




# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

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

September 21, 2001

TO: Robert L. Marconi, Assistant Attorney General

FROM: Joel M. Rinebold, Executive Director 

RE: **EM-VER-028-001107** - Cellco Partnership d/b/a Verizon Wireless notice of intent to modify and replace an existing telecommunications facility located at Windham Avenue and Munn Road, Colchester, Connecticut. Request to Cease and Desist.

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On or about September 14, 2001, I received a call from State Representative Linda Orange requesting information explaining why the Council removed the Cease and Desist and allowed the proposed replacement tower to continue construction. I explained to her the Council's regulatory criteria for approval of replacement towers that include height, noise, site boundaries, and RF power density, and emphasized that the replacement tower would be rebuilt within the existing fenced compound at the same height, 320 feet. I also explained to her that identification of the fall zone was not a requirement for a replacement tower, in that this would have been considered when the tower was initially constructed. I also explained to her that we are unaware of any towers falling in Connecticut and that the "fall zone" was a misconception and not necessary for the protection of public safety. I further explained that while the Council generally seeks a fall zone as a measure to provide a land use buffer, there are a number of towers in the State where the fall zone extends onto other property, public rights of way, roads, and homes. I also explained that notice to Stephen and Ilyse Wells who live at 273 Windham Avenue, across the road from this tower, were not notified, but such notification was not a requirement. At the suggestion and request by State Representative Orange, I agreed to call First Selectwoman, Jenny Contois, of the Town of Colchester to explain the Council's decision.

On or about September 14, 2001, I called Jenny Contois, First Selectwoman of the Town of Colchester, and explained the decision of the Council as I had to Representative Orange. At her request, I agreed to call Stephen Wells to explain the decision by the Council.

After several attempts, on September 19, 2001, I contacted Steven Wells to explain the decision by the Council. I offered that his request to cease further action on the tower was made in proper fashion, that he had represented himself well, and that his issue was well articulated. Mr. Wells was very angry and insulted several of the Council members including the Chairman, and stated that he would be referring the matter to the Attorney General and to the Governor, at which I replied that was his choice. Mr. Wells also accused Council members of basing the decision on money, questioning if Council members were consultants to the telecommunications industry, and basing a decision on pressure from the State Police to rebuild this tower. Mr. Wells then stated that he would be naming myself and every member of the Council, except Pam Katz, personally in a law suit. With that information, I refrained from completing my mission to explain the Council's decision and ended the conversation thanking Mr. Wells for his cooperation, and agreeing to inform Chairman Gelston of this telephone call and threat of legal action.

At this time, because of the threat of personal lawsuits, I do not believe it is in the Council's interest for me to speak directly to Mr. Wells again, and I seek to refer all queries from him to you as our legal representative. While I believe the Council's decision in this matter was correct and based on law, Mr. Wells may make other representations that are incorrect and misleading.

Please advise if I should inform the Council of any action they should make in response to this threat of legal action. On September 19, 2001, I informed the Chairman of this matter and threat of legal action being filed against him, myself, and other Council members.

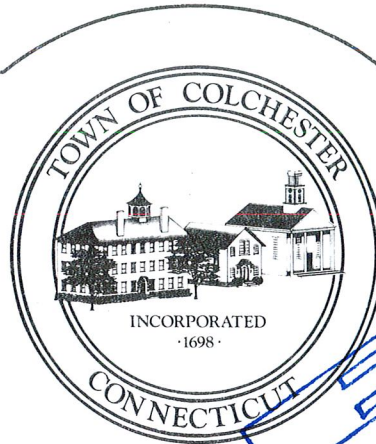
JMR/rgg

c: Mortimer A. Gelston, Chairman



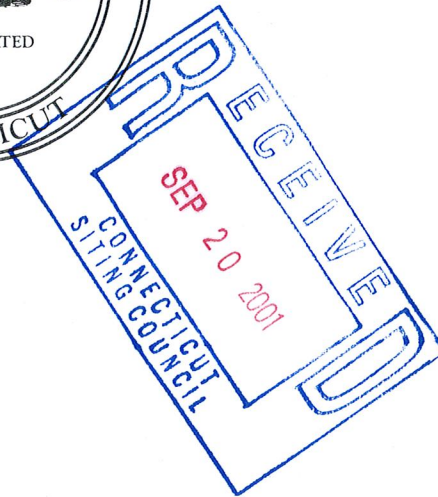
Jenny Contois

First Selectman



September 19, 2001

Mr. Mortimer A. Gelston  
Chairman  
State of Connecticut  
Siting Council  
Ten Franklin Sq.  
New Britain, CT. 06051



Dear Mr. Gelston:

SUBJECT: EM-VER-028-001107 – CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS

I am in receipt of your September 14, 2001 letter reauthorizing the construction of a replacement tower within the existing fenced compound.

I am very concerned about this decision for a number of reason:

1. Mr. & Mrs. Wells were basically told by you that it is unfortunate that the Town did not inform the Wells of the replacement of this tower. First and Foremost, any notification we received way back when did not show the house on the map. Second, this is State property and the Town of Colchester has absolutely no jurisdiction over this project -- regardless of any new or old legislation. The letter of 12/4/2000 to Kenneth C. Baldwin specifically states, "This decision is under the exclusive jurisdiction of the Council." This fact was confirmed to me by Mr. Joel Rinebold. Shy of making any comments to the Council, we are out of it. Our knowledge of this project was that it was a repair and upgrade. We have no problem with that. The fact that the tower is moving closer to an individual's home is a concern.
2. The December 4, 2000 letter to Kenneth C. Baldwin also states that the modifications are in compliance with the exception criteria in the Regulations of the Connecticut State Agencies as changes to an existing facility site that would not increase tower height, extend the boundaries of the tower site, etc. etc. Based upon information I have received, the tower height has increased

and the tower is also being replaced by another tower closer to the Wells home.

3. In speaking with Mr. Rinebold, he stated that if the Council had known earlier that this problem existed, something may have been able to be done. Had the map showed the house, you would have known that a house existed.
4. The Wells are not objecting to the Tower, nor are they objecting to the improvements. They have a major concern that the tower is closer to their home, creating a possible dangerous situation in the event of a serious storm, etc.

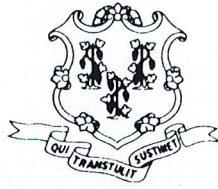
Clearly, information presented to the Council was not complete, and I would have hoped that because of that alone, the Council would have handled this matter differently.

Sincerely,



Jenny Contois  
First Selectman

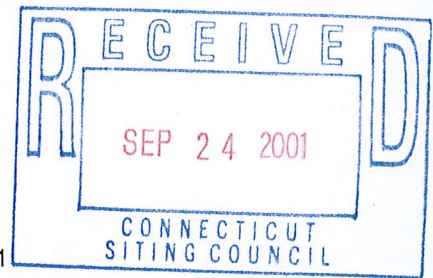
Cc: Stephen and Ilyse Wells  
Joel Rinebold  
Attorney Kenneth Baldwin  
Major Ralph Carpenter  
Rep. Linda Orange  
Brian Benito, Planning Specialist, Bureau of Police Support



## State of Connecticut

### HOUSE OF REPRESENTATIVES

STATE CAPITOL  
HARTFORD, CONNECTICUT 06106-1591



**REPRESENTATIVE LINDA A. ORANGE**  
FORTY-EIGHTH DISTRICT

52 STANDISH ROAD  
COLCHESTER, CONNECTICUT 06415  
TELEPHONES  
HOME: (860) 537-3936  
CAPITOL: (860) 240-8585  
TOLL FREE: 1-800-842-8267

VICE CHAIRMAN  
PUBLIC SAFETY COMMITTEE

MEMBER  
APPROPRIATIONS COMMITTEE  
COMMERCE COMMITTEE  
PUBLIC HEALTH COMMITTEE

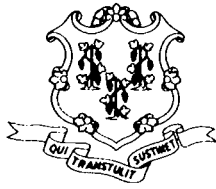
September 17, 2001

Governor John G. Rowland  
Room 202  
State Capitol  
Hartford, CT 06106

Dear Governor Rowland,

I am writing to you on behalf of my constituent Stephen Wells of Windham Ave Colchester. There is a new state police radio tower being built across from Mr. Wells' home. However the new tower is being constructed approximately 30 feet closer to his home than the original tower it is replacing. Mr. Wells became very concerned at the placement of the new tower because his house will now be in the "fall zone". Mr. Wells is an engineer and calculated that if the new tower ever fell, a good deal of the steel structure would fall on his house. As you can imagine, this scenario is very disturbing to Mr. Wells, his wife and their small children.

I notified the Siting Council about this situation and on August 24, 2001 Siting Chairman Mortimer Gelston had Verizon halt construction saying that the Siting Council was not aware a house was located so close to the site. The Siting Council was not aware because Verizon did not submit a licensed survey as part of their map application. This failure on part of Verizon to comply with the application requirements allowed the Council to approve the construction closer to the Wells' home. The Siting Council then met September 12<sup>th</sup> and by majority vote decided to allow Verizon to continue with their original construction plan despite the fact that proper procedure was not followed in the first place.



# State of Connecticut

## HOUSE OF REPRESENTATIVES

STATE CAPITOL  
HARTFORD, CONNECTICUT 06106-1591

**REPRESENTATIVE LINDA A. ORANGE**  
FORTY-EIGHTH DISTRICT

52 STANDISH ROAD  
COLCHESTER, CONNECTICUT 06415  
TELEPHONES  
HOME: (860) 537-3936  
CAPITOL: (860) 240-8585  
TOLL FREE: 1-800-842-8267

VICE CHAIRMAN  
PUBLIC SAFETY COMMITTEE

MEMBER  
APPROPRIATIONS COMMITTEE  
COMMERCE COMMITTEE  
PUBLIC HEALTH COMMITTEE

Governor Rowland, Mr. Wells is not objecting to having a Police Tower erected across the street from his property. There was a tower in place when he bought his house 2 years ago. Mr. Wells is objecting to the new tower being constructed closer to his home based on inaccurate maps used by Verizon. Both Mr. Wells and myself are concerned that the Siting Council would continue construction on a project based on these inaccurate maps with little regard to consequences.

I understand the Siting Council has exclusive jurisdiction but it would seem to me that the Council could modify the tower placement site and erect the new tower where the old tower stood. The Siting Council Chairman did not allow Mr. Wells to speak at the September 12<sup>th</sup> public meeting. There was no public hearing held on this issue. I urge you to look into the Siting Council's ruling regarding this matter. Now that the Siting Council has given Verizon the go ahead to recommence construction, time is of the essence. I look forward to hearing from you.

