4-24-86
SNET LEGAL DEPT.

LIST OF PARTIES AND INTERVENORS - SERVICE LISTDOCKET NO. 62

Status Granted	Status Holder (name, address & phone number)	Representative (if any) (name, address & phone number)
Intervenor <input type="checkbox"/> Party <input checked="" type="checkbox"/>	Southern New England Telephone Company c/o Peter J. Tyrrell Senior Attorney Room 1021 227 Church Street New Haven, Connecticut 06506 (203) 771-7381	
Intervenor <input checked="" type="checkbox"/> Party <input type="checkbox"/>	The Hartford Cellular Company	Howard L. Slater Byrne, Slater, Sandler, Shulman & Rouse, P.C. 111 Pearl Street P.O. Box 3216 Hartford, Connecticut 06103
Intervenor <input type="checkbox"/> Party <input checked="" type="checkbox"/>	Town of Simsbury	Mr. Leonard D. Tolisano Town Planner Town of Simsbury P.O. Box 495 Simsbury, Connecticut 06070
Intervenor <input type="checkbox"/> Party <input type="checkbox"/>		
Intervenor <input type="checkbox"/> Party <input type="checkbox"/>		
Intervenor <input type="checkbox"/> Party <input type="checkbox"/>		

AN APPLICATION OF THE SOUTHERN NEW ENGLAND : CONNECTICUT SITING
TELEPHONE COMPANY FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND PUBLIC :
NEED FOR THE CONSTRUCTION, MAINTENANCE, : COUNCIL
AND OPERATION OF FACILITIES TO PROVIDE
CELLULAR SERVICE IN THE TOWN OF
CANTON, CONNECTICUT. : July 3, 1986

F I N D I N G S O F F A C T

1. Southern New England Telephone Company (SNET), in accordance with provisions of sections 16-50g to 16-50z of the Connecticut General Statutes (CGS) applied to the Connecticut Siting Council (Council) on March 21, 1986, for a certificate of environmental compatibility and public need (certificate) for the construction, maintenance, and operation of a telecommunications tower and associated equipment building in the Town of Canton, Connecticut, to provide Domestic Public Cellular Radio Telecommunications service (cellular service) as an addition to the Hartford New England County Metropolitan Area (NECMA). (Record)
2. The fee as prescribed by section 16-50v-1 of the Regulations of State Agencies (RSA) accompanied the application. (Record)
3. The application was accompanied by proof of service as required by section 16-501 of the CGS. (Record)
4. Affidavits of newspaper notice as required by statute and section 16-501-1 of the RSA were also filed with the application. (Record)
5. The Council and its staff made an inspection of the proposed Canton tower site on May 15, 1986. (Record)
6. Pursuant to section 16-50m of the CGS, the Council, after giving due notice thereof, held public hearings on this application in the

Canton Town Hall in Canton, Connecticut, on May 15, 1986 at 7:00 P.M.; on June 6, 1986, at 10:30 A.M.; and on June 16, 1986, at 10:00 A.M. (Record)

7. The parties to the proceeding are the applicant and those persons and organizations whose names are listed in the Decision and Order which accompanies these findings. (Record)
8. The following state agency filed written comments with the Council pursuant to section 16-50j of the CGS: the Department of Environmental Protection (DEP). (Record)
9. The Council took administrative notice of its Findings of Fact, Opinion, and Decision and Order in Docket 45.
10. Exhibits in this application are as follows:
SNET Exhibits: 1) Application of March 21, 1986; 2) Responses to questions of April 24, 1986; 3) Responses to questions of May 1, 1986; 4) Late File on investigation of Canton industrial site; 5) Late File describing power density levels within one half mile of proposed site; 6) Late File naming manufacturer of proposed tower; 7) Late File on results of DEP inquiry into power densities; 8) Late File on FCC construction permit; 9) Late File depicting distance of Canton Congregational Church from proposed tower.
Town of Canton Exhibits: 1) Hoffman option, late file; 2) Draft of lease, late file; 3) EPA information on proposed microwave standards, late file; 4) Russian microwave standards, late file.
(Record)

11. Cellular service consists of small overlapping broadcast regions, two to ten miles in diameter, known as cells. Each cell is served by a transmitter limited by the Federal Communications Commission (FCC) to no more than 100 watts effective radiated power per channel. Each cell has a central switching point containing electronic apparatus uniting the cells into a system. Mobile units are limited to a maximum of seven watts of transmitted power by the FCC. In the proposed system each cell would have a maximum of 45 channels. (Docket 45, Finding 11; SNET 1, Section II, pp. 2-3; Tr. 6/6/86, p. 54)
12. A nationwide public need exists to improve the present mobile telephone service, due to the current system's limited capacity, long waiting lists nationally, and poor quality service which have created congested channels and long waiting times. (Docket 45, Finding 28; SNET 1, Section IV, p. 10)
13. The FCC has pre-empted the state's regulation of cellular service in three major areas: technical standards, market structure, and state certification prior to federal application for a construction permit. (Docket 45, Finding 36; SNET 1, Section IV, p. 1)
14. The FCC has established the technical standards for cellular service to insure the efficient use of the allotted frequency spectrum and to insure nationwide compatibility. (Docket 45, Finding 35; SNET 1, Section IV, p. 1)
15. The FCC has reserved to the states jurisdiction with respect to charges, classifications, practices, services, facilities, and regulation of service by licensed carriers. (Docket 45, Finding 37)

16. According to FCC rules, there are two licenses awarded in each NECMA to provide competition. One is awarded to a wireline company, the other to a non-wireline applicant. (Docket 45, Finding 38; SNET 1, p. 3)
17. The FCC requires that a licensee serve at least 75% of its licensed service area within three years of obtaining an operating license or risk losing the license. (Docket 45, Finding 24)
18. Cell-splitting is a technique for accommodating the future growth of demand for cellular service. It consists of adding a cell between existing cells thus increasing the number of cells, which can be handled in an area. Cell-splitting can be achieved by the addition of cell sites containing lower power omnidirectional antennas, the conversion to directional antennas, or both. (Docket 45, Finding 40; SNET 1, Section II, p. 6)
19. An omnidirectional antenna is designed to radiate 360 degrees, but may be blocked by part of the tower itself, thus causing an effect on its radio pattern known as shadowing. Terrain and buildings can also cause shadowing. (Docket 45, Finding 42)
20. The potential for intermodulation interference and shadowing may be significant when antennas are located on the same tower. (Docket 45, Finding 44)
21. In order for the cellular system to work, there must be a close inter-relationship between the cell sites. (Docket 45, Finding 48; SNET 1, Section II, pp. 1-2)

22. As the first step in the site selection process, SNET considered the state as a whole and determined where within the state cellular coverage was needed, where the population centers were located, and where cellular service should be offered first. The next step was the identification of locations for sites, given the restriction of the inter-relationships between sites. This resulted in a grid. (Docket 45, Finding 49; SNET 1, Section IV, p. 3)
23. The cellular grid forms the foundation for the design of the cellular system. This design would also allow for the orderly expansion of the system in the future. (Docket 45, Finding 50; SNET 1, Section IV, pp. 3-4)
24. A search area is established in accordance with the cellular grid to define limits of usable real estate. Factors considered for locations within a search area are higher elevations, visibility of the proposed tower, and proximity to scenic, historic, forest, park, and recreation areas. (Docket 45, Finding 51; SNET 1, Section IV, p. 5)
25. Computer modeling was used to predict the coverage that would result from any combination of cell sites. (Docket 45, Finding 52; SNET 1, Section IV, p. 5)
26. For the purposes of cellular service construction permit applications, the FCC has defined a New England County Metropolitan Area (NECMA) consisting of Hartford County. (SNET 1, Section I, p. 3)
27. The proposed Canton tower site would provide cellular service to areas of the Hartford NECMA not presently served by the existing system in the towns of Canton, Burlington, New Hartford, Avon,

- and Simsbury. The proposed site would extend service to the west of Talcott Mountain, which blocks cellular service at present. (SNET 1, p. 6; SNET 1, Section VI, p. 1; Tr. 5/15/86, p. 26)
28. The proposed Canton tower site is a leased parcel of land owned by Herman A. Hoffman, and located 200' east of the intersection of Hoffmann Road and East Hill Road. (SNET 1, Section VI, p. 4)
 29. The proposed Canton site measures 100'x100', is zoned AR-3 residential, and has an elevation of 786'. (SNET 1, Section VI, p. 13)
 30. Access to the proposed site would be via a new 150' driveway 20' in width and covered with 8" of compacted gravel fill. (SNET 1, Section VI, p. 10, pp. 13-15; SNET 2, Q. 4)
 31. The proposed tower would be 150' in height. The omnidirectional whip antennas mounted atop the tower would be 12' long and 3" in diameter. The four antennas and their triangular support structure would add 17' to the tower, resulting in an overall height of 167'. (SNET 1, Section V, pp. 3-4; Tr. 5/15/86, p. 99)
 32. The proposed tower or monopole is a hollow steel self-supporting pole which is 36" in diameter at its base and tapers to 14" in diameter at the top. The entire tower would be painted a mixed blue grey color to blend in with the background of the sky. (SNET 1, Section V, pp. 2-3)
 33. The proposed tower is designed to withstand 125 mph winds with 2" radial ice. (Tr. 5/15/86, p. 46)
 34. A 21'x21' one-story equipment building would be constructed near the base of the proposed tower. (SNET 1, Section V, p. 1; SNET 1, Section VI, p. 10; Tr. 5/15/86, p. 103)

35. The base of the proposed tower would be 184' from the paved portion of East Hill Road, and 325' from the nearest house. (Tr. 5/15/86, p. 59; SNET 2, Q. 14)
36. Ten homes are located within a 1000' radius of the proposed tower site. (SNET 2, Q. 5)
37. To determine the visibility of the proposed tower, SNET flew a 4' diameter weather balloon at a height of approximately 160' on four occasions. (SNET 1, Section IV, p. 18; Tr. 5/15/86, p. 107; Tr. 6/16/86, p. 85)
38. The proposed tower would be visible from the Anderson property across the road from the proposed site. The proposed tower would be visible along East Hill Road a distance of 1000' in both directions. Six homes within a 1000' radius would have direct visibility of the tower in both winter and summer. There would be direct visibility from Hoffmann Road. The proposed tower would be visible from a portion of Gracey Road and intermittently visible from Uplands Drive. The proposed tower would be visible in summer from Orchard Hill Road, but it would not be visible from Woodridge Road or Canton Road. (Tr. 6/6/86, pp. 15-16, p. 71; Tr. 6/16/86, p. 13, p. 28)
39. The proposed site is .9 miles northwest of the Nepaug State Forest, but visibility of the proposed tower would be limited by topography, trees, and distance. (DEP letter, 5/13/86)
40. The proposed tower would not be visible from Roaring Brook Nature Center, 6080' from the proposed site. (SNET 1, Section VI, p. 18; SNET 2, Q. 2)

41. A buffer of trees would be left intact near the proposed site to serve as screening. SNET would be willing to plant additional evergreens for screening. (Tr. 6/6/86, p. 16)
42. SNET evaluated and rejected a number of alternate sites in the Canton area. The elevation of a potential site on Bristol Drive was found to be too low. The summit of Mount Horr had too steep a grade for access and a high degree of visibility. A site on High Hill Road would have been visible to many new homes. The owner of the summit of East Hill was not interested in leasing this site, which would have been more visible than the proposed site. A site in the Dowd Avenue industrial area was determined to be 250'-300' lower than the proposed site, and would therefore have required a 400'-450' tower. (SNET 1, Section VI, p. 3; Tr. 6/6/86, pp. 21-22; Tr. 5/15/86, p. 71)
43. There were no privately-owned towers within the search area. No existing state or public service towers were found within the applicant's search area. (Tr. 5/15/86, pp. 42-43)
44. SNET investigated Onion Mountain as an alternate site, at the request of an East Hill Road resident. SNET found this site has no existing access, has a very steep slope, and is located adjacent to property owned by the Nature Conservancy. The Town of Simsbury owns adjacent property used as a recreation area. This site would be visible to many more homes than the proposed site. (Tr. 6/16/86, pp. 80-82)
45. Reducing the height of the proposed tower from 150' to 130' would result in coverage losses of one mile along Route 202, one mile on Route 44, and two and one half miles on Route 10. This reduction

- would also decrease the area of overlapping coverage with the existing Southington cell site. The resulting coverage would be unacceptable to SNET. (Tr. 6/6/86, p. 17)
46. The Federal Aviation Administration (FAA) has determined that no obstruction marking or lighting would be required on the proposed tower. (SNET 2, Q. 8)
 47. SNET used very conservative assumptions in its radiofrequency electromagnetic power density calculations. The calculations assumed a broadcast over flat terrain with all antennas omnidirectional in both horizontal and vertical planes, that all 45 channels were transmitting at 100 watts simultaneously, and that there was a 100% ground reflection of signal strength, resulting in a four-fold increase in power density. The result is a much higher calculated power density than would be expected to occur. (Tr. 6/6/86, pp. 24-25)
 48. Calculated power densities for the proposed site would be 0.09635 mW/cm² at the antenna mast base and 0.01821 mW/cm² at the nearest home. The American National Standards Institute (ANSI) standard for the 880 MHz frequency is 2.933 mW/cm², and therefore the power densities would be within the generally accepted standards for public health and safety. The calculated power densities would be well below one tenth of the ANSI standard, which might be adopted as an Environmental Protection Agency standard. (SNET 1, Section VI, p. 22; DEP letter, 5/13/86)
 49. SNET would be willing to negotiate with public and private entities to share space on the proposed tower if legally, technically, economically, and environmentally feasible. (SNET 2, Q. 12; Tr. 5/15/86, pp. 43-45)

- 50. There are no regulated wetlands on or near the proposed tower site. (SNET 2, Q. 7)
- 51. There are no known populations of federal endangered or threatened species or state-listed species of special concern occurring at or near the proposed site. (SNET 2, Q. 6)
- 52. The State Historic Preservation Officer has determined the proposed tower would have no effect on historical, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places. (SNET 2, Q. 9)
- 53. SNET received a construction permit for the proposed site from the FCC on May 8, 1986. (SNET Late File 8)
- 54. SNET has over 4,000 customers using its cellular service in Connecticut at this time. (Tr. 5/15/86, pp. 112-113)
- 55. Utilities would be brought in underground to the proposed site at an estimated cost of \$14,000. This estimate includes the cost of trenching, sand base, conduit, cable, and electric utility hook-up charges. (SNET 1, Section VI, p. 13; SNET 2, Q. 16)
- 56. The estimated acquisition and construction costs, including first year lease, engineering, materials, and installation costs would be as follows:

Radio equipment,	\$ 28,400.00;
Antenna equipment,	\$ 14,000.00;
Power and common equipment,	\$311,050.00;
Land, building, and mast,	\$215,600.00;
Miscellaneous,	\$ 250.00;
Total	\$569,300.00.

(SNET 1, Section VI, p. 23)

- 57. SNET's option to lease the proposed cell site extends to December 31, 1986, with the right to extend the option for an

additional six months. The terms of the agreement have been fully negotiated and allow the use of the proposed site by the applicant including free access to the proposed site at all times. (SNET 1, Section VI, p. 1; p. 24; Canton 1)

58. The final leasing agreement would be completed when all approvals were final. The lease agreement includes renewal options every five years for twenty five years. (Tr. 5/15/86, pp. 57-58; Canton 1; Canton 2)

DOCKET NO. 62

AN APPLICATION OF THE SOUTHERN NEW ENGLAND : CONNECTICUT SITING
TELEPHONE COMPANY FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND PUBLIC :
NEED FOR THE CONSTRUCTION, MAINTENANCE, : COUNCIL
AND OPERATION OF FACILITIES TO PROVIDE
CELLULAR SERVICE IN THE TOWN OF :
CANTON, CONNECTICUT. : August 4, 1986

O P I N I O N

Southern New England Telephone Company (SNET) applied to the Connecticut Siting Council (Council) for a certificate of environmental compatibility and public need for the construction, maintenance, and operation of a telecommunications tower and associated equipment building in the Town of Canton on March 21, 1986. This application is an addition to the existing Hartford New England County Metropolitan Area (NECMA) system.

The proceedings in this application raised a number of questions regarding the possible effects of radiofrequency (RF) electromagnetic radiation on humans. Evidence presented in the hearings of this application underscored the present state of scientific uncertainty regarding the levels at which RF radiation may be harmful to human health. This places the Council, along with the federal government, in a similar state of uncertainty. While it is known that high levels of RF radiation are unsafe, it is not known at which levels, if any, they do become safe or tolerable. The technological advances of recent years have enabled scientists to detect biological changes in animal tissues at minute levels of exposure to RF radiation. It is unknown whether such observed changes bear long-term significance or not.

It is the understanding of the Council that, in general, scientists are far more concerned with the much higher RF radiation levels emitted by television and FM broadcast towers than the minute amounts emanating from cellular and microwave towers. Until steps are taken by federal, state, and local regulatory agencies to protect the public from the much higher RF radiation levels of FM and television towers, the Council cannot deny this application on the basis of the very low levels of RF radiation found in cellular telephone systems. The Council must base its decisions on its knowledge of facts, rather than on a fear of the unknown.

Aside from RF radiation concerns, the major effect of this 150' monopole would be visual. Although six homes would have direct views of the tower, the height of the trees surrounding the site and nearby homes will reduce visibility. East Hill Road quickly drops off as one moves away from the site, which will also attenuate visibility to a considerable degree. The applicant will plant additional evergreens for screening, as will be specified in a future Development and Management Plan.

SNET evaluated several other sites in the Canton area, but these would have led to a tower more widely visible than the tower proposed for Hoffmann Road. Another site, in an industrial area, would have been further removed from homes, ordinarily a desirable circumstance, but in this case a tower some 250'-300' taller than the one proposed would have been necessary, due to the site's low elevation.

SNET found no existing private or public service towers within its search area. SNET investigated Onion Mountain as a potential site, but this site presents problems of access, steep slope, and proximity to the Nature Conservancy and Town of Simsbury recreation properties. In addition, a tower atop Onion Mountain would be visible from a much wider area than one on Hoffmann Road.

In an effort to further reduce the visibility of the proposed tower, the Council inquired into the possibility of lowering the height of this tower, as has been done in other cases. A 20' reduction in tower height would result in significant coverage losses on nearby roadways, as well as a decreased coverage overlap with the existing Southington cell.

In its deliberations, the Council weighed the potential adverse environmental effects of this tower, such as RF radiation and visibility, against the public need for this facility, and found such effects not substantial enough to deny the proposed tower site. The Council will therefore grant SNET a certificate of environmental compatibility and public need for a 150' tower on Hoffmann Road in Canton.

AN APPLICATION OF THE SOUTHERN NEW ENGLAND : CONNECTICUT SITING
TELEPHONE COMPANY FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND PUBLIC :
NEED FOR THE CONSTRUCTION, MAINTENANCE, : COUNCIL
AND OPERATION OF FACILITIES TO PROVIDE
CELLULAR SERVICE IN THE TOWN OF
CANTON, CONNECTICUT. : August 4, 1986

DECISION AND ORDER

Pursuant to the foregoing Opinion, the Connecticut Siting Council (Council) hereby directs that a certificate of environmental compatibility and public need (certificate) as provided by section 16-50k of the General Statutes of Connecticut (CGS) be issued to the Southern New England Telephone Company (SNET) for the construction, maintenance, and operation of a cellular mobile telephone telecommunication tower and associated equipment in the Town of Canton, subject to the conditions below.

1. The tower shall be no taller than necessary to provide the proposed service, and in no event shall exceed 167', including antennas, at the Hoffmann Road site.
2. A fence not lower than eight feet shall surround the tower and associated equipment building.
3. The applicant or its successor shall notify the Council if and when directional antennas or any other equipment is added to these facilities.
4. The applicant or its successor shall permit, in accordance with representations made by it during the proceeding, public or private entities to share space on the tower, for due consideration received, or shall provide any requesting entity with specific legal, technical, environmental, or economic reasons precluding such tower sharing.

5. Unless necessary to comply with condition number six, below, no lights shall be installed on this tower.
6. The facilities shall be constructed, operated, and maintained as specified in the Council's record on this matter, and shall be constructed in accordance with all applicable federal, state, and municipal laws and regulations.
7. The applicant shall submit a Development and Management Plan (D&M) for the tower site pursuant to sections 16-50j-75 through 16-50j-77 of the Regulations of State Agencies, except that irrelevant items in section 16-50j-76 need only be identified as such. In addition to the requirements of section 16-50j-76, the D&M plan shall provide a plan for evergreen screening around the fenced perimeter of the tower site. The D&M plan must be approved prior to facility construction. Any changes to specifications in the D&M plan must be approved by the Council prior to facility operation.
8. Construction activities shall take place during daylight working hours.
9. The certificate holder shall comply with any future radiofrequency (RF) standards promulgated by state or federal regulatory agencies. Upon the establishment of any new governmental RF standards, the facilities granted in this decision shall comply with such standards.
10. This decision and order shall be void and the towers and associated equipment shall be dismantled and removed, or reapplication for any new use shall be made to the Council before any such new use is made, if the tower does not provide or permanently ceases to provide cellular service following completion of construction.

11. This Decision and Order shall be void if all construction authorized herein is not completed within three years of the issuance of this decision, or within three years of the completion of any appeal if appeal of this decision is taken, unless otherwise approved by the Council.

Pursuant to CGS section 16-50p, we hereby direct that a copy of the Decision and Order shall be served on each person listed below. A notice of the issuance shall be published in the Hartford Courant and the Farmington Valley Herald.

The parties to the proceeding are:

Southern New England Telephone
Company
c/o Peter J. Tyrrell
Senior Attorney
Room 1021
227 Church Street
New Haven, Connecticut 06506
(203) 771-7381

(Applicant)

The Hartford Cellular Company

represented by:

Howard L. Slater
Byrne, Slater, Sandler,
Shulman & Rouse, P.C.
111 Pearl Street
P.O. Box 3216
Hartford, Connecticut 06103

Town of Simsbury

represented by:

Mr. Leonard D. Tolisano
Town Planner
Town of Simsbury
P.O. Box 495
Simsbury, Connecticut 06070

Town of Canton

represented by:

Mr. Marshall K. Berger, Jr.
Attorney at Law
Suite 308
60 Washington Street
Hartford, Connecticut 06106

Ms. Karen Berger

represented by:

Mr. Marshall K. Berger, Jr.
Attorney at Law
Suite 308
60 Washington Street
Hartford, Connecticut 06106
(service waived)

Mr. Harvey Jassem
243 East Hill Road
Canton, Connecticut 06019

Ms. Judy Friedman
101 Lawton Road
Canton, Connecticut 06019

(service waived)

Mr. Gilbert Small
315 East Hill Road
Canton, Connecticut 06019

(service waived)

John G. Petrasch
330 East Hill Road
Canton, Connecticut 06019

(service waived)

CERTIFICATION

The undersigned members of the Connecticut Siting Council hereby certify that they have heard this case or read the record thereof, and that we voted as follows:

Dated at New Britain, Connecticut, this 4th day of August, 1986.