Sincerely,

State Representative Linda Orange  
48<sup>th</sup> District

c: Honorable Jenny Contois, First Selectman, Town of Colchester  
Stephen and Ilyse Wells  
Brian M. Benito, Planning Specialist, Bureau of Police Support  
Attorney General Richard Blumenthal  
Joel Rinebold, Executive Director, CT Siting Council  
Sidney Holbrook, Governor Rowland's Co-Chief of Staff





STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

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

December 4, 2000

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

RE: **EM-VER-028-001107** - Cellco Partnership d/b/a Verizon Wireless notice of intent to modify and replace an existing telecommunications facility located at Windham Avenue and Munn Road, Colchester, Connecticut.

Dear Attorney Baldwin:

At a public meeting held on November 30, 2000, the Connecticut Siting Council (Council) acknowledged your notice to modify this existing telecommunications facility, pursuant to Section 16-50j-73 of the Regulations of Connecticut State Agencies, subject to approval of the relocation of the replacement tower, and marking and lighting by the FAA.

The proposed modifications are to be implemented as specified here and in your notice dated November 7, 2000. The modifications are in compliance with the exception criteria in Section 16-50j-72 (b) of the Regulations of Connecticut State Agencies as changes to an existing facility site that would not increase tower height, extend the boundaries of the tower site, increase noise levels at the tower site boundary by six decibels, and increase the total radio frequencies electromagnetic radiation power density measured at the tower site boundary to or above the standard adopted by the State Department of Environmental Protection pursuant to General Statutes § 22a-162. This facility has also been carefully modeled to ensure that radio frequency emissions are conservatively below State and federal standards applicable to the frequencies now used on this tower.

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

Thank you for your attention and cooperation.

Very truly yours,

  
Mortimer A. Gelston  
Chairman

MAG/laf

c: Honorable Jenny Contois, First Selectman, Town of Colchester  
Sandy M. Carter, Verizon Wireless  
Brian M. Benito, Planning Specialist, Bureau of Police Support



## F A X T R A N S M I T T A L

DATE: September 11, 2001

TO: CT Siting Council

FROM: Stephen and Ilyse Wells  
273 Windham Avenue  
Colchester, CT 06415

RE: CT State Police Tower - Munn Road / Windham Avenue - Colchester, CT

FAX: 860-827-2950  
PHONE: 860-827-2935

PHONE: 860-537-6215  
FAX: 860-659-5856  
WORK: 860-659-2220 x141  
EMAIL: SWADEWELLS@AOL.COM



Number of pages including cover sheet: 5

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Attention: Mr. Joel Rinebold - Executive Director

CC: Mr. Mortimer Gelston - Presiding Chairman

CC: Mr. Alan Kosloff - Kosloff and Harding (fax 521-3352)

CC: Ms. Jenny Contois - Town of Colchester, 1<sup>st</sup> Selectwoman (f 537-0547)

CC: Ms. Linda Orange - State Representative (f 240-0067)

Mr. Rinebold,

It has been brought to my attention that the CT Siting Council's claim to exclusive jurisdiction over Telecommunication Towers is under challenge and may no longer be valid.

The Siting Council has been using the ruling from November 20, 2000 by U.S. District Court Judge Covello in the decision "*Sprint Spectrum L.P. v. Connecticut Siting Council*" in which Judge Covello held that personal communication systems ("PCS") fall within the definition of a cellular system in Section 16-50i(a)(6) of the general statutes and therefore are subject to the Siting Council's exclusive jurisdiction. Section 16-50i(a)(6) adopts the Code of Federal Regulations, Title 47, Part 22, as amended, for its definition of a cellular system.

My understanding is that Judge Covello's ruling is on appeal to the Second Circuit Court of Appeals, and that two recent decisions by another U.S. District Judge for Connecticut directly conflict with his holding.

U.S. District Judge Nevas issued decisions in *SBA Communications, Inc. v. Zoning Commission of the Town of Franklin* and *Connecticut Architectural Towers, L.L.C. v. Town of Monroe Zoning Commission*, that conflict with Judge Covello's rulings. Judge Nevas held that the CT Siting Council does not have exclusive jurisdiction over the siting of PCS facilities, and that towns do have jurisdiction rights over the siting of PCS's.

In light of the fact that there is a federal appeal pending, and that there are two contradictory rulings to the ruling that gave the Council's exclusive jurisdiction, I request that the current stop order (i.e., Cease and Desist) remain in effect until it is determined where rights of jurisdiction lie: with the State or with the Towns.

At this time, it is prudent to hold the applicant's project in abeyance unless the applicant meets the Town of Colchester's **ZONING REGULATION FOR WIRELESS TELECOMMUNICATION SITE DEVELOPMENT REQUIREMENTS**. The Town of Colchester's zoning regulations regarding new towers



## F A X T R A N S M I T T A L

DATE: September 11, 2001  
TO: CT Siting Council  
RE: CT State Police Tower - Munn Road / Windham Avenue - Colchester, CT

Page 2 of 5

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is clearly not being adhered to by the applicant. Please refer to the attached 3 pages of the Town's zoning regulations.

Thank you for the opportunity to present these facts.

Please contact me if you wish to discuss these items:  
860-659-2220 x141 (work 7AM to 5PM)  
860-537-6215 (home)

STEPHEN (AND ILYSE) WELLS



- 11.16.5** No Adult Oriented Business shall be operated in any manner that permits the observation of any material depicting, describing, or relating to "Specified Sexual Activities" or "Specified Anatomical Areas", from any public way or any adjacent property. This provision shall apply to any display, decoration, sign, show window or other opening.
- 11.16.6** No residential use shall be allowed on any property or in any building containing an Adult Oriented Business.
- 11.16.7** Any approval of a Special Exception by the Commission for an Adult Oriented Business shall be conditioned upon the presentation of a valid license issued by the Town of Colchester for the operation of such business.
- 11.17 Kennels and Commercial Kennels**, when allowed by Special Exception, shall meet the following standards:
- 11.17.1** The minimum lot size for Kennels shall be 2.75 acres, and for Commercial kennels shall be 5 acres;
- 11.17.2** No kennel or associated structure shall be located within 100 feet of any property line;
- 11.17.3** All buildings in which animals are housed shall have adequate noise insulation so as to avoid the creation of a nuisance due to noise;
- 11.17.4** Such use shall be maintained as an accessory use to a single family residence;
- 11.17.5** All the requirements of Section 13.26 shall be met.
- 11.18 WIRELESS TELECOMMUNICATION SITE DEVELOPMENT REQUIREMENTS.** In addition to the Site Plan requirements of Section 12 herein, and to the general Special Exception evaluation criteria of Section 11.5 herein, Wireless Telecommunication Sites shall meet the following development requirements:
- 11.18.1** Location Preferences for siting the equipment involved in Wireless Telecommunication Services are, in order of preference, as follows.
- 1) Co-location on existing or approved Towers.
  - 2) On new Towers located in business or industrial zones.
  - 3) On new Towers located in commercial zones.
  - 4) On existing structures such as buildings, water towers and utility poles.
  - 5) On new Towers located in residential zones.
- 11.18.2** The following written and/or graphic information shall accompany any Special Permit application:
- 1) Written proof that either the applicant or co-applicant holds bona fide license from the Federal Communications Commission (FCC) to provide the Wireless Telecommunication Services that the proposed Tower is designed to support.
  - 2) A report from a licensed engineer certifying that the proposed Wireless Telecommunication Site will comply with the FCC emission standards for radio frequency emissions.
  - 3) A report from a licensed engineer certifying that the installation of such Wireless Telecommunication Site will not interfere with public safety communications.



4) A design drawing including cross section and elevation of all proposed Towers, including a description of the Tower's capacity, the number and type of Antennas it can accommodate, the proposed location of all mounting positions for co-located Antennas, and the minimum separation distances between Antennas.

→ 5) An analysis of the fall zone for the proposed Tower prepared by a licensed engineer.

6) A map depicting the Licensed Wireless Telecommunication Service Provider's planned coverage and the service area of the proposed Wireless Telecommunication Site, as well as the Licensed Wireless Telecommunication Service Provider's long-term plan for future facilities in Colchester.

7) A view shed analysis showing all areas from which the Tower would be visible.

8) On Wireless Telecommunication Sites where any portion of the lower 50% of the tower, associated equipment, and structures will be visible from a street, the Commission may require an on-site simulation of the proposed Height of Tower to ascertain the likely visual impacts of the proposal. The applicant shall delineate what steps have or will be taken to minimize the visual impact of the proposal.

9) Proposed locations with Location Preference numbers 3, 4 and 5 shall include written justification for why such proposal could not be located on Wireless Telecommunication Sites with Location Preference numbers 1 or 2.

#### 11.18.3 Wireless Telecommunication Sites shall meet the following standards:

→ 1) No Wireless Telecommunication Site shall exceed 199 feet in height. No Towers shall exceed 180 feet in height.

→ 2) Be located a minimum of 200 feet from any existing or approved residence on the same lot, or a minimum of 200 feet from any property line of a lot on which a residence is located or approved to be located.

→ 3) Be located so that the fall zone is located entirely within the property lines associated with the proposed Wireless Telecommunication Site.

4) Towers exceeding 60 feet in height shall be located a minimum of 1,000 feet from the boundary of the Historic Preservation Overlay Zone, from the property line of any property listed on the National Register of Historic Places, or from the boundary of the local Historic District.

5) Not be located within 5,000 feet of a similar facility unless the applicant can justify to the Commission that there is no prudent alternative to the proposed location, or existing facilities do not have Co-Location capacity available.

6) No lights shall be mounted on proposed Towers, unless otherwise required by the Federal Aviation Administration (FAA). All strobe lighting shall be avoided, unless otherwise required by the FAA.

7) Be painted a non-contrasting blue or gray, or finished in a brushed galvanized surface, unless otherwise required by the FAA.

8) Not be used to exhibit any non-safety signage or advertising.

9) Be designed to accommodate both the applicant's Antennas and Antennas for at least 2 additional Licensed Wireless Telecommunication Service Providers if the Tower is less than 100 feet in height or for at least 5 additional Licensed Wireless Telecommunication Service Providers if the Tower is 100 feet in height or higher.



10) Be designed to allow for future rearrangement of Antennas and to accommodate Antennas mounted at varying heights.

11) Antennas or equipment buildings/boxes mounted to or on buildings or structures shall blend with the color and design of such building or structure.

12) Be designed, located or operated so as not to interfere with existing or proposed public safety communications.

13) Comply with the standards promulgated by the FCC for radio frequency emissions.

14) All utilities shall be installed underground unless not practicable.

15) All generators shall comply with applicable State and local regulations.

16) Include a chain-link security fence a minimum of six feet in height within three feet of the entire perimeter of the Wireless Telecommunication Site.

17) Any Tower proposed to be adjacent to any airport shall comply with all airport safety requirements as required by the FAA. The Commission may require documentation from the applicant demonstrating such compliance.