<u>Council Members</u>	<u>Vote Cast</u>
<u>Gloria Dibble Pond</u> Gloria Dibble Pond Chairperson	Yes
<u>Edward Moehring</u> Commissioner John Downey Designee: Edward Moehring	Yes
<u>Brian Emerick</u> Commissioner Stanley Pac Designee: Brian Emerick	Abstain
<u>Owen L. Clark</u> Owen L. Clark	Yes
<u>Mortimer A. Gelston</u> Mortimer A. Gelston	Absent
<u>James G. Horsfall</u> James G. Horsfall	Absent
<u>Pamela B. Katz</u> Pamela B. Katz	No
<u>William H. Smith</u> William H. Smith	Absent
<u>Colin C. Tait</u> Colin C. Tait	Yes

STATE OF CONNECTICUT)
 :
COUNTY OF HARTFORD)

ss. New Britain, August 4, 1986

I hereby certify that the foregoing is a true and correct copy of the decision and order issued by the Connecticut Siting Council, State of Connecticut.

ATTEST:

Gloria Dibble Pond

Gloria Dibble Pond, Chairperson
Connecticut Siting Council

DOCKET NO. 62

AN APPLICATION OF THE SOUTHERN NEW ENGLAND : CONNECTICUT SITING
TELEPHONE COMPANY FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND PUBLIC :
NEED FOR THE CONSTRUCTION, MAINTENANCE, : COUNCIL
AND OPERATION OF FACILITIES TO PROVIDE
CELLULAR SERVICE IN THE TOWN OF :
CANTON, CONNECTICUT. : August 4, 1986


DISSENTING OPINION

I believe a 130' tower should be approved instead of a 150' tower.

A 130' tower would provide reliable coverage to all areas intended for service in the Hartford NECMA except a small area in Farmington which would receive fuzzy reception. It should be noted that Simsbury will require another tower in any case to serve the business center. The area of fuzzy reception in Farmington would not include I-84 or Farmington Center.

A 20' reduction in height would reduce the visibility to the residents in the nearby East Hill area and the further Orchard Hill area. I believe a 130' tower is a reasonable trade-off between reduced service and reduced visibility of the tower.

Therefore, I dissent to the Opinion, Decision and Order for Docket 62.


Pamela B. Katz

AN APPLICATION OF THE SOUTHERN NEW ENGLAND : CONNECTICUT SITING
TELEPHONE COMPANY FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY AND PUBLIC :
NEED FOR THE CONSTRUCTION, MAINTENANCE, : COUNCIL
AND OPERATION OF FACILITIES TO PROVIDE
CELLULAR SERVICE IN THE TOWN OF
CANTON, CONNECTICUT. : August 4, 1986

F I N D I N G S O F F A C T

1. Southern New England Telephone Company (SNET), in accordance with provisions of sections 16-50g to 16-50z of the Connecticut General Statutes (CGS) applied to the Connecticut Siting Council (Council) on March 21, 1986, for a certificate of environmental compatibility and public need (certificate) for the construction, maintenance, and operation of a telecommunications tower and associated equipment building in the Town of Canton, Connecticut, to provide Domestic Public Cellular Radio Telecommunications service (cellular service) as an addition to the Hartford New England County Metropolitan Area (NECMA). (Record)
2. The fee as prescribed by section 16-50v-1 of the Regulations of State Agencies (RSA) accompanied the application. (Record)
3. The application was accompanied by proof of service as required by section 16-501 of the CGS. (Record)
4. Affidavits of newspaper notice as required by statute and section 16-501-1 of the RSA were also filed with the application. (Record)
5. The Council and its staff made an inspection of the proposed Canton tower site on May 15, 1986. (Record)
6. Pursuant to section 16-50m of the CGS, the Council, after giving due notice thereof, held public hearings on this application in the

Canton Town Hall in Canton, Connecticut, on May 15, 1986, at 7:00 P.M.; on June 6, 1986, at 10:30 A.M.; and on June 16, 1986, at 10:00 A.M. (Record)

7. The parties to the proceeding are the applicant and those persons and organizations whose names are listed in the Decision and Order which accompanies these findings. (Record)
8. The following state agency filed written comments with the Council pursuant to section 16-50j of the CGS: the Department of Environmental Protection (DEP). (Record)
9. The Council took administrative notice of its Findings of Fact, Opinion, and Decision and Order in Docket 45.
10. Exhibits in this application are as follows:
SNET Exhibits: 1) Application of March 21, 1986; 2) Responses to questions of April 24, 1986; 3) Responses to questions of May 1, 1986; 4) Late File on investigation of Canton industrial site; 5) Late File describing power density levels within one half mile of proposed site; 6) Late File naming manufacturer of proposed tower; 7) Late File on results of DEP inquiry into power densities; 8) Late File on FCC construction permit; 9) Late File depicting distance of Canton Congregational Church from proposed tower.
Town of Canton Exhibits: 1) Hoffman option, late file; 2) Draft of lease, late file; 3) EPA information on proposed microwave standards, late file; 4) Russian microwave standards, late file.
(Record)

11. Cellular service consists of small overlapping broadcast regions, two to ten miles in diameter, known as cells. Each cell is served by a transmitter limited by the Federal Communications Commission (FCC) to no more than 100 watts effective radiated power per channel. Each cell has a central switching point containing electronic apparatus uniting the cells into a system. Mobile units are limited to a maximum of seven watts of transmitted power by the FCC. In the proposed system each cell would have a maximum of 45 channels. (Docket 45, Finding 11; SNET 1, Section II, pp. 2-3; Tr. 6/6/86, p. 54)
12. A nationwide public need exists to improve the present mobile telephone service, due to the current system's limited capacity, long waiting lists nationally, and poor quality service which have created congested channels and long waiting times. (Docket 45, Finding 28; SNET 1, Section IV, p. 10)
13. The FCC has pre-empted the state's regulation of cellular service in three major areas: technical standards, market structure, and state certification prior to federal application for a construction permit. (Docket 45, Finding 36; SNET 1, Section IV, p. 1)
14. The FCC has established the technical standards for cellular service to insure the efficient use of the allotted frequency spectrum and to insure nationwide compatibility. (Docket 45, Finding 35; SNET 1, Section IV, p. 1)
15. The FCC has reserved to the states jurisdiction with respect to charges, classifications, practices, services, facilities, and regulation of service by licensed carriers. (Docket 45, Finding 37)

16. According to FCC rules, there are two licenses awarded in each NECMA to provide competition. One is awarded to a wireline company, the other to a non-wireline applicant. (Docket 45, Finding 38; SNET 1, p. 3)
17. The FCC requires that a licensee serve at least 75% of its licensed service area within three years of obtaining an operating license or risk losing the license. (Docket 45, Finding 24)
18. Cell-splitting is a technique for accommodating the future growth of demand for cellular service. It adds a cell between existing cells, thus increasing the number of calls which can be handled in an area. Cell-splitting can be achieved by the addition of cell sites containing lower power omnidirectional antennas, the conversion to directional antennas, or both. (Docket 45, Finding 40; SNET 1, Section II, p. 6)
19. In order for the cellular system to work, there must be a close inter-relationship between the cell sites. (Docket 45, Finding 48; SNET 1, Section II, pp. 1-2)
20. An omnidirectional antenna is designed to radiate 360 degrees, but may be blocked by part of the tower itself, thus causing an effect on its radio pattern known as shadowing. Terrain and buildings can also cause shadowing. (Docket 45, Finding 42)
21. The potential for intermodulation interference and shadowing may be significant when antennas are located on the same tower. (Docket 45, Finding 44)

22. As the first step in the site selection process, SNET considered the state as a whole and determined where, within the state, cellular coverage was needed; where the population centers were located; and, where cellular service should be offered first. The next step was the identification of locations for sites, given the restriction of the inter-relationships between sites. This resulted in a grid. (Docket 45, Finding 49; SNET 1, Section IV, p. 3)
23. The cellular grid forms the foundation for the design of the cellular system. This design would also allow for the orderly expansion of the system in the future. (Docket 45, Finding 50; SNET 1, Section IV, pp. 3-4)
24. A search area for an individual site is established in accordance with the cellular grid in order to define limits of usable real estate. Factors considered for locations within a search area are higher elevations, visibility of the proposed tower, and proximity to scenic, historic, forest, park, and recreation areas. (Docket 45, Finding 51; SNET 1, Section IV, p. 5)
25. Computer modeling was used to predict the coverage that would result from any combination of cell sites. (Docket 45, Finding 52; SNET 1, Section IV, p. 5)
26. For the purposes of cellular service construction permit applications, the FCC has defined a New England County Metropolitan Area (NECMA). Hartford County is a NECMA. (SNET 1, Section I, p. 3)
27. The proposed Canton tower site would provide cellular service to areas of the Hartford NECMA not presently served by the existing system in the towns of Canton, Burlington, New Hartford, Avon,

and Simsbury. The proposed site would extend service to the west of Talcott Mountain, which blocks cellular service at present.

(SNET 1, p. 6; SNET 1, Section VI, p. 1; Tr. 5/15/86, p. 26)

28. The proposed Canton tower site is a leased parcel of land owned by Herman A. Hoffman, and located 200' east of the intersection of Hoffmann Road and East Hill Road. (SNET 1, Section VI, p. 4)
29. The proposed Canton site measures 100'x100', is zoned AR-3 residential, and has an elevation of 786'. (SNET 1, Section VI, p. 13)
30. Access to the proposed site would be via a new 150' driveway 20' in width and covered with 8" of compacted gravel fill. (SNET 1, Section VI, p. 10, pp. 13-15; SNET 2, Q. 4)
31. The proposed tower would be 150' in height. The omnidirectional whip antennas mounted atop the tower would be 12' long and 3" in diameter. The four antennas and their triangular support structure would add 17' to the tower, resulting in an overall height of 167'. (SNET 1, Section V, pp. 3-4; Tr. 5/15/86, p. 99)
32. The proposed tower or monopole is a hollow, steel, self-supporting pole which is 36" in diameter at its base and tapers to 14" in diameter at the top. The entire tower would be painted a mixed blue grey color to blend in with the background of the sky. (SNET 1, Section V, pp. 2-3)
33. The proposed tower is designed to withstand 125 mph winds with 2" radial ice. (Tr. 5/15/86, p. 46)
34. A 21'x21' one-story equipment building would be constructed near the base of the proposed tower. (SNET 1, Section V, p. 1; SNET 1, Section VI, p. 10; Tr. 5/15/86, p. 103)

35. The base of the proposed tower would be 184' from the paved portion of East Hill Road, and 325' from the nearest house. (Tr. 5/15/86, p. 59; SNET 2, Q. 14)
36. Ten homes are located within a 1000' radius of the proposed tower site. (SNET 2, Q. 5)
37. To determine the visibility of the proposed tower, SNET flew a 4' diameter weather balloon at a height of approximately 160' on four occasions. (SNET 1, Section IV, p. 18; Tr. 5/15/86, p. 107; Tr. 6/16/86, p. 85)
38. The proposed tower would be visible from the Anderson property across the road from the proposed site. The proposed tower would be visible along East Hill Road a distance of 1,000' in both directions. Six homes within a 1,000' radius would have direct visibility of the tower in both winter and summer. There would be direct visibility from Hoffmann Road. The proposed tower would be visible from a portion of Gracey Road and intermittently visible from Uplands Drive. The proposed tower would be visible in summer from portions of Orchard Hill Road, but it would not be visible from Woodridge Road or Canton Road. (Tr. 6/6/86, pp. 15-16, p. 71; Tr. 6/16/86, p. 13, p. 28)
39. The proposed site is .9 miles northwest of the Nepaug State Forest, but visibility of the proposed tower would be limited by topography, trees, and distance. (DEP letter, 5/13/86)
40. The proposed tower would not be visible from Roaring Brook Nature Center, 6,080' from the proposed site. (SNET 1, Section VI, p. 18; SNET 2, Q. 2)

41. A buffer of trees would be left intact near the proposed site to serve as screening. SNET would be willing to plant additional evergreens for screening. (Tr. 6/6/86, p. 16)
42. SNET evaluated and rejected a number of alternate sites in the Canton area. The elevation of a potential site on Bristol Drive was too low. The summit of Mount Horr had too steep a grade for access and a high degree of visibility. A site on High Hill Road would have been visible to many new homes. The owner of the summit of East Hill was not interested in leasing this site, which would have been more visible than the proposed site. A site in the Dowd Avenue industrial area was determined to be 250'-300' lower than the proposed site, and would therefore have required a 400'-450' tower in order to provide the same coverage. (SNET 1, Section VI, p. 3; Tr. 6/6/86, pp. 21-22; Tr. 5/15/86, p. 71)
43. There were no privately-owned towers within the search area. No existing state or public service towers were found within the applicant's search area. (Tr. 5/15/86, pp. 42-43)
44. SNET investigated Onion Mountain as an alternate site, at the request of an East Hill Road resident. SNET found this site has no existing access, has a very steep slope, and is located adjacent to property owned by the Nature Conservancy. The Town of Simsbury owns adjacent property used as a recreation area. This site would be visible to many more homes than the proposed site. (Tr. 6/16/86, pp. 80-82)
45. Reducing the height of the proposed tower from 150' to 130' would result in coverage losses of one mile along Route 202, one mile on Route 44, and two and one half miles on Route 10. This reduction

would also decrease the area of overlapping coverage with the existing Southington cell site. The resulting coverage would be unacceptable to SNET. (Tr. 6/6/86, p. 17)

46. The Federal Aviation Administration has determined that no obstruction marking or lighting would be required on the proposed tower. (SNET 2, Q. 8)
47. SNET used very conservative assumptions in its radiofrequency electromagnetic power density calculations. The calculations assumed a broadcast over flat terrain with all antennas omnidirectional in both horizontal and vertical planes, that all 45 channels were transmitting at 100 watts simultaneously, and that there was a 100% ground reflection of signal strength, resulting in a four-fold increase in power density. The result is a much higher calculated power density than would be expected to occur. (Tr. 6/6/86, pp. 24-25)
48. Calculated power densities for the proposed site would be 0.09635 mW/cm² at the antenna mast base and 0.01821 mW/cm² at the nearest home. The American National Standards Institute (ANSI) standard for the 880 MHz frequency is 2.933 mW/cm², and therefore the power densities would be within the generally accepted standards for public health and safety. The calculated power densities would be well below one tenth of the ANSI standard, which is under consideration as an Environmental Protection Agency standard. (SNET 1, Section VI, p. 22; DEP letter, 5/13/86)
49. SNET would be willing to negotiate with public and private entities to share space on the proposed tower if legally, technically, economically, and environmentally feasible. (SNET 2, Q. 12; Tr. 5/15/86, pp. 43-45)

50. There are no regulated wetlands on or near the proposed tower site.
(SNET 2, Q. 7)
51. There are no known populations of federally listed endangered or threatened species or state-listed species of special concern occurring at or near the proposed site. (SNET 2, Q. 6)
52. The State Historic Preservation Officer has determined the proposed tower would have no effect on historical, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places. (SNET 2, Q. 9)
53. SNET received a construction permit for the proposed site from the FCC on May 8, 1986. (SNET Late File 8)
54. SNET has over 4,000 customers using its cellular service in Connecticut at this time. (Tr. 5/15/86, pp. 112-113)
55. Utilities would be brought in underground to the proposed site at an estimated cost of \$14,000. This estimate includes the cost of trenching, sand base, conduit, cable, and electric utility hook-up charges. (SNET 1, Section VI, p. 13; SNET 2, Q. 16)
56. The estimated acquisition and construction costs, including first year lease, engineering, materials, and installation costs would be as follows:
- | | |
|-----------------------------|---------------|
| Radio equipment, | \$ 28,400.00; |
| Antenna equipment, | \$ 14,000.00; |
| Power and common equipment, | \$311,050.00; |
| Land, building, and mast, | \$215,600.00; |
| Miscellaneous, | \$ 250.00; |
| Total | \$569,300.00. |
- (SNET 1, Section VI, p. 23)
57. SNET's option to lease the proposed cell site extends to December 31, 1986, with the right to extend the option for an

additional six months. The terms of the agreement have been fully negotiated and allows the use of the proposed site by the applicant, including free access to the proposed site at all times. (SNET 1, Section VI, p. 1; p. 24; Canton 1)

58. The final leasing agreement would be completed when all approvals are final. The lease agreement includes renewal options every five years for twenty-five years. (Tr. 5/15/86, pp. 57-58; Canton 1; Canton 2)

227 Church Street
New Haven, Connecticut 06506
Phone (203) 771-7381

Peter J. Tyrrell
Senior Attorney



June 11, 1986

Gloria Dibble Pond, Chairperson
Connecticut Siting Council
One Central Park Plaza
New Britain, Connecticut 06051

Dear Honorable Chairperson Pond:

In re Docket No. 62
Application of the Southern
New England Telephone Company
for a Certificate of Environmental
Compatibility and Public Need.

Enclosed is a copy of the Southern New England Telephone Late File Exhibit 9, as requested by the Connecticut Siting Council during the public hearing of June 5, 1986.

Very truly yours,

By Peter J. Tyrrell
Southern New England Telephone Company
Peter J. Tyrrell, Its Senior Attorney
227 Church Street, Room 1021
New Haven, Connecticut 06506

An original and 15 copies of the foregoing have been delivered to Gloria Dibble Pond, Chairperson Connecticut Siting Council, One Central Park Plaza, New Britain, Connecticut 06051 on June 11, 1986 and sent via U.S. Mail, postage prepaid, to all parties of record on this 11th day of June 1986.

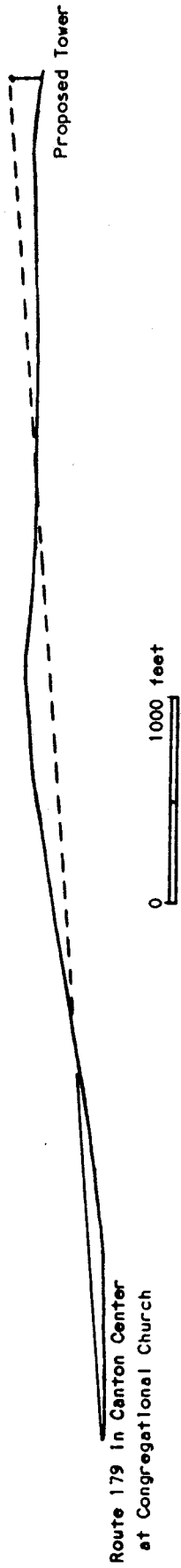
Peter J. Tyrrell
Peter J. Tyrrell
Commissioner of the Superior Court

Attachments

0721M

Siting Council

201



Route 179 in Canton Center
at Congregational Church

Proposed Tower

0 1000 feet

Peter J. Tyrrell
Senior Attorney



June 11, 1986

Mrs. Gloria Dibble Pond
Chairperson
Connecticut Siting Council
One Central Park Plaza
New Britain, CT 06051

RE: DOCKET NO. 62 - An application of The Southern New England Telephone Company for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a facility to provide cellular service in the town of Canton, Connecticut.

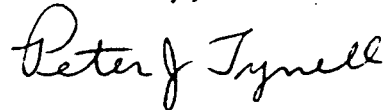
Dear Honorable Mrs. Pond,

At the close of the hearing on Friday, June 6, 1986, you requested pre-filed testimony of any witness we plan to offer at the next hearing. We plan to offer no witness as part of our direct case. We will offer as an exhibit the Connecticut Department of Environmental Protection's response to my letter addressed to that agency.

We would like to reserve the right to recall Messrs. Chapman, Mangini, and VanWilgen to respond to any evidence introduced by any other party on redirect. Without knowing what the evidence may be, we are unable to provide pre-filed testimony but will limit, as much as possible, the time needed to offer any redirect.

We again wish to request the presence of Mrs. Marshall Berger, a party, for the purpose of conducting cross-examination pursuant to the Siting Council's rules of practice. I would anticipate that cross would not exceed one-half hour.

Sincerely,



Peter J. Tyrrell

Certificate of Service

I hereby certify that an original and 15 copies of the foregoing have been hand delivered to the Conn. Siting Council, One Central Park Plaza, New Britain, Conn. and a copy sent by first class mail to each party who did not waive service on this 11th day of June, 1986.



Peter J. Tyrrell

Peter J. Tyrrell
Commissioner of Superior Court

227 Church Street
New Haven, Connecticut 06506
Phone (203) 771-7381

Peter J. Tyrrell
Senior Attorney



June 11, 1986

Mrs. Gloria Dibble Pond
Chairperson
Connecticut Siting Council
One Central Park Plaza
New Britain, CT 06051

RE: DOCKET NO. 62 - An application of The Southern New England Telephone Company for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a facility to provide cellular service in the town of Canton, Connecticut.

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Sincerely,

A handwritten signature in cursive script that reads 'Peter J. Tyrrell'.

Certificate of Service

I hereby certify that an original and 15 copies of the foregoing have been hand delivered to the Conn. Siting Council, One Central Park Plaza, New Britain, Conn. and a copy sent by first class mail to each party who did not waive service on this 11th day of June, 1986.

A handwritten signature in cursive script that reads 'Peter J. Tyrrell'.

Peter J. Tyrrell
Commissioner of Superior Court

227 Church Street
New Haven, Connecticut 06506
Phone (203) 771-7381

Peter J. Tyrrell
Senior Attorney



May 8, 1986

Gloria Dibble Pond, Chairperson
Connecticut Siting Council
One Central Park Plaza
New Britain, Connecticut 06051

Dear Honorable Chairperson Pond:

In re Docket No. 62
Application of the Southern
New England Telephone Company
for a Certificate of Environmental
Compatibility and Public Need.

Attached is the response of the Southern New England Telephone Company to question Number 11 addressed by the Connecticut Siting Council in its letter dated April 7, 1986 to the Company.

This response was not available at the time of our previous delivery on April 24, 1986.