**11.18.4 Affidavit:** Applicants shall provide a sworn affidavit delineating the number and mounting position(s) of Co-Location Antenna(s) positions being made available for lease to other Licensed Wireless Telecommunication Service Providers, and affirming their intention of entering into such lease agreements when technically possible.

**11.18.5 Removal / Restoration:** Upon completion of a Wireless Telecommunication Site the applicant shall provide the Town with a copy of any notice to the FCC of an intent to cease operations at said Site. Any Wireless Telecommunication Site not used for 12 consecutive months shall be removed by the applicant. Removal shall occur within 90 days of the end of such 12-month period. Upon removal the area (except for access drives) shall be restored to its previous appearance and where appropriate re-vegetated to blend with the surrounding area.

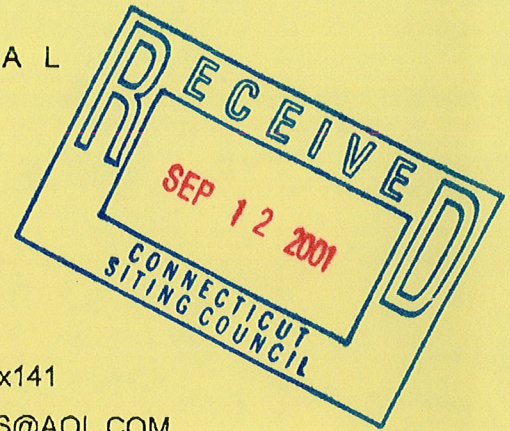
**11.18.6 Removal / Restoration Bond:** Wireless Telecommunication Site removal and area restoration shall be at the expense of the applicant, who shall post as surety a Bond in the amount of 10 percent of the original construction cost of the facility. Such Bond, in a form acceptable to the Town Treasurer, shall be in favor of the Town of Colchester, and shall be posted prior to the issuance of a Building Permit.



## F A X T R A N S M I T T A L

DATE: September 10, 2001  
TO: CT Siting Council  
FROM: Stephen and Ilyse Wells  
273 Windham Avenue  
Colchester, CT 06415  
RE: CT State Police Tower - Munn Road / Windham Avenue - Colchester, CT

FAX: 860-827-2950  
PHONE: 860-827-2935  
PHONE: 860-537-6215  
FAX: 860-659-5856  
WORK: 860-659-2220 x141  
EMAIL: SWADEWELLS@AOL.COM



Number of pages including cover sheet: 2

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Attention: Mr. Joel Rinebold - Executive Director

CC: Mr. Mortimer Gelston - Presiding Chairman

CC: Mr. Alan Kosloff - Kosloff and Harding (fax 521-3352)

CC: Ms. Jenny Contois - Town of Colchester, 1<sup>st</sup> Selectwoman (f 537-0547)

CC: Ms. Linda Orange - State Representative (f 240-0067)

Mr. Rinebold,

First, I wanted to alert you that I still have not received a legible copy of the engineer's report referred to in Attorney Baldwin's August 31, 2001 letter.

If you recall, in our September 4, 2001 telephone conversation I requested a copy of the engineer's report and as of this past Saturday September 8<sup>th</sup> I still had not received a copy. Therefore I asked my father-in-law, Martin Abrams, to go to the Siting Council's New Britain, CT office this morning to get legible copies of the aforementioned correspondence. After a considerable amount of time, my father-in-law was informed that the documents were not at the Council's office, and that Verizon's representatives would be contacted to issue me the requested documents.

Shortly after my father-in-law left your office a copy of the report was faxed by your office to me - thank you - unfortunately the report is not legible enough to read the engineering data. This has made it very difficult for my structural engineer to complete his analysis of the report. Due to this issue, I am asking that the Siting Council allow me additional time - approximately two weeks - to have a licensed structural engineer complete an analysis of the report.

This analysis is important because the information provided by Verizon only addresses failure of the tower at one structural location rather than all points along the vertical and horizontal locations. The report also fails to mention the basis-of-design criteria that is used for the structural design. As an engineer myself, I know that designs have a margin of error built-in that is considered allowable when it relates to modeling - in fact, when you read the engineer's memo he uses the terms "most likely" and "anticipated"- this is in recognition that it is a **probable** failure point, **not the only failure point** as implied by Mr. Baldwin. Not being an engineer, Mr. Baldwin is most likely not aware of the nuances of engineering, so his misinterpretation is understandable - **but in error**.

Additionally, the report does not state the model's margin of error value as it relates to the height of what Verizon is claiming to be the most probable failure point (usually expressed as a plus/minus percentage or a value in +/- feet). This is important for two reasons: 1. A 10% margin of error is 32', this margin of error places what Attorney Baldwin refers to as the "worst-case fall zone" 18' onto my property.



## Fax TRANSMITTAL

DATE: September 10, 2001  
TO: CT Siting Council  
FROM: Stephen and Ilyse Wells  
273 Windham Avenue  
Colchester, CT 06415  
RE: CT State Police Tower - Munn Road / Windham Avenue - Colchester, CT

Page 2 of 2

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A 5% error places the tower 4' onto my property. This of course does not mitigate what is truly the worst-case fall zone - which is indicated on the new September 7<sup>th</sup> site drawing and shows the tower actually hitting my home, 90 plus feet onto my property.

This lack of information started me on a search for the missing information, so I wanted to alert the Council of two telephone conversations I had this afternoon with two of Cellco's (d/b/a Verizon Wireless) representatives in this tower issue:

1. I spoke with Mr. Ken Kemp of URS Corporation, the company overseeing the installation of the tower site for Verizon. My purpose in contacting Mr. Kemp was to get the missing failure probability information for the tower. During the course of our discussion Mr. Kemp acknowledged that indeed a worse case catastrophic failure was a failure at the tower base, and could in fact occur at the tower base - this totally conflicts with what Mr. Baldwin represented in his letter in which he attempted to interpret the engineering information that was provided by Mr. Kemp!! Mr. Kemp also indicated that he still had not received the additional fault probability data from the tower's manufacturer.
2. My second telephone conversation was with Verizon's attorney, Mr. Baldwin. During the course of our discussion I informed Mr. Baldwin about the missing information regarding the other failure point probabilities and the missing basis-of-design margin of error. Also during the course of discussion, Mr. Baldwin stated that he was not aware that site plan showed a distance of approximately 10 feet between what he referred to as the "worst-case" failure scenario and my property line (which is right in the middle of Windham Avenue - a busy road referred to as a "connector road" in Colchester's Zoning Regulations). I informed Mr. Baldwin that with a 5% margin of error, it was now on my property - he was not aware of this fact. I also let him know that the site plan showed that the true worse case scenario had the tower landing on my home. Mr. Baldwin stated that he was not aware that this information was on the site plan his firm provided to the siting council.

The last issue I would like to address is the statement in Mr. Baldwin's September 7<sup>th</sup> letter in which he states that the Council has never had to consider a "Fall Zone" when considering the "boundaries" of a site. In response, I ask why would the statute have a standard for an issue that was never supposed to occur if the exemption criteria were met? In other words, if the site boundaries were not changed as required by the statute, why would there be language to address something that in theory could never occur? If Verizon had submitted correct site drawings in their application, the Council could not have issued a permit and this issue would not be occurring.

Thank you for the opportunity to present these facts. Please contact if you wish to discuss these items. 860-659-2220 x141 (work 7AM to 5PM) and 860-537-6215 (home)

STEPHEN (AND ILYSE) WELLS



# ROBINSON & COLE<sup>LLP</sup>

Facsimile Transmission Sheet

LAW OFFICES  
www.rc.com

280 Trumbull Street  
Hartford, CT 06103-3597  
860-275-8200  
Fax 860-275-8299

Kenneth C. Baldwin  
860-275-8345  
kbaldwin@rc.com

Date: September 10, 2001

No. of Pages (including cover): 6

### Recipient(s) List

Name	Company	Fax Number	Phone Number
Lisa	Connecticut Siting Council	860-827-2950	860-827-2935

### Additional Message:

If transmission is not clearly or completely received, please contact the sender through the direct line noted above, or if a direct line is not indicated, through the firm's main number 860-275-8200.

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received

8/30/2001

Ken Kemp

08/29/01 10:43 AM

To: Al.Estes@rohnet.com

cc:

Subject: Re: Colchester, CT tower for Verizon Rohn File # 43233AE

Thanks Al, this is exactly what we needed. Your prompt response is greatly appreciated.