Very truly yours,

By Peter J. Tyrrell
Southern New England
Telephone Company
Peter J. Tyrrell,
Its Senior Attorney
227 Church Street, Room 1021
New Haven, Connecticut 06506

An original and 15 copies of the foregoing have been delivered to Gloria Dibble Pond, Chairperson, Connecticut Siting Council, One Central Park Plaza, New Britain, Connecticut 06051 on May 8, 1986, and sent by first class mail to all parties and intervenors in this proceeding as of May 8, 1986.

Peter J. Tyrrell
Peter J. Tyrrell,
Commissioner of the Superior Court

Attachments

Siting Council
1490M

200

Southern New England Telephone Company
Connecticut Siting Council Interrogatories

Question 11: Did SNET conduct formal property value impact studies on the properties surrounding the proposed Canton site? Provide any results.

Answer: We engaged the firm of Arthur B. Estrada and Associates, Inc. to conduct a property value impact study of the area surrounding the proposed Canton site.

Attached is Mr. Estrada's report.

227 Church Street
New Haven, Connecticut 06506
Phone (203) 771-7381

Peter J. Tyrrell
Senior Attorney



April 24, 1986

Gloria Dibble Pond, Chairperson
Connecticut Siting Council
One Central Park Plaza
New Britain, Connecticut 06051

Dear Honorable Chairperson Pond:

In re Docket No. 62
Application of the Southern
New England Telephone Company
for a Certificate of Environmental
Compatibility and Public Need.

Attached are the responses of the Southern New England Telephone Company to questions addressed by the Connecticut Siting Council in a letter dated April 7, 1986 to the Company.

Very truly yours,

By Peter J. Tyrrell
Southern New England
Telephone Company
Peter J. Tyrrell,
Its Senior Attorney
227 Church Street, Room 1021
New Haven, Connecticut 06506

An original and 15 copies of the foregoing have been hand delivered to Gloria Dibble Pond, Chairperson, Connecticut Siting Council, One Central Park Plaza, New Britain, Connecticut 06051 on April 24, 1986, and sent by first class mail to all parties and intervenors in this proceeding as of April 24, 1986.

Peter J. Tyrrell
Peter J. Tyrrell,
Commissioner of the Superior Court

Attachments

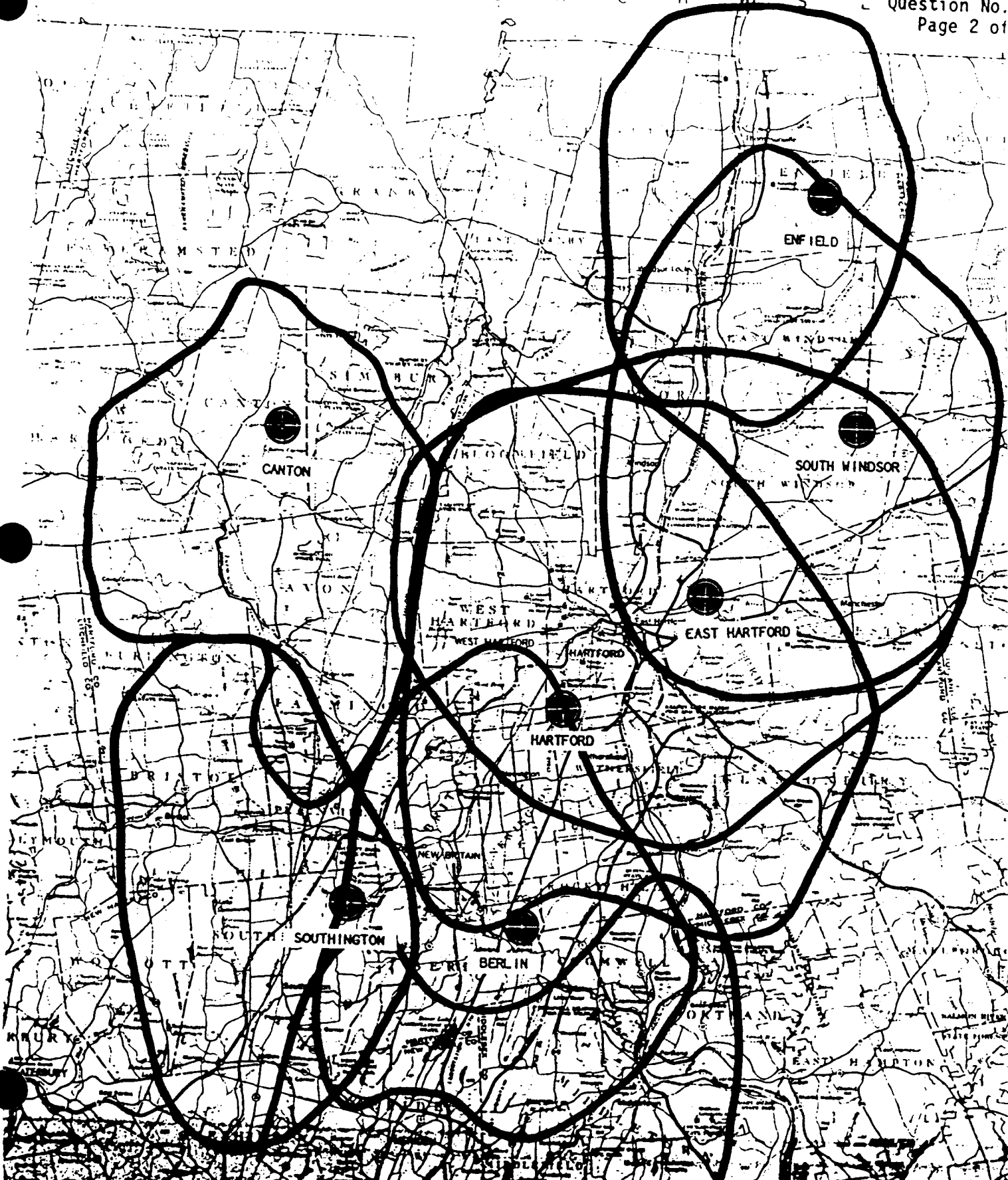
1490M

Southern New England Telephone Company
Connecticut Siting Council Interrogatories

Question 1: Provide a map showing the cell coverage overlap at the proposed Canton tower site with the existing Hartford NECMA system. Scale should be 1:250,000. Provide a Canton coverage map using proposed and next two shorter heights.

Answer: Attached are maps showing the coverage of the proposed Canton cell site. The map on Page 2 of 3 shows the coverage in relation to existing Hartford NECMA cell site coverage areas (with the exception of Middlefield and Old Saybrook) and the map on Page 3 of 3 shows the degraded coverage of the next two shorter tower heights.

M A S S A C H U S E T T S



M A S S



Southern New England Telephone Company
Connecticut Siting Council Interrogatories

Question 2: How far would the proposed Canton site be from the
Roaring Brook Nature Center?

Answer: The proposed Canton cell site is approximately 6080 feet
from the Roaring Brook Nature Center.

Southern New England Telephone Company
Connecticut Siting Council Interrogatories

Question 3: Provide one copy of the Town of Canton Zoning Regulations.

Answer: Enclosed, under separate cover, is one copy of the Zoning Regulations for the Town of Canton.

Southern New England Telephone Company
Connecticut Siting Council Interrogatories

Question 4: What would be the length of the access road to East Hill Road?

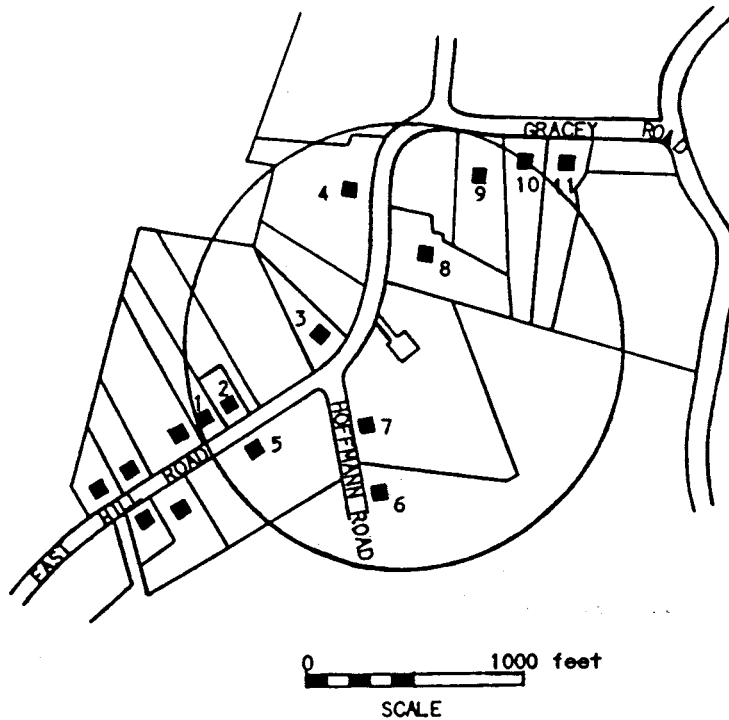
Answer: The length of the access road from the edge of leased property to the street line of East Hill Road is approximately 150 feet. The distance to the paved portion of East Hill Road is approximately 168 feet.

Enclosed, under separate cover, is one copy of the survey of the leased property and access road.

Southern New England Telephone Company
Connecticut Siting Council Interrogatories

Question 5: How many residences are within a 1000' radius at the proposed site? Provide a map to scale.

Answer: Below is a map taken from the land records at the Canton Assessor's Office and a list of the residence owners which are within 1000 feet of the proposed site.



Residences within 1000 feet of the site:

1. Durling, Wayne J. and Jo-Ann Thibeault, 284 East Hill Road
2. Hoben, John B. and Jane D., 290 East Hill Road
3. Andersen, Rolf and Patricia, 308 East Hill Road
4. Petrasch, Olivia R. and John G., 330 East Hill Road
5. Hoffmann, James C. and Dorothy, 285 East Hill Road
6. Hoffmann, Herman A. and James C., 10 Hoffmann Road
7. Hoffmann, Herman A. and Edith L., 4 Hoffmann Road
8. Small, Ruth G., 315 East Hill Road
9. Lee, Edgar W. and Laurinda J., 294 Gracey Road
10. Stutz, Edmund S. (estate of), 290 Gracey Road
11. Kelly, Walter F. and Sylvia G., 286 Gracey Road

Southern New England Telephone Company
Connecticut Siting Council Interrogatories

Question 6: Provide a copy of the Department of Environmental Protection letter dated March 4, 1986 regarding rare, threatened or endangered species at the proposed site.