Al.Estes@rohnet.com



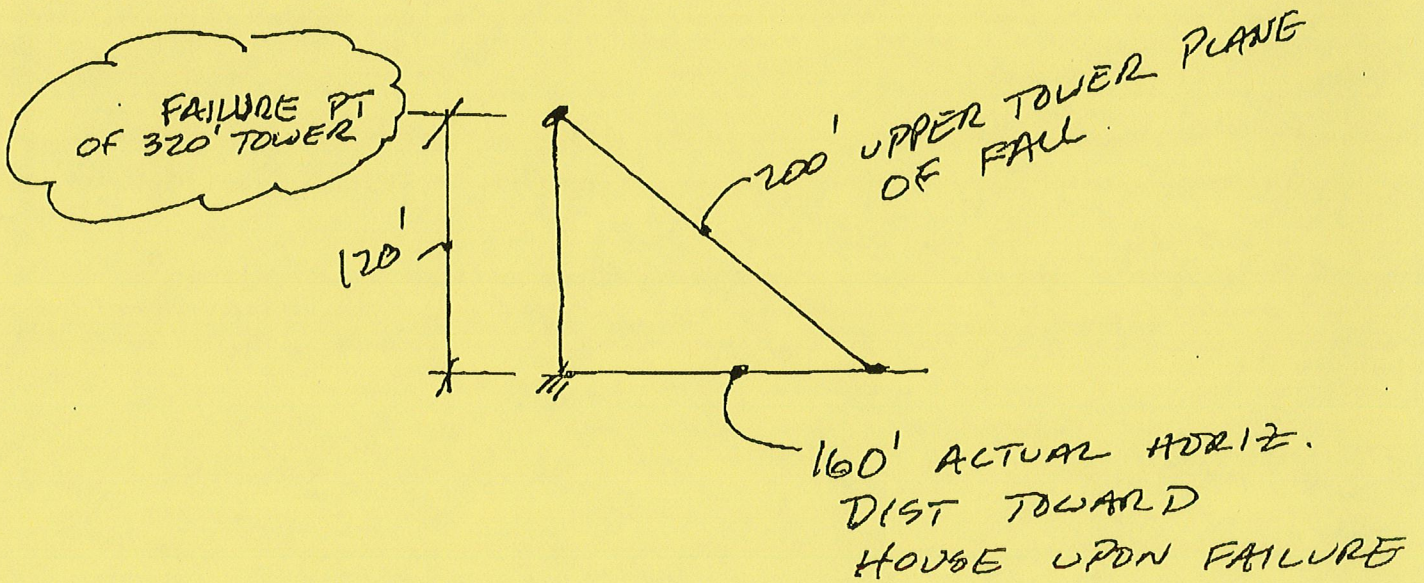
Al.Estes@rohnet.com

08/29/01 10:22 AM

To: Ken\_Kemp@URSCorp.com

cc: aestes@rohnet.com, Howard.Polnow@VerizonWireless.com

Subject: Re: Colchester, CT tower for Verizon Rohn File # 43233AE





Your, and Mohsen's, attention is directed to pages 4 and 5 of the computer print-out of the analysis provided with the design drawings, A001663 R1, submitted on 5/10/01. On page four, between columns 16 and 17, you will find a number in brackets. This number will always be less than 1.00 as it is a ratio of the calculated load to the allowable load expressed in each of the adjacent columns. On this page, the highest ratio, therefore the point which is most likely to fail first, is at the bottom of the MWL section at .88. This indicates the leg at this point, under full loading conditions, is using 88% of its allowable capacity. This is at least two points higher than any other leg in the structure. Now, please look at the next page. Between columns 23 and 24, again there is a number in brackets. This is the ratio of load to capacity in the primary braces of the structure. Here, the highest ratio is in section 16NHMW at .98. Because this number is significantly higher than the highest leg ratio (.98 vs. .88) it can be anticipated that under extreme wind load conditions, this would be the first failure point. Once the brace at this elevation has failed, the tower would be expected to continue to buckle at this elevation. Although it is not possible to calculate the final condition after a catastrophic failure, it would be anticipated that the top 200' of the tower would "fold over" the bottom 120'. I hope this appropriately answers your inquiry. If you have further questions, please advise. Thanks.

Ken\_Kemp@URSC  
urp.com  
Howard.Polnow@VerizonWireless.com  
Verizon  
08/29/2001  
08:53 AM

To: aestes@rohnnet.com  
cc:  
Subject: Colchester, CT tower for  
Rohn File # 43233AE

Al,

In Colchester, we now have a "fall zone" issue with a neighbor which has stopped the project. I was talking to Mohsen (URS structural engineer) and he said that if the tower were to fail, say by a 150 mph wind, it would probably yield at a point around the 120' level, certainly not the base. Thus it wouldn't fall on the neighbor's house which is 304' from the tower. Mohsen thought that Rohn might be able to provide the actual yield point relatively easy. Would you be able to get this for me very quickly and do you need a po from Verizon to go ahead. Please let me know.

Thanks,  
Ken Kemp

CC: DR NA AA BK CF



DATE-04/26/01  
 TIME-11:04:36  
 LEVEL - AR4.3MT

ROBN SELF-SUPPORTING TOWER ANALYSIS FOR VERIZON  
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PAGE NO. 4  
 BY: MAK

SHEARS, OVERTURNING MOMENTS AND LEG DATA

*COLUMN 10*	*COLUMN 11*	*COLUMN 12*	*COLUMN 13*	*COLUMN 14*	*COLUMN 15*	*COLUMN 16*	*COLUMN 17*	*COLUMN 18*	
* TOWER *	* DIST-ANCE *	* APPROX. CENTER *	* TOTAL ACCUM. SHEAR ON TOWER *	* TOTAL OVER-TURNING MOMENTS *	* MAXIMUM TENSION FOR ONE LEG *	* MAXIMUM COMP. FOR ONE LEG *	* MAXIMUM ALLOWABLE LEG CAPACITY *	* TOWER LEG DIMENSION *	
* SECTION NUMBER *	* BELOW TOP (FT.) *	* OF LEGS (FT.) *	* (KIPS) *	* (FT-KIPS) *	* (KIPS) *	* (KIPS) *	* (KIPS) *	* (INCHES) *	
7NST-1	**N	20.0	6.81	11.15	128.44	19.17	23.79 [ .10]	227.63	PIPE8.0E.H ✓
8N-1	**N	40.0	8.85	18.12	418.58	51.11	59.02 [ .19]	310.90	PIPE6.0E.H ✓
9NH-1	**N	60.0	11.04	24.79	852.34	83.80	96.12 [ .20]	470.13	PIPE8.0E.H ✓
10NH-1	**N	80.0	13.08	32.96	1429.74	118.78	136.01 [ .29]	470.13	PIPE8.0E.H ✓
11N-1	**N	100.0	15.09	44.85	2162.22	154.70	179.42 [ .38]	470.13	PIPE8.0E.H ✓
12NH-1	**N	120.0	17.09	52.00	3130.73	198.54	220.34 [ .52]	439.69	PIPE8.0E.H ✓
13NH-1	**N	140.0	19.22	59.60	4246.71	239.32	277.19 [ .48]	578.32	PIPE10.E.H ✓
14NH-1	**N	160.0	21.30	67.30	5515.66	280.28	325.64 [ .66]	578.32	PIPE10.E.H ✓
15NH-1	**N	180.0	23.21	75.68	6945.11	323.61	376.74 [ .65]	578.32	PIPE10.E.H ✓
16NHMW-1	**N	200.0	25.39	84.10	8543.18	363.20	424.77 [ .73]	578.32	PIPE10.E.H ✓
MWK-1	**	220.0	27.97	91.47	10290.76	396.06	466.17 [ .81]	578.32	PIPE10.E.H ✓
MWL-1	**	240.0	30.47	98.72	12197.43	429.97	508.97 [ .88]	578.32	PIPE10.E.H ✓
MWM-1	**	260.0	33.14	104.97	14234.40	460.04	548.43 [ .78]	707.37	PIPE12.E.H ✓
MWN-1	**	290.0	36.80	113.49	17511.37	508.06	610.29 [ .86]	707.37	PIPE12.E.H ✓
MWP-1	**	320.0	40.69	121.62	21038.06	549.01	667.38 [ .70]	956.79	PIPE12EHSX

<<<< NOTE >>>> THE ALLOWABLE CAPACITIES ON THIS ANALYSIS INCLUDE A 33.3 PERCENT INCREASE.  
 <<<< NOTE >>>> [ ] SHOWS LOAD/CAPACITY RATIO.

REACTIONS FOR FOUNDATION DESIGN  
 \*\*\*\*\*  
 COMPRESSION/LEG 667.38 KIPS  
 TENSION/LEG 549.01 KIPS  
 SHEAR/LEG 81.08 KIPS  
 TOTAL SHEAR 121.62 KIPS  
 OVERTURNING MOMENT 21038.06 FT-KIPS

ANCHOR BOLTS REQUIRED (72) 1" φ \* 78"



DATE-04/28/01  
 TIME-11:04:38  
 LEVEL - 484.3MT

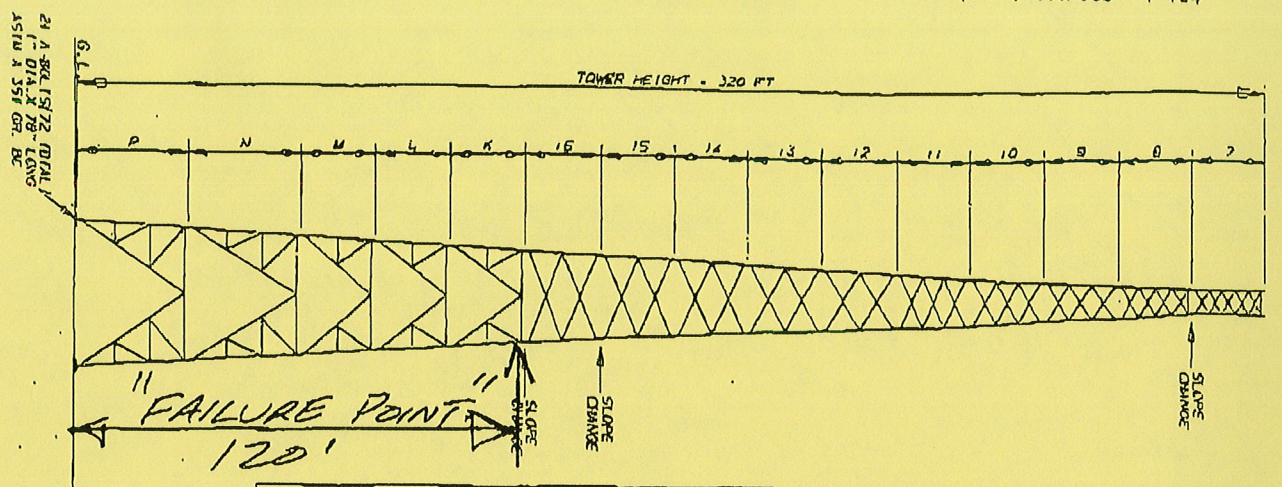
ROHN SELF-SUPPORTING TOWER ANALYSIS FOR VERIZON  
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PAGE NO. 5  
 BY: MAK

BRACING LOADS, SIZES AND BOLTS  
 \*\*\*\*\*

*COLUMN 19*	*COLUMN 20*	*COLUMN 21*	*COLUMN 22*	*COLUMN 23*	*COLUMN 24*	*COLUMN 25*	*COLUMN 26*	*COLUMN 27*
TOWER	HORIZ.	HORIZ.	REMAINING	MAX. AXIAL	AXIAL LD.	ANGLE/FIBER	NO. & SIZE	NO. & SIZE
SECTION	COMP. OF	COMP.	SHEAR TO	LOAD FOR	COLUMN	/SOLID NO.	BRACE	OF BRACE
NUMBER	SHEAR IN	OF LEG	BE TAKEN	* TOWER	* CAPACITY	* BAR/ BRACE	* CONNECT.	* BOLTS
	ONE FACE	LOAD	BY BRACES	* BRACING	* OF BRACES	* DIMENSION	* CAPACITY	* REQUIRED
	(KIPS)	(KIPS)	(KIPS)	(KIPS)	(KIPS)	(INCHES)	(KIPS)	PER COM.
7NE-1 **N	10.715	.000	10.715	6.101 [ .90]	8.078	L1.75X3/16	6.80	1-3/8 IN. DIA. .250 IN. CLIP
8N-1 **N	16.947	3.152	13.795	7.778 [ .86]	9.290	L 2X2X1/4	9.06	1-5/8IN.DIA (*) .250 IN. CLIP
9NE-1 **N	20.601	5.147	15.454	8.905 [ .82]	11.311	L2-1/2X1/4	10.88	1-3/4IN.DIA (*) .375 IN. CLIP
10NE-1 **N	27.113	7.288	19.825	10.951 [ .90]	15.174	L 3X3X1/4	12.19	1-3/4IN.DIA (*) .375 IN. CLIP
11N-1 **N	34.750	9.554	25.195	13.848 [ .78]	34.665	L 4X4X3/16	15-23	1-3/4IN.DIA (*) .375 IN. CLIP
12NE-1 **N	38.950	12.216	26.734	15.726 [ .96]	28.063	L 4X4X3/8	16.31	1-3/4IN.DIA (*) .375 IN. CLIP
13NE-1 **N	43.538	14.730	28.808	16.434 [ .86]	23.562	L 4X4X3/8	18.03	1-7/8IN.DIA (*) .375 IN. CLIP
14NE-1 **N	48.300	17.263	31.037	17.224 [ .93]	19.952	L 4X4X3/8	19.08	1-7/8IN.DIA (*) .375 IN. CLIP
15NE-1 **N	53.585	19.947	33.638	18.482 [ .97]	33.944	L 5X5X3/8	19.03	1-7/8IN.DIA (*) .375 IN. CLIP
16NE-1 **N	59.005	24.404	34.602	18.635 [ .98]	29.299	L 5X5X3/8	19.03	1-7/8IN.DIA (*) .375 IN. CLIP
MPK-1 ***	64.197	30.658	33.540	20.323 [ .74]	39.533	PIPE3.0E.H .375 IN. END PLATE	48.94	3-3/4IN.DIA (*) .375 IN. CLIP
				16.770 [ .59]	28.581 (H)	PIPE3.0STD (H)	32.63 (H)	2-3/4IN.DIA (*) .375 IN. END PLATE
MPL-1 ***	69.127	33.357	35.770	29.426 [ .80]	86.978	PIPE3.0E.H .375 IN. END PLATE	48.94	3-3/4IN.DIA (*) .375 IN. CLIP
				17.885 [ .77]	23.334 (H)	PIPE3.0STD (H)	32.63 (H)	2-3/4IN.DIA (*) .375 IN. END PLATE
MPM-1 ***	73.027	35.795	37.232	29.083 [ .84]	34.553	PIPE3.0E.H .375 IN. END PLATE	48.94	3-3/4IN.DIA (*) .375 IN. CLIP
				18.616 [ .74]	25.152 (H)	PIPE3.0E.H (H)	32.63 (H)	2-3/4IN.DIA (*) .375 IN. END PLATE
MPN-1 ***	78.402	39.654	38.748	37.101 [ .65]	62.476 (+)	PIPE3.5E.H .378 IN. END PLATE	57.09	3-7/8IN.DIA (*) .375 IN. CLIP
				19.974 [ .59]	34.403 (H)	PIPE3.5E.H (H)	32.63 (H)	2-3/4IN.DIA (*) .375 IN. END PLATE





**TOWER REACTIONS**

COMPRESSION = 887.4 KIIPS  
 TENSION = 549.0 KIIPS  
 TOTAL SHEAR = 127.6 KIIPS  
 O.F.N. = 21028.1 FT-KIIPS

**TUBULAR MEMBER PROPERTIES**

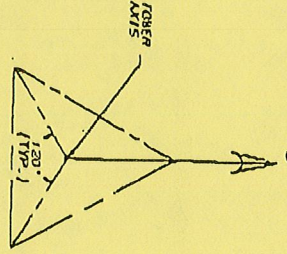
MEMBER	Q.D.	SIZE	WGT.	AREA	MOMENT
PIPE 3 E.H.	(10)	3.500	0.109	0.109	0.109
PIPE 1 S10	(10)	4.000	0.216	0.216	0.216
PIPE 1 S12	(10)	4.500	0.317	0.317	0.317
PIPE 3 E.H.	(10)	5.583	0.412	0.412	0.412
PIPE 1 S14	(10)	6.000	0.500	0.500	0.500
PIPE 1 S16	(10)	7.500	0.625	0.625	0.625
PIPE 1 S18	(10)	9.000	0.750	0.750	0.750
PIPE 1 S20	(10)	10.500	0.875	0.875	0.875
PIPE 1 S22	(10)	12.000	1.000	1.000	1.000

**TOWER DESIGN LOADING**

DESIGN WIND LOAD PER ANSI/TIA/EIA-222-F-1996, SO NEW BASIC WIND SPEED CORRESPOND WITH 127 MPH WIND ICE LOAD. TOWER IS DESIGNED TO SUPPORT THE FOLLOWING LOADS:

ELEV. (FT)	ANTENNA TYPE	LINE SIZE (INCH)
320	DUAL LIGHTS	(2) 1/4"
320	1-FOUR 20 W/G SIDE ARM	(1) 1 7/8 (TOTAL)
316	1-FOUR 20 W/G SIDE ARM	(1) 1 7/8 (TOTAL)
315	9' DISK W/RAD (110)	(1) 1 7/8 (TOTAL)
308	1-5' DISK (10, 120, 240)	(3) 5/8 (TOTAL)
294	ONE 21 W/G SIDE ARM	(1) 1 7/8 (TOTAL)
292	FOUR 20 W/G SIDE ARM	(1) 1 7/8 (TOTAL)
285	ONE 20 W/G SIDE ARM	(1) 1 5/8 (TOTAL)
275	ONE 18 W/G SIDE ARM	(1) 1 5/8 (TOTAL)
267	FOUR 20 W/G SIDE ARM	(1) 1 7/8 (TOTAL)
260	FOUR 20 W/G SIDE ARM	(1) 1 7/8 (TOTAL)
241	FOUR 20 W/G SIDE ARM	(1) 1 7/8 (TOTAL)
220	12-ONE 11 PANELS W/ 12' BROWNING FRAME	(1) 2 1/2-5/8 (TOTAL)
138	FOUR 20 W/G SIDE ARM	(1) 1 7/8 (TOTAL)
112	2' DISK W/RAD (225)	(1) 1 7/8 (TOTAL)
105	6' DISK W/RAD (116)	(1) 1 7/8 (TOTAL)
105	FOUR 20 W/G SIDE ARM	(1) 1 7/8 (TOTAL)
100	ONE 17 W/G SIDE ARM	(1) 1 7/8 (TOTAL)
91	6' DISK W/RAD (116)	(1) 1 7/8 (TOTAL)
90	4' DISK W/RAD (225)	(1) 1 7/8 (TOTAL)

SEE STRESS ANALYSIS FOR A COMPLETE LISTING OF ALL LOADS ON TOWER



TOWER CONFIGURATION N.T.S.

**SECTION MEMBER SCHEDULE**

SECTION	SIZE	LEG	RAVINE CONNECTION	SIZE	RAVINE CONNECTION
1	PIPE 3 E.H.	6	11	11 ANGLE	11
2	PIPE 1 S10	8	12	12 ANGLE	12
3	PIPE 1 S12	8	13	13 ANGLE	13
4	PIPE 1 S14	8	14	14 ANGLE	14
5	PIPE 1 S16	8	15	15 ANGLE	15
6	PIPE 1 S18	8	16	16 ANGLE	16
7	PIPE 1 S20	8	17	17 ANGLE	17
8	PIPE 1 S22	8	18	18 ANGLE	18
9	PIPE 1 S24	8	19	19 ANGLE	19
10	PIPE 1 S26	8	20	20 ANGLE	20
11	PIPE 1 S28	8	21	21 ANGLE	21
12	PIPE 1 S30	8	22	22 ANGLE	22
13	PIPE 1 S32	8	23	23 ANGLE	23
14	PIPE 1 S34	8	24	24 ANGLE	24
15	PIPE 1 S36	8	25	25 ANGLE	25
16	PIPE 1 S38	8	26	26 ANGLE	26
17	PIPE 1 S40	8	27	27 ANGLE	27
18	PIPE 1 S42	8	28	28 ANGLE	28
19	PIPE 1 S44	8	29	29 ANGLE	29
20	PIPE 1 S46	8	30	30 ANGLE	30

NOTE: (R) REPRESENTS THE HORIZONTAL BRACE LEGS. SECTION LEGS ARE FOR PERCENTAGE ONLY FOR NATURAL FIRE WIND DIRECTION. REFER TO TYPICAL DRAWING.

**GENERAL NOTES**

1. FROM COMMERCIAL TOWER DESIGN CONFORM TO ANSI/TIA/EIA-222-F UNLESS OTHERWISE SPECIFIED UNDER TOWER DESIGN LOADING.
2. THE DESIGN LOADING CRITERIA INDICATED HAS BEEN PROVIDED TO THE DESIGNER FOR VERIFICATION. THE DESIGNER HAS BEEN ADVISED THAT THE DESIGN LOADING CRITERIA HAS BEEN ASSUMED TO BE BASED ON WIND SPEEDS LISTED IN TOWER DESIGN DRAWING T-513 AND NOT TO BE VERIFIED BY OTHERS PRIOR TO INSTALLATION.
3. PROVIDER SHALL VERIFY THAT THE DESIGN LOADING CRITERIA ARE CORRECT AND LISTED IN TOWER DESIGN DRAWING T-513.
4. TOWER DESIGNER SHALL INCLUDE STRESSING AND TO EXECUTION ASSUMES CORRECT AND QUALIFIED FABRICATOR WILL EXECUTE THE TOWER.
5. OWNER SHALL BE IN ACCORDANCE WITH ANSI/TIA/EIA-222-F-1996 STRUCTURAL STANDARDS FOR STEEL ANTENNA TOWERS AND QUALITY ASSURANCE STANDARDS.
6. THE MINIMUM YIELD STRENGTH OF STRUCTURAL STEEL MEMBERS SHALL BE 50 KSI EXCEPT AS NOTED BELOW.
7. STRIP LAGERS LISTED SHALL BE 16 KSI.
8. FIELD CONNECTIONS SHALL BE ELEVATED.
9. STRUCTURAL BOLTS SHALL CONFORM TO ASTM A-325, EXCEPT WHERE NOTED.
10. ANCHORS SHALL BE PROVIDED FOR ALL TOWER BOLTS.
11. STRUCTURAL STEEL AND CONNECTIONS SHALL BE HOT-DIPPED GALVANIZED AFTER FABRICATION, IN ACCORDANCE WITH:
12. ANSI/AISC 150-90.
13. ANCHORS SHALL BE PROVIDED TO A "SPECIALTY" FABRICATOR FOR SPECIALTY BOLTS, USING ASTM A-325 OR A-307 BOLTS.
14. FOUNDATION SHALL VERIFY THE FOUNDATION IS IN CONFORMANCE WITH LOCAL, STATE, AND FEDERAL REQUIREMENTS FOR STRUCTURAL TOWER FOUNDATION.
15. TOLERANCE ON TOWER STEEL HEIGHT IS EQUAL TO PLUS 1/8 OR MINUS 1/8 INCH, AS A MINIMUM, MAINTENANCE AND INSPECTION.
16. FOUNDATION SHALL VERIFY THE TYPE OF THE STRUCTURE IS ACCORDANCE WITH THE TYPE OF THE STRUCTURE IN DESIGN ASSUMES 1.5% SLIP AT TOWER SITE.
17. FOUNDATION SHALL VERIFY THE FOUNDATION IS IN CONFORMANCE WITH LOCAL, STATE, AND FEDERAL REQUIREMENTS FOR STRUCTURAL TOWER FOUNDATION.
18. FOUNDATION SHALL BE DESIGNED TO SUPPORT THE REACTIONS SHOWN FOR THE CONDITIONS EXISTING AT THE SITE.