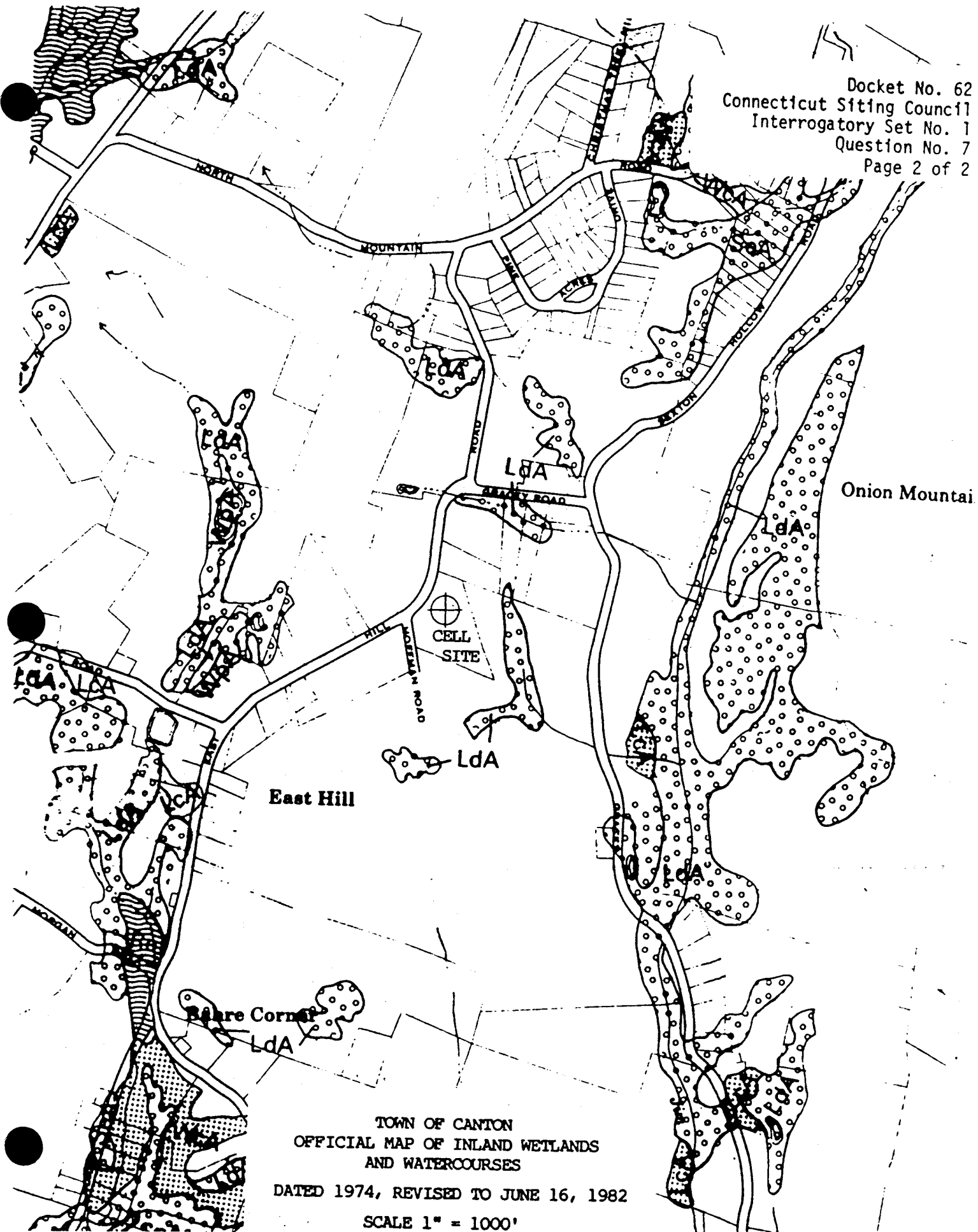
Answer: Attached is a copy of the Department of Environmental Protection's letter of March 4, 1986, in response to our request for information on rare or endangered species at the proposed Canton site.

Southern New England Telephone Company
Connecticut Siting Council Interrogatories

Question 7: Are there any regulated inland wetlands on the proposed site? Would the proposed access road cross any wetlands?

Answer: According to the Official Map of Inland Wetlands and Watercourses, 1974, of the Town of Canton, Connecticut, revised to June 16, 1982, there are no regulated wetlands on or near the proposed site, and the access road will not cross any wetland areas.

Attached is a copy of a portion of the above referenced map which shows the location of our proposed site and the regulated wetlands in the vicinity.



TOWN OF CANTON
OFFICIAL MAP OF INLAND WETLANDS
AND WATERCOURSES
DATED 1974, REVISED TO JUNE 16, 1982
SCALE 1" = 1000'

Southern New England Telephone Company
Connecticut Siting Council Interrogatories

Question 8: Has SNET obtained FAA approval for the proposed site? Provide FAA documentation showing whether the proposed tower would have to be obstruction marked and lighted.

Answer: Attached is the FAA response to SNET's Notice of Proposed Construction. The FAA has determined that the proposed tower would not be an obstruction, nor would it be a hazard to air navigation; and obstruction marking and lighting are not necessary.

Southern New England Telephone Company
Connecticut Siting Council Interrogatories

Question 9: Provide a copy of the comments of the State Historic Preservation Officer regarding the potential impact of the proposed site.

Answer: Attached is a copy of the State Historic Preservation Officer's letter of April 8, 1986, in response to our request for information on the historical significance of the area surrounding the proposed Canton site.

Southern New England Telephone Company
Connecticut Siting Council Interrogatories

Question 10: Provide a copy of the FCC construction permit for the proposed site.

Answer: SNET's application for construction permit went on Public Notice at the FCC on March 31, 1986. The FCC has not, as of this writing, issued the construction permit for the proposed site. Upon receipt, a copy of the construction permit will be submitted to the Council as a late file exhibit.

Southern New England Telephone Company
Connecticut Siting Council Interrogatories

Question 11: Did SNET conduct formal property value impact studies on the properties surrounding the proposed Canton site? Provide any results.

Answer: We engaged the firm of Arthur B. Estrada and Associates, Inc. to conduct a property value impact study of the area surrounding the proposed Canton site.

The report is not yet finished and will be delivered to the Council no later than May 8, 1986.

Southern New England Telephone Company
Connecticut Siting Council Interrogatories

Question 12: Would SNET be willing to negotiate with public and private entities to share space on the proposed tower if legally, technically, economically and environmentally feasible?

Answer: Yes.

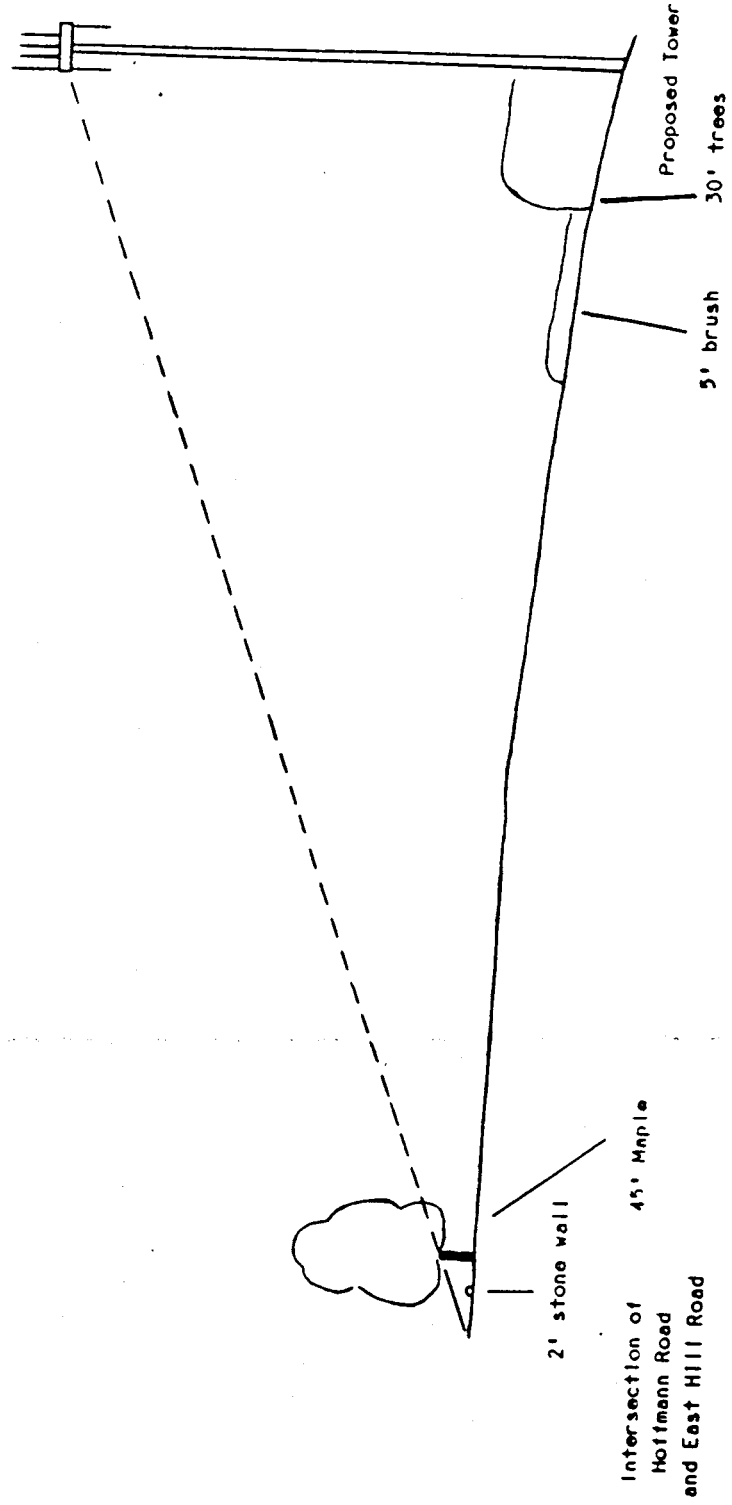
Southern New England Telephone Company
Connecticut Siting Council Interrogatories

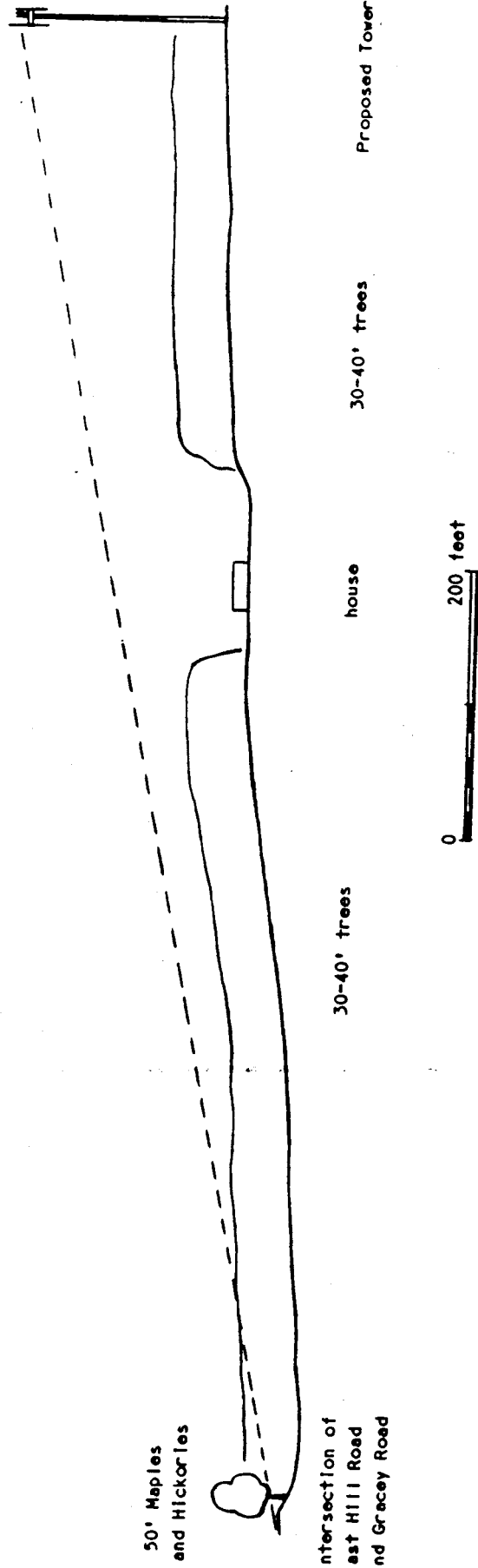
Question 13: Provide sight-line graphics showing visibility of the proposed tower from the following areas:

- a. Intersection of Hoffmann Road and East Hill Road.
- b. Intersection of East Hill Road and Gracey Road.
- c. Intersection of Sextons Hollow Road and Gracey Road.
- d. Intersection of Lawton Road and Bahre Corner Road.
- e. Rt. 179 in Canton Center at Congregational Church.
- f. West Mountain Road, Simsbury at Madison Lane.

Answer: To help illustrate the visibility of the proposed tower, attached are sight-line graphics from the above areas.

The only location from which the tower could be seen was the intersection of Hoffmann Road and East Hill Road.

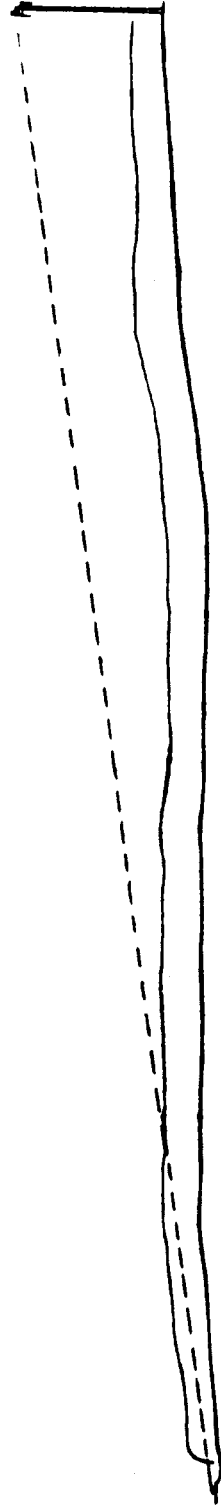


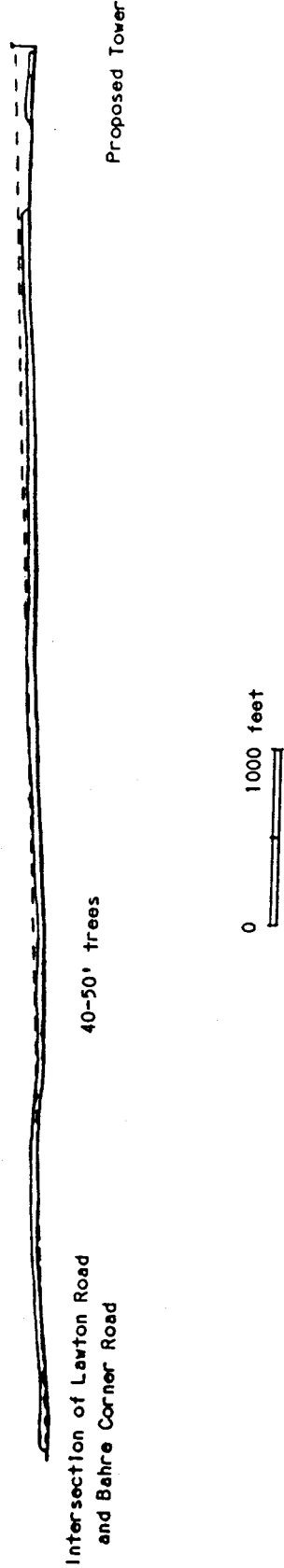


Intersection of Sextons Hollow Road
and Gracey Road

30-40' trees

Proposed Tower

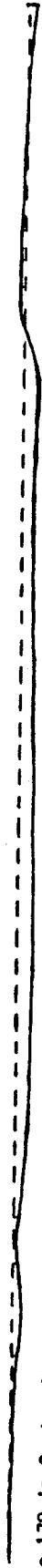




Proposed Tower



Route 179 in Canton Center
at Congregational Church



Proposed Tower



West Mountain Road
at Madison Lane



Southern New England Telephone Company
Connecticut Siting Council Interrogatories

Question 14: What would be the distance from the base of the proposed tower to the nearest off-site home?

Answer: The distance from the base of the proposed tower to 308 East Hill Road, the nearest off-site home, is approximately 325 feet.

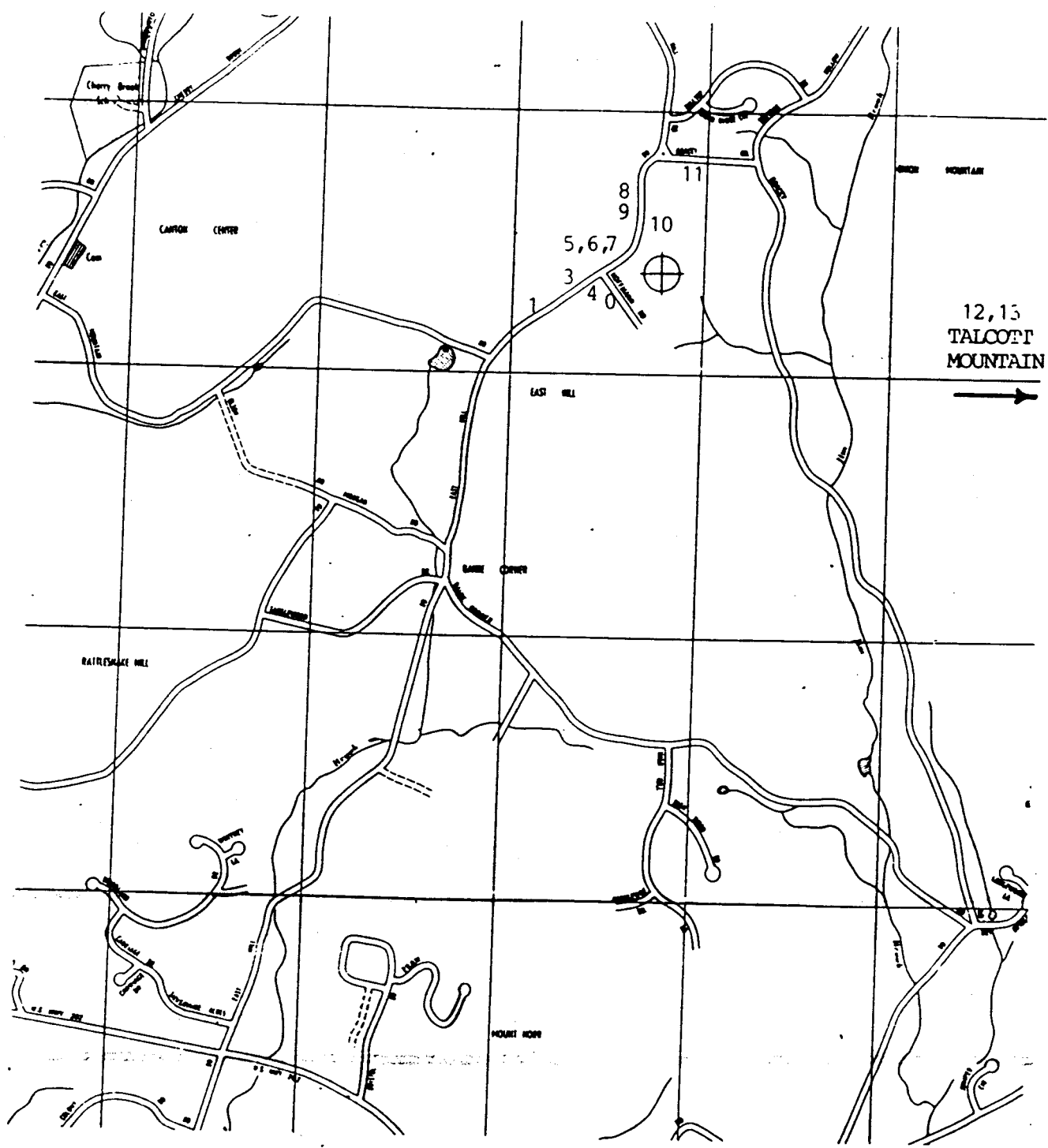
Southern New England Telephone Company
Connecticut Siting Council Interrogatories

Question 15: Were photographs taken during the balloon flight of February 28, 1986? If so, provide one set of photographs.

Answer: Yes, photographs were taken of the balloon flight on February 28, 1986.

Attached is a map showing the approximate location from which each photograph was taken. The numbers on the map coincide with the numbers on the photographs.

Enclosed, under separate cover, is one set of 8" x 10" photographs.



Location Map
Cell Site Location
Scale: 1" = 1600'



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

1 CENTRAL PARK PLAZA • NEW BRITAIN, CONN. 06051

PHONE: 827-2604

GLORIA DIBBLE POND
CHAIRPERSON

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WILLIAM H. SMITH
COLIN C. TAIT

April 7, 1986

Mr. Peter J. Tyrrell
Senior Attorney
Southern New England
Telephone Company
Room 1021
227 Church Street
New Haven, Connecticut 06506

CHRISTOPHER S. WOOD
EXECUTIVE DIRECTOR
STANLEY J. MODZELESKY
EXECUTIVE ASSISTANT

RE: Docket No. 62 - An application of the Southern New England Telephone Company for a certificate of environmental compatibility and public need for the construction, maintenance, and operation of facilities to provide cellular service in the Town of Canton, Connecticut.

Dear Mr. Tyrrell:

The Connecticut Siting Council requests your response to the enclosed questions concerning the subject application as soon as possible, but no later than April 30, 1986. To help expedite the Council's review, please file individual responses as soon as they are available.

Please forward an original and 15 copies to this office and one copy to each party in this proceeding; a list of parties as of this date is attached. Fewer copies of bulk material may be provided as appropriate.

Yours very truly,

Gloria Dibble Pond
Chairperson

GDP/CSW/kp

cc: Council members
Parties

enclosure

LIST OF PARTIES AND INTERVENORS - SERVICE LISTDOCKET NO. 62

Status Granted	Status Holder (name, address & phone number)	Representative (if any) (name, address & phone number)
Intervenor <input type="checkbox"/> Party <input checked="" type="checkbox"/>	Southern New England Telephone Company c/o Peter J. Tyrrell Senior Attorney Room 1021 227 Church Street New Haven, Connecticut 06506 (203) 771-7381	
Intervenor <input type="checkbox"/> Party <input type="checkbox"/>		
Intervenor <input type="checkbox"/> Party <input type="checkbox"/>		
Intervenor <input type="checkbox"/> Party <input type="checkbox"/>		
Intervenor <input type="checkbox"/> Party <input type="checkbox"/>		
Intervenor <input type="checkbox"/> Party <input type="checkbox"/>		



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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PHONE: 827-2604

DOCKET 62 Pre-Hearing Questions

1. Provide a map showing the cell coverage overlap at the proposed Canton tower site with the existing Hartford NECMA system. Scale should be 1:250,000. Provide a Canton coverage map using proposed and next 2 shorter heights. *DMM*
2. How far would the proposed Canton site be from the Roaring Brook Nature Center? *DMM*
3. Provide one copy of the Town of Canton Zoning Regulations. *Have*
4. What would be the length of the access road to East Hill Road? *From survey: 150' to street line, 168' to paved portion*
5. How many residences are within a 1000' radius at the proposed site? Provide a map to scale. *DMM*
6. Provide a copy of the Department of Environmental Protection letter dated March 4, 1986 regarding rare, threatened or endangered species at the proposed site. *Have*
7. Are there any regulated inland wetlands on the proposed site? *No*
Would the proposed access road cross any wetlands? *No*
8. Has SNET obtained FAA approval for the proposed site? Provide FAA documentation showing whether the proposed tower would have to be obstruction marked and lighted. *DMM*
9. Provide a copy of the comments of the State Historic Preservation Officer regarding the potential impact of the proposed site. *call*
10. Provide a copy of the FCC construction permit for the proposed site. *DMM*
11. Did SNET conduct formal property value impact studies on the properties surrounding the proposed Canton site? Provide any results.
12. Would SNET be willing to negotiate with public and private entities to share space on the proposed tower if legally, technically, economically, and environmentally feasible? *Absolutely*
13. Provide sight-line graphics showing visibility of the proposed tower from the following areas: *DMM*
 - a. intersection of Hoffmann Road and East Hill Road;
 - b. intersection of East Hill Road and Gracey Road;
 - c. intersection of Sextons Hollow Road and Gracey Road;
 - d. intersection of Lawton Road and Bahre Corner Road.
 - e. Rt 179 in Canton Center at Congregational Church;
 - f. West Mountain Rd, Simsbury at Madison Lane.