TOWER SITE: CHESTER COUNTY, NEW LONDON, CT

**LOADS CHANGED**

No.	REVISION	DATE	BY	DATE
1	AS SHOWN	05/07/01	MAK	MA

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**ROHN**

320' SSMR TOWER DESIGN FOR VARIZON WIRELESS

ENG. FILE: 40203AE

DWG. NO.: A001663

SHEET 1 OF 1







## F A X T R A N S M I T T A L

DATE: September 4, 2001  
TO: CT Siting Council  
FROM: Stephen and Ilyse Wells  
273 Windham Avenue  
Colchester, CT 06415  
RE: CT State Police Tower - Munn Road / Windham Avenue - Colchester, CT

Page 2 of 2

---

According to the 11/20/2000 jurisdiction ruling (attached), there is a process for addressing tower sites that allows me, my town, and any other concerned entity a formal process to review applications. This right was never afforded because Celco's application contained false information, and therefore circumvented the system. I am requesting that the Council recognize that the application contains false information, that the application be revoked, and that Celco go through the proper process for erecting a New Tower.

Issue 2: Mr. Baldwin did attempt to address my concern for my family's safety, needless to say I find his explanation partial and self serving towards his client. First, I was not provided a copy of the engineering documentation he references in his letter, so I have no means of ascertaining whether the information provided in fact represents what Mr. Baldwin states, or whether Mr. Baldwin himself is interpreting this statements to his client's benefit. Regardless of this, what Mr. Baldwin does not state is the result of a total failure of the tower: The tower can land on my home. Mr. Baldwin did not provide any supporting documentation that proves that this can not happen, because such proof does not exist. The fact is that the tower can fail from its base, and therefore can land on my home, a home that is occupied by a pregnant stay-at-home mother and a two year old child. Are you aware that when a major hurricane comes up the coast, that the strongest dominating winds blow the tower directly towards my home? Most likely not, as Mr. Baldwin neglected to state this fact. Again, this issue in and of its self should provide enough impetus to have the tower relocated so that it is further from my home, but this may be moot in that the application provided by Celco contained false information and should be revoked Mr. Baldwin did not address why didn't Celco provide a site map showing my home? It is a normal procedure for a tower installation to show the Fall Zone area along with all surrounding properties and structures. It appears that Celco failed to provide an accurate site map of the area because it would have damaged its attempt to circumvent the system.

Please let this serve as a request to revoke Celco's special exemption, and make Celco use the proper procedure - it is the legal and proper course of action for the Siting Council.

Mr. Rinebold, we are not opposed to the tower, we just do not want it located so that there is even a slightly remote chance that it may land on our home. With all of the opposition to sites that is going on, I would think that Celco would jump at an opportunity to have a site where someone is not opposed to towers!

Please contact me and afford me the courtesy of a person-to-person discussion about this issue. Thank you: 860-659-2220 x141 (work 7AM to 5PM) 860-537-6215 (home)

STEPHEN AND ILYSE WELLS



**ROBINSON & COLE** LLP

HARTFORD • STAMFORD • GREENWICH • NEW YORK • BOSTON

## LAW OFFICES

280 Trumbull Street  
Hartford, CT 06103-3597  
860-275-8200  
Fax 860-275-8299Kenneth C. Baldwin  
860-275-8345  
Internet: kbaldwin@rc.com

August 31, 2001

Joel M. Rinebold  
Executive Director  
Connecticut Siting Council  
10 Franklin Square  
New Britain, CT 06051**Re: Colchester State Police Tower**

Dear Mr. Rinebold:

I am writing to follow-up on our telephone conversation of Tuesday afternoon regarding the reconstruction of the State Police tower off Windham Avenue in Colchester. As you know, the Council acknowledged that the proposed replacement of the State Police tower was consistent with the approval criteria of Section 16-50j-72(b)(3) of the Regulations of Connecticut State Agencies.

Recently, at the request of the Chairman of the Council, Verizon Wireless agreed to suspend its construction activity at the site until we were able to respond to your request for some additional information. That information is provided below.

Construction on the replacement tower commenced in June of this year. At the time construction was stopped, Verizon Wireless contractors had installed the tower foundation and the first 60 feet of the new lattice tower. The center point of the new tower is located approximately 30 feet northwest of the center point of the existing structure. The replacement tower is completely within the existing fenced tower compound and was designed to be structurally capable of supporting all existing public safety antennas owned and operated by the State Police, as well as antennas of Verizon Wireless and other carriers who may, in the future share this tower. The reconstruction of this tower to accommodate additional tower sharing is consistent with the longstanding policy of the Connecticut General Assembly and the Siting Council to avoid the unnecessary proliferation of towers in the State of Connecticut.

Mr. Wells, the property owner at 273 Windham Avenue in Colchester has raised a number of concerns with respect to the reconstructed tower. Mr. Wells purchased this property in January of 1999. The State Police tower was originally constructed in 1940 and was upgraded



**ROBINSON & COLE** LLP

Joel M. Rinebold

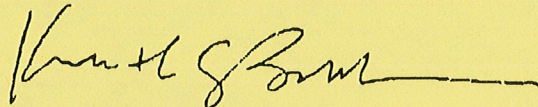
August 31, 2001

Page 2

to its current height in 1988. The closest leg of the existing tower is 336 feet from Mr. Wells' house. The closest leg of the replacement tower is now within 304 feet of Mr. Wells' house. While we understand Mr. Wells' concerns for safety, we believe those concerns are unfounded. The reconstructed tower will be a stronger tower, capable of supporting all existing and proposed antennas. The tower meets or exceeds the appropriate EIA/TIA standards for structural steel. I have attached for your review additional information regarding the structural integrity of the tower, including an analysis of the failure point of the tower. This analysis indicates that in the unlikely event of a complete tower failure, due to extraordinary conditions, the tower would yield at a point approximately 120 feet above ground level, certainly not at its base. Based on this analysis it would be appropriate to conclude that Mr. Wells' house is not within the worst case fall zone of the new State Police tower.

Please understand that Verizon Wireless is eager to continue and complete the necessary improvements to provide the necessary platform for the State Police Emergency Service equipment as well as its own antennas. Please contact me with any questions or need any additional information.

Sincerely,



Kenneth C. Baldwin

KCB/kmd

cc: Richard Enright  
Howard G. Polnow  
Sandy M. Carter  
Michael Stemler, Department of Public Safety  
Stephen W. Wells



November 20, 2000

NEWS RELEASE

Procedure that Celco  
should follow for the New Tower

RE: Jurisdiction for Telecommunications Tower Siting

On November 20, 2000, the United States District Court, District of Connecticut, reversed a decision of the Connecticut Siting Council (Council) and ruled that Sprint Spectrum LP Personal Communications Services (PCS) "are a cellular system within the meaning of Connecticut General Statutes § 16-50(i)", and therefore the Council has jurisdiction over the siting of PCS telecommunications towers (See Sprint Spectrum LP vs. Connecticut Siting Council, Case No. 3-98-CV-33(AVC), Motion for Partial Summary Judgment held before the Honorable Alfred V. Covello, U.S.D.J. at the United States District Court, 450 Main Street, Hartford, Connecticut). The implication of this decision is that the siting of all PCS telecommunications towers will be under the jurisdiction of the Council. Furthermore, other towers operated by carriers with similar wireless functions may also come under the jurisdiction of the Council.

The Council recognizes the diligent and hard work committed by many municipalities to promulgate regulations, establish telecommunications plans of development, and to process difficult applications. Indeed, the Council has supported and assisted in the review of many municipal regulations and provided technical support to establish plans of development. While there may have been a refinement in jurisdiction as ruled upon by the federal court, we strongly believe that these municipal efforts and supporting documents should be maintained and will continue to be useful; and should not be dismissed or abandoned.

→ Under the existing State Law, municipalities are afforded a right of pre-filed technical information and consultation with applicants 60 days before an application is filed with the Council. The municipality may conduct public hearings and meetings as it deems necessary. Both the municipal and applicant filings will become part of the Council's record if the applicant chooses to go forward with an application before the Council.

In the case that an application is pursued with the Council, the Council would establish a contested case proceeding before the public with provisions for discovery, presentation of exhibits and witnesses, cross-examination, participation by parties and intervenors, public statements from members of the public presented in writing before and after the hearing and orally during the hearing, and legal briefs and memorandum of law. The Council's decision would be made in writing, based on evidence of the case that was available for public review and cross-examination, and subject to administrative reconsideration and court appeal. In addition, the application would be served on all applicable state and municipal officials, abutting property owners would be notified of the application, public notice of the application and hearings would be provided in newspapers serving the community, and all hearings and meetings would be conducted in full public view after notification.

→ The Council is in agreement that municipal input and guidance is absolutely necessary for this process to work, and encourages full participation by all pertinent municipal officials and members of the community. Please be assured that the Council will carry out its responsibilities consistent with State law (see Connecticut General Statutes § 16-50g et seq.), and the federal Telecommunications Act of 1996, while working in full cooperation with municipal officials and the public.

Below is the final page from the Honorable Alfred V. Covello's ruling regarding this case. Please note that this is a summary judgement and is subject to appeal. The State of Connecticut Legislative Program



Review and Investigations Committee is also addressing this issue and may consider legislative changes including additional measures for public participation and/or removal of all wireless facilities from the Council's jurisdiction.

Sprint Spectrum LP vs. Connecticut Siting Council  
Transcript of the hearing held on November 20, 2000 (page 25)

1 MR. KOHLER: No, Your Honor.

2 THE COURT: All right. Well, based upon the parties'  
3 agreement that that is, in fact, the case, and the Court's own  
4 examination of the Code of Federal Regulations, and the  
5 applicable sections, and its amendments, the Court concludes  
6 that the personal communications services represented by the  
7 plaintiff's product, are a cellular system within the meaning  
8 of CGS 16-50(i), and, the Court would, in addition, observe,  
9 although nobody apparently wants to agree with me, that the  
10 towers and associated equipment that they use are, in fact,  
11 that, and would be included therefore within the first phrases  
12 of the statute.

13 But, since everybody seems to want to focus on this  
14 cellular system, the Court concludes that that's, in fact, what  
15 they have. And, that, therefore, the Connecticut Siting  
16 Council has jurisdiction over these people's equipment. And, a-  
17 summary judgment to that effect may enter.

18 I'm sorry to have delayed you, and that's why I  
19 accelerated it.

20

21 (Hearing concluded)



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HARTFORD • STAMFORD • GREENWICH • NEW YORK • BOSTON

LAW OFFICES

280 Trumbull Street  
Hartford, CT 06103-3597  
860-275-8200  
Fax 860-275-8299

Kenneth C. Baldwin  
860-275-8345  
Internet: kbaldwin@rc.com

September 7, 2001

*Via Hand Delivery*

Joel M. Rinebold  
Executive Director  
Connecticut Siting Council  
10 Franklin Square  
New Britain, CT 06051



Re: **Connecticut State Police Tower**  
**Windham Avenue and Munn Road**  
**Colchester, Connecticut**

Dear Mr. Rinebold:

I am writing in response to your request for additional information regarding the replacement of the Connecticut State Police tower on Windham Avenue and Munn Road in Colchester, Connecticut. As you requested, I have enclosed the following additional information.

1. A copy of the aerial photograph for a portion of Colchester, including the tower location. This is the State of Connecticut Department of Environmental Protection photograph flown on April 25, 1995. (Scale of 1" = 1,000 feet). I have also provided you with a 400% enlargement of that portion of the photograph that includes the State Police tower and the Wells' residence; and
2. A map depicting the location of the existing tower, the replacement tower, and the Wells' residence. This map includes a dimension to the Wells' house from the nearest leg of the existing tower (336 feet) and replacement tower (304 feet), two lines which represent a 320-foot radius from the nearest leg of the replacement tower and existing tower, and a line, approximately 200 feet from the nearest leg of the replacement tower, which represents the true "worst-case" fall zone of the structure. You will recall from my August 31, 2001 letter that project engineers have determined that even if the replacement tower were to fall, which would only occur under extraordinary circumstances, the failure point on the tower is approximately 120 feet above ground level, making the worst-case fall zone 200 feet from the nearest leg of the tower.

# ROBINSON & COLE LLP

Joel M. Rinebold  
September 7, 2001  
Page 2

I would also like to take this opportunity to respond to some of the claims made by Mr. Wells in his August 22, 2001 memorandum to the Council. As shown on plans included with our notice of exempt modification dated November 7, 2000, the replacement tower will be constructed completely within the fenced site compound. It has long been a position of the Council that when activity occurs within the limits of the existing developed tower compound that these improvements did not constitute an extension of the boundaries of the site. The Council has never considered the boundary of a site to include the tower's so-called "fall zone". As illustrated on the attached plans, the replacement tower will be located approximately 304 feet from the Wells' home and as described above, the worst-case fall zone is only 200 feet.

These facts notwithstanding, the replacement of the existing "facility" tower is exempt from Council regulation pursuant to the provisions of Section 16-50j-72(b)(3) as long as the replacement tower is (1) no taller than the tower to be replaced; and (2) will support antennas that comply with the radio frequency electromagnetic radiation power density measurements adopted by the State of Connecticut. Nowhere in subsection (b)(3) is the Council required to even consider the expansion of site boundaries.

As stated in our notice exempt modification, the replacement tower is the same height as the existing tower and the power density measurements, included in Exhibit D are evidence that the facility will comply with the appropriate standards for radio frequency power density levels.

Thank you for the opportunity to provide the Council with this additional information. Please contact me if you need any additional information.

Sincerely,



Kenneth C. Baldwin

KCB/kmd  
Attachments

cc: Richard Enright  
Howard G. Polnow  
Michael Stemler, Department of Public Safety  
Stephen W. Wells











Tower Site



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280 Trumbull Street  
Hartford, CT 06103-3597  
860-275-8200  
Fax 860-275-8299

Kenneth C. Baldwin  
860-275-8345  
Internet: kbaldwin@rc.com

August 31, 2001



Joel M. Rinebold  
Executive Director  
Connecticut Siting Council  
10 Franklin Square  
New Britain, CT 06051

**Re: Colchester State Police Tower**

Dear Mr. Rinebold:

I am writing to follow-up on our telephone conversation of Tuesday afternoon regarding the reconstruction of the State Police tower off Windham Avenue in Colchester. As you know, the Council acknowledged that the proposed replacement of the State Police tower was consistent with the approval criteria of Section 16-50j-72(b)(3) of the Regulations of Connecticut State Agencies.

Recently, at the request of the Chairman of the Council, Verizon Wireless agreed to suspend its construction activity at the site until we were able to respond to your request for some additional information. That information is provided below.

Construction on the replacement tower commenced in June of this year. At the time construction was stopped, Verizon Wireless contractors had installed the tower foundation and the first 60 feet of the new lattice tower. The center point of the new tower is located approximately 30 feet northwest of the center point of the existing structure. The replacement tower is completely within the existing fenced tower compound and was designed to be structurally capable of supporting all existing public safety antennas owned and operated by the State Police, as well as antennas of Verizon Wireless and other carriers who may, in the future share this tower. The reconstruction of this tower to accommodate additional tower sharing is consistent with the longstanding policy of the Connecticut General Assembly and the Siting Council to avoid the unnecessary proliferation of towers in the State of Connecticut.

Mr. Wells, the property owner at 273 Windham Avenue in Colchester has raised a number of concerns with respect to the reconstructed tower. Mr. Wells purchased this property in January of 1999. The State Police tower was originally constructed in 1940 and was upgraded

to its current height in 1988. The closest leg of the existing tower is 336 feet from Mr. Wells' house. The closest leg of the replacement tower is now within 304 feet of Mr. Wells' house. While we understand Mr. Wells' concerns for safety, we believe those concerns are unfounded. The reconstructed tower will be a stronger tower, capable of supporting all existing and proposed antennas. The tower meets or exceeds the appropriate EIA/TIA standards for structural steel. I have attached for your review additional information regarding the structural integrity of the tower, including an analysis of the failure point of the tower. This analysis indicates that in the unlikely event of a complete tower failure, due to extraordinary conditions, the tower would yield at a point approximately 120 feet above ground level, certainly not at its base. Based on this analysis it would be appropriate to conclude that Mr. Wells' house is not within the worst case fall zone of the new State Police tower.

Please understand that Verizon Wireless is eager to continue and complete the necessary improvements to provide the necessary platform for the State Police Emergency Service equipment as well as its own antennas. Please contact me with any questions or need any additional information.

Sincerely,



Kenneth C. Baldwin

KCB/kmd

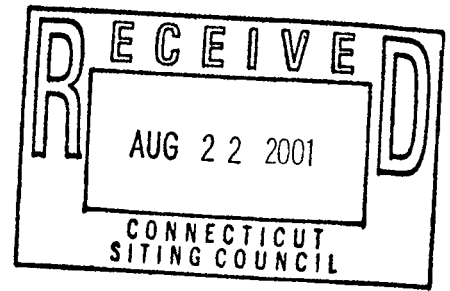
cc: Richard Enright  
Howard G. Polnow  
Sandy M. Carter  
Michael Stemler, Department of Public Safety  
Stephen W. Wells

F A X T R A N S M I T T A L

DATE: August 22, 2001  
TO: CT Siting Council  
FROM: Stephen and Ilyse Wells  
273 Windham Avenue  
Colchester, CT 06415  
RE: CT State Police Tower - Munn Road / Windham Avenue - Colchester, CT

FAX: 860-827-2950  
PHONE: 860-827-2935  
PHONE: 860-537-6215  
FAX: 860-659-5856  
WORK: 860-659-2220 x141  
EMAIL: SWADEWELLS@AOL.COM

Number of pages including cover sheet: 4



Attention: Mr. Mortimer Gelston - Presiding Chairman

- CC: Mr. Joel Rinebold - Executive Director
- CC: Ms. Jenny Contois - Town of Colchester, 1<sup>st</sup> Selectwoman
- CC: Ms. Linda Orange - State Representative

Please let this serve as a request to cease further action on the construction of the new tower. The information that was provided during the application process for the new tower contains **false** and **misleading** information:

1. The application states that the new tower will not "...extend the boundaries of the tower site..."  
This is a false statement: The new fall zone is extended 30 feet **towards our home**, this is clearly an extension of the boundary of the site.  
Regulations of CT State Agencies (RCSA) **Section 16-50j-72. "Exceptions"**
  - *paragraph b), sub section (2)* states "...shall not... extend the boundaries of the tower site, ..."
  - *paragraph (c), sub section (2)* states "... Do not extend the boundaries of the site"DO NOT allow semantic interpretation of the word "boundary" to dismiss this. All other site activity for towers in the State of CT include the Fall Zone as part of the overall site. The word "Boundary" should not be interpreted as to how the tower affects the area in a minimal sense, rather, the word "Boundary" should include the tower's Fall Zone as well.
2. The site plan that was presented with the application was **misleading** because it **did not show the existing residence** at 273 Windham Avenue.  
**RCSA Section 16 - 50j-73. "Notice of intent to erect an exempt tower and associated equipment"**
  - *Paragraph (d), sub section (2)* states that a site plan is to show "... the names of abutting owners and portions of their lands abutting the site..."The site plan does not meet the requirement. **Our home is not shown of the plan.**



F A X T R A N S M I T T A L

DATE: August 22, 2001  
TO: CT Siting Council  
FROM: Stephen and Ilyse Wells  
273 Windham Avenue  
Colchester, CT 06415  
RE: CT State Police Tower - Munn Road / Windham Avenue - Colchester, CT

Page 2 of 2

---

The basis for an exemption to the normal process of erecting a new tower was circumvented by the applicant, Cellco (d/b/a Verizon Wireless), by repeatedly providing false and misleading information so that an exemption would be granted.

We are not opposed to the tower, we are opposed to the new location closer to our home.

The new location places the new 320' high tower ~ 225 feet from our home. If the tower falls, nearly 100' will land on our home. Our 2 year old son and pregnant wife are at home 99% of the time, we don't want the remotest possibility of this tower landing on our home.

Please cease all building activity immediately until an investigation into the misinformation is conducted. We also request that an alternative location that will place the new tower further from our home be selected.

Again, we are not saying "not in my backyard", we are saying "not where it can fall on our home".

Thank you for your anticipated prompt action on this matter.

STEPHEN AND ILYSE WELLS





STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

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

December 4, 2000

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

RE: **EM-VER-028-001107** - Celco Partnership d/b/a Verizon Wireless notice of intent to modify and replace an existing telecommunications facility located at Windham Avenue and Munn Road, Colchester, Connecticut.

Dear Attorney Baldwin:

At a public meeting held on November 30, 2000, the Connecticut Siting Council (Council) acknowledged your notice to modify this existing telecommunications facility, pursuant to Section 16-50j-73 of the Regulations of Connecticut State Agencies, subject to approval of the relocation of the replacement tower, and marking and lighting by the FAA.