(cont.) Docket 62
Pre-Hearing Questions

-2-

DMM ✓ 14. What would be the distance from the base of the proposed tower to the nearest off-site home?

15. Were photographs taken during the balloon flight of February 28, 1986? If so, provide one set of photographs. *Yes 8" x 10"*

16. What will be the estimated cost to underground the utilities at the site?

See T.



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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GLORIA DIBBLE POND
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COLIN C. TAIT

CHRISTOPHER S. WOOD
EXECUTIVE DIRECTOR
STANLEY J. MODZELESKY
EXECUTIVE ASSISTANT

May 18, 1984

Mr. Peter J. Tyrell
Senior Attorney
The Southern New England
Telephone Company
Room 314
227 Church Street
New Haven, Connecticut 06506

RE: Docket No. 45 - An application submitted by The Southern New England Telephone Company for a certificate of environmental compatibility and public need for the construction, maintenance and operation of facilities to provide cellular service in Fairfield County.

Dear Mr. Tyrell:

The Connecticut Siting Council requests your response to the enclosed questions concerning the subject application on or before June 8, 1984.

Please forward an original and 15 copies to this office and one copy to each party in this proceeding; a list of parties as of this date is attached.

Yours very truly,

Gloria Dibble Pond /w

Gloria Dibble Pond
Chairperson

GDP:CSW:cp
cc: Council members
Parties

enclosure



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

1 CENTRAL PARK PLAZA • NEW BRITAIN, CONN. 06051

PHONE: 827-2604

Pre-Hearing Questions Docket 45

1. Does SNET have construction permits from the FCC for any sites in this application? If so, which ones?
2. Provide a table comparing costs of underground to cost of aerial utility service from the nearest utility pole to the equipment building at each of the sites in this application. Break out costs for equipment, cable, entrenching, blasting (if any), labor, and distance.
3. Did SNET conduct formal property value impact studies on surrounding properties of any of the Fairfield NECMA cell sites? Provide results and conclusions.
4. What additional structure would be necessary to accommodate the cellular antenna at the Nells Rock Rd. site? What would the final tower height be? Would any new or additional lights be required on this tower?
5. Regarding the cost table in sect. VIII, p.37, if SNET already has use of the land, what land use costs are associated with a tower modification? What would the cost be to modify the present tower to support cellular antenna? What would the cost be to erect a new building on the site? Is the site now provided with electric power? What modifications other than a tie-in with the present junction box on site would be necessary to power the new building?
6. In reference to the section VI, page 24, is this table correctly labeled as "Milford Cell Site?" Are these dollar figures applicable to the Bridgeport Kaechele site? Also, referring to section VII, p.21, do these dollar figures pertain to the Connecticut Ave. site in Norwalk?

7. Submit one copy each of the zoning regulations for the towns of Bridgeport, Norwalk, Shelton, Stamford, and Westport.
8. Provide a regulated wetlands map, with 100 foot setback, for the proposed Stamford, Norwalk and Westport sites. Would the access roads to these proposed sites cross any wetlands?
9. Provide individual coverage maps using proposed tower heights and the next two shorter tower heights available for each proposed and alternate site in the same format used in Docket No.40, SNET Exhibit 3, Question No. 21.
10. Provide coverage maps for the Fairfield NECMA in the same format used in CSC Docket No. 35, SNET Exhibit 3, Question 8: a) as proposed; and b) using the next two shorter tower heights available. Provide narrative descriptions of coverage losses attributable to the use of shorter towers.
11. Would the proposed Bridgeport tower be affected in any way by the United Illuminating substation or transmission lines?
12. Is Chordas Pond, which is next to the alternate Shelton site, used as a recreational area? If so, describe the types of uses.
13. Provide copies of any correspondence or other documentation regarding inquiries SNET made about the availability of town-owned properties at two former Nike sites in Westport.
14. Provide coverage maps, as in Question 9 above, using the following sites and using the tallest tower necessary to attain desired signal quality: a) 290' elevation on Catamount Hill, between Sturges Highway and Merwins Lane; b) 268' elevation west of northern section of Evans Lane.
15. Provide a grading and drainage plan for the proposed Stamford site.
16. How close would the proposed Westport tower be to the edge of Bayberry Lane and to the Merritt Parkway?

a. 41 11 08 73 19 29
b. 41 10 55 73 19 38

17. Provide a single coverage map at a scale of 1:^{250,000}~~125,000~~ for the Fairfield, New Haven and Hartford NECMA's in the same format used in CSC Docket No. 35, SNET Exhibit 3, Question 8, using the tower heights as proposed.
18. Would SNET be willing to negotiate with public and private entities to share space on the proposed towers if legally technically, economically, and environmentally feasible?

DOCKET NO. 45 - An application submitted by The Southern New England Telephone Company for a certificate of environmental compatibility and public need for the construction, maintenance, and operation of facilities to provide cellular service in Fairfield County.

The Southern New England
Telephone Company
Room 314
227 Church Street
New Haven, CT. 06506

(Applicant)

ATT: Mr. Peter J. Tyrrell
Senior Attorney

(its attorney)

Connecticut Siting Council ^(/CSC)

[CT.gov Home](#) [\(/\)](#) [Connecticut Siting Council](#) [\(/CSC\)](#) Connecticut Siting Council Decision for Old Lyme Docket No. 202

DOCKET NO. 202 - Crown Atlantic Company LLC and Cellco Partnership d/b/a Cellco Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a cellular telecommunications facility off of Buttonball Road, located approximately 1,000 feet south of the intersection of Buttonball Road and the Amtrak railroad right-of-way, Old Lyme; or at 125 Mile Creek Road, Old Lyme, Connecticut.

} Connecticut
} Siting
} Council
} September
} 12, 2001

Decision and Order

Pursuant to the foregoing Findings of Fact and Opinion, the Connecticut Siting Council (Council) finds that the effects associated with the construction, operation, and maintenance of a telecommunications facility at the proposed alternate #1 site in Old Lyme, Connecticut, including effects on the natural environment; ecological integrity and balance; public health and safety; scenic, historic, and recreational values; forests and parks; air and water purity; and fish and wildlife are not disproportionate either alone or cumulatively with other effects when compared to need, are not in conflict with the policies of the State concerning such effects, and are not sufficient reason to deny the application and therefore directs that a Certificate of Environmental Compatibility and Public Need, as provided by General Statutes § 16-50k, be issued to Crown Atlantic Company LLC and Cellco Partnership d/b/a Verizon Wireless for the construction, maintenance, and operation of a cellular telecommunications facility located at 125 Mile Creek Road, Old Lyme, Connecticut. We deny certification of the proposed prime site.

The facility shall be constructed, operated, and maintained substantially as specified in the Council's record in this matter, and subject to the following conditions:

1. The tower shall be constructed as a monopole, no taller than necessary to provide the proposed telecommunications services, sufficient to accommodate the antennas of Cellco and at least three other telecommunications entities, both public and private, but such tower shall not exceed a height of 160 feet above ground level (AGL), including appurtenances. The tower and foundation may be designed and constructed capable of being extended from 160 feet AGL to 190 feet AGL, with such extension subject to Council approval by petition for a declaratory ruling, pursuant to Sections 16-50j-38 through 16-50j-40 of the Regulations of Connecticut State Agencies.
2. The Certificate Holder shall prepare a Development and Management (D&M) Plan for this site in compliance with Sections 16-50j-75 through 16-50j-77 of the Regulations of Connecticut State Agencies. The D&M Plan shall be submitted to and approved by the Council prior to the commencement of facility construction and shall include: a final site plan(s) for site development to include the location and specifications for the tower foundation, antennas, equipment building, emergency generator and fuel tank, security fence, access road, and utility line; construction plans for site clearing, tree trimming, water drainage, and erosion and sedimentation controls consistent with the [Connecticut Guidelines for Soil Erosion and Sediment Control](#), as amended; provisions for a single equipment building to accommodate the telecommunications equipment for at least three other telecommunications providers with provisions for expansion of the building and suitable architectural treatment; landscaping; a tower finish that may include painting; and provisions for the prevention and containment of spills and/or other discharge into surface water and groundwater bodies.
3. Upon the establishment of any new State or federal radio frequency standards applicable to frequencies of this facility, the facility granted herein shall be brought into compliance with such standards.
4. The Certificate Holder shall provide the Council with a recalculated report of electromagnetic radio frequency power density if and when circumstances in operation cause a change in power density above the levels originally calculated and provided in the application.
5. The Certificate Holder shall permit public or private entities to share space on the proposed tower for fair consideration, or shall provide any requesting entity with specific legal, technical, environmental, or economic reasons precluding such tower sharing.

6. If the facility does not initially provide, or permanently ceases to provide wireless services following completion of construction, this Decision and Order shall be void, and the Certificate Holder shall dismantle the tower and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made.

7. Any antenna that becomes obsolete and ceases to function shall be removed within 60 days after such antennas become obsolete and cease to function.

8. Unless otherwise approved by the Council, this Decision and Order shall be void if all construction authorized herein is not completed within three years of the effective date of this Decision and Order or within three years after all appeals to this Decision and Order have been resolved.

Pursuant to General Statutes § 16-50p, we hereby direct that a copy of the Findings of Fact, Opinion, and Decision and Order be served on each person listed below, and notice of issuance shall be published in The Hartford Courant, The Day, and the Pictorial/Gazette.

By this Decision and Order, the Council disposes of the legal rights, duties, and privileges of each party named or admitted to the proceeding in accordance with Section 16-50j-17 of the Regulations of Connecticut State Agencies.

The parties and intervenors to this proceeding are:

Applicant

Crown Atlantic Company LLC
and Cellco Partnership d/b/a
Verizon Wireless

Its Representative

Robert Stanford, Project Manager
Crown Atlantic Company LLC
703 Hebron Avenue
Glastonbury, CT 06033
Kenneth C. Baldwin, Esq.
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103-3597

Intervenor

Town of Old Lyme
Zoning Commission

Its Representative

Eric Knapp, Esq.
Branse & Willis, LLC
41-C New London Turnpike
Glen Lochen East
Glastonbury, CT 06033-2038

Intervenor

James B. Blair
38-1 Buttonball Road
Old Lyme, CT 06371

Party

John P. McCarthy
Judith A. McCarthy
54 Buttonball Road
Old Lyme, CT 06371