The proposed modifications are to be implemented as specified here and in your notice dated November 7, 2000. The modifications are in compliance with the exception criteria in Section 16-50j-72 (b) of the Regulations of Connecticut State Agencies as changes to an existing facility site that would not increase tower height, extend the boundaries of the tower site, increase noise levels at the tower site boundary by six decibels, and increase the total radio frequencies electromagnetic radiation power density measured at the tower site boundary to or above the standard adopted by the State Department of Environmental Protection pursuant to General Statutes § 22a-162. This facility has also been carefully modeled to ensure that radio frequency emissions are conservatively below State and federal standards applicable to the frequencies now used on this tower.

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

Thank you for your attention and cooperation.

Very truly yours,

Mortimer A. Gelston  
Chairman

MAG/laf

- c: Honorable Jenny Contois, First Selectman, Town of Colchester
- Sandy M. Carter, Verizon Wireless
- Brian M. Benito, Planning Specialist, Bureau of Police Support

Post-It® Fax Note	7671	Date	8/22	# of pages	13
To	Stephen Wells	From	Lisa		
Co./Dept.		Co.	CSC		
Phone #		Phone #	(860) 827-2935		
Fax #		Fax #			2950







Em-VER-008-00107

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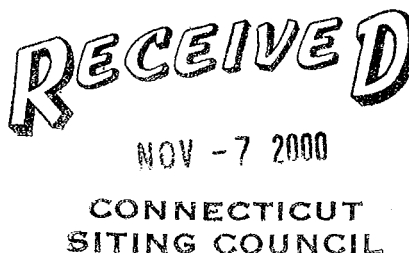
280 Trumbull Street  
Hartford, CT 06103-3597  
860-275-8200  
Fax 860-275-8299

Kenneth C. Baldwin  
860-275-8345  
Internet: kbaldwin@rc.com

November 7, 2000

*Via Hand Delivery*

Joel M. Rinebold  
Executive Director  
Connecticut Siting Council  
10 Franklin Square  
New Britain, CT 06051



**Re: Notice of Exempt Modification for the Replacement of an Existing Department of Public Safety Telecommunications Tower  
Windham Avenue and Munn Road, Colchester, Connecticut**

Dear Mr. Rinebold:

The Connecticut Department of Public Safety ("State Police") owns and operates an existing 320-foot self-supporting lattice telecommunications tower located off Windham Avenue and Munn Road in Colchester, Connecticut (the "Colchester Facility"). The construction of the Colchester Facility predates jurisdiction over such facilities by the Connecticut Siting Council ("Council").

On April 30, 1990, the Council approved the shared use of the Colchester Facility by Cellco Partnership d/b/a Verizon Wireless ("Cellco") through its acknowledgement of a notice of exempt modification. On July 6, 1995, the Council again acknowledged notice of an exempt modification to the Colchester Facility permitting Cellco to install a new 21' x 79' equipment building. The equipment building was designed to house radio equipment of Cellco and the State Police as well as an emergency back-up generator. The building also includes additional unoccupied space for future carriers. Copies of the Council's April 30, 1990 and July 6, 1995 approval letters are attached hereto as Exhibit A.

Pursuant to an agreement between Cellco and the State Police, Cellco now intends to upgrade the existing tower so that it may support a full three-sector array of Cellco antennas as well as antennas of additional wireless service providers who may wish to share this facility in the future. This notice is filed pursuant to the authorization of Mr. Brian M. Benito (see Exhibit B) and the Regulations of Connecticut State Agencies ("R.C.S.A.") Section 16-50j-73 for the replacement of an existing facility tower pursuant to R.C.S.A. Section 16-50j-72(b)(3). In accordance with Council's regulations, a copy of this letter has been sent to Colchester First Selectwoman Jenny Contois.



As a part of the planned expansion of its communications network and consistent with its desire and intent to avoid the unnecessary proliferation of towers in Connecticut, Cellco is proposing to modify, through replacement, the existing 320-foot lattice State Police tower off Windham Avenue and Munn Road in Colchester. The existing tower will be replaced with a tower that is no taller than the existing tower, but structurally capable of supporting additional Cellco antennas as well as those of other wireless carriers in the future. (See tower and site plan attached hereto as Exhibit C). But for the existing whip and panel antennas owned and operated by Cellco, the Colchester Facility is currently used exclusively by the State Police.

As a part of this proposal, all existing antennas will be relocated onto the new tower. Cellco's existing antennas will be removed and replaced by its standard three-sector array of twelve panel antennas at the 220-foot level. Cellco equipment would remain in the existing equipment building. All proposed site improvements will be located within the limits of the existing site compound. (See Exhibit C.)

The replacement of the existing telecommunications tower in Colchester falls squarely within and satisfies the criteria of R.C.S.A. Section 16-50j-72(b)(3). As mentioned above, the proposed tower will be no taller than the existing tower structure it will replace. In addition, the changes made to Cellco's antenna array on the tower will not increase the emissions of total radio frequency (RF) power density, as measured at the facility boundary, to or above the standards adopted by the Federal Communications Commission. Attached hereto as Exhibit D are the RF calculations provided by the State Police for those antennas which will be located on the replacement tower.

For the foregoing reasons, Cellco and the State Police seek the Council's acknowledgement that the proposed replacement of the existing telecommunications tower off Windham Avenue and Munn Road in Colchester, Connecticut is an exempt activity pursuant to R.C.S.A. Section 16-50j-72(b)(3). Please contact me if you or the Council need any additional information regarding this notice.

Sincerely,



Kenneth C. Baldwin

KCB/kmd

Enclosures

cc: Jenny Contois, Colchester First Selectwoman  
Brian M. Benito, Planning Specialist, Department of Public Safety  
Sandy M. Carter



**STATE OF CONNECTICUT****CONNECTICUT SITING COUNCIL**

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

July 7, 1995

David S. Malko, PE  
General Manager-Engineering  
Bell Atlantic NYNEX Mobile  
20 Alexander Dr., P.O. Box 5029  
Wallingford, CT 06492

Re: Metro Mobile CTS of New London, Inc. notice of intent to modify an existing telecommunications facility owned and operated by the Connecticut State Police located off Windham Avenue and Munn Road in Colchester, Connecticut.

Dear Mr. Malko:

At a meeting held July 6, 1995, the Connecticut Siting Council (Council) acknowledged your notice of an exempt modification at an existing tower site off Windham Avenue and Munn Road, in Colchester, Connecticut, pursuant to Section 16-50j-73 of the Regulations of State Agencies.

The proposed modification is to be implemented as specified in your notice dated June 22, 1995. The modification is in compliance with the exception criteria in Section 16-50j-72 (b) as changes to an existing facility site that would not increase tower height, extend the boundaries of the tower site, increase noise levels at the tower site boundary by six decibels, and increase the total radio frequency electromagnetic radiation power density measured at the tower site boundary to or above the standard adopted by the State Department of Environmental Protection pursuant to General Statutes § 22a-162.

The Council is pleased to note that the shared use of an existing tower serves the Council's long-term goal of protecting the public interest and avoiding proliferation of additional unnecessary tower structures.

Please notify the Council when all work is completed.

Very truly yours,

A handwritten signature in cursive script that reads "Mortimer A. Gelston".

Mortimer A. Gelston  
Chairman

MAG:TEF:mmb

cc: Honorable Jenny Contois, First Selectman, Town of Colchester  
Peter Seaha, Connecticut State Police





# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

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

Gloria Dibble Pond  
Chairperson

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Joel M. Rinebold  
Executive Director

Stanley J. Modzelesky  
Executive Assistant

FILE  
COPY

May 1, 1990

Mr. David S. Malko, P.E.  
Manager, Engineering & Regulatory Services  
METRO MOBILE  
50 Rockland Road  
South Norwalk, CT 06854

RE: Metro Mobile CTS of New London, Inc., Notice of Intent to Install Cellular Antennas and Related Equipment on a tower Owned by the State of Connecticut, Department of Public Safety in the Town of Colchester, Connecticut.

Dear Mr. Malko:

At a meeting on April 30, 1990, the Connecticut Siting Council acknowledged your notice of intent to install cellular antennas and related equipment on an existing tower facility owned by the State of Connecticut, Department of Public Safety, in Colchester, Connecticut, pursuant to Section 16-50j-73 of the Regulations of State Agencies (RSA).

The proposed modifications are to be implemented as specified in your notices dated April 16 and 30, 1990. As proposed, the modifications are in compliance with the exception criteria specified in RSA 16-50j-72 as changes to an existing facility site that do not increase the tower height, extend the boundaries of the tower site, increase noise levels at the tower site boundary 6 decibels, and add radio frequency sending or receiving capability which increases the total radio frequency electromagnetic radiation power density measured at the tower site boundary to or above the standard adopted by the State Department of Environmental Protection pursuant to Section 22a-162 of the Connecticut General Statutes.



The Council is pleased to note that the shared use of an existing tower meets the Council's long-term goal and the public interest to avoid proliferation of additional tower structures.

Please notify the Council upon completion of construction.

Very truly yours,

A handwritten signature in cursive script that reads "Gloria Dibble Pond". The signature is written in dark ink and includes a stylized flourish at the end.

Gloria Dibble Pond  
Chairperson

GDP/JMR/bd

4380E





**STATE OF CONNECTICUT**  
DEPARTMENT OF PUBLIC SAFETY  
CTS UNIT  
1111 Country Club Road  
P.O. Box 2794  
Middletown, CT 06457-9294



**TO:** Sandy Carter  
Manager Real Estate-Zoning

**FROM:** Brian Benito  
Planning Specialist, CTS Unit

**DATE:** October 26, 2000

**SUBJECT:** Tower replacement

---

The Connecticut State Police authorizes Verizon Wireless to replace the Connecticut Telecommunications System tower located at 112 Munn Road, Colchester, Connecticut.

Please call me with any questions you may have. I can be reached at 860-685-8280.

Sincerely,

A handwritten signature in cursive script that reads "Brian M. Benito".

Brian M. Benito



# Exhibit C

CELLCO PARTNERSHI  
DBA



A/E FIRM

**HRS CORPORATION A/E**

500 ENTERPRISE DRIVE  
ROCKY HILL, CONNECTICUT  
1-(800)-529-8882

A/E SEAL

PROJECT NO: F301825.17/F0

DRAWN BY: HLM

CHECKED BY:

ISSUED FOR

08-24-00	CLIENT REVIEW
10-04-00	CLIENT REVIEW
10-11-00	CT SITING COUNCIL

THE INFORMATION CONTAINED  
IN THIS SET OF DOCUMENTS  
IS PROPRIETARY BY NATURE.  
ANY USE OR DISCLOSURE  
OTHER THAN THAT WHICH  
RELATES TO VERIZON WIRELESS  
IS STRICTLY PROHIBITED.

MUNN ROAD

MUNN ROAD  
COLCHESTER, CONNECTICUT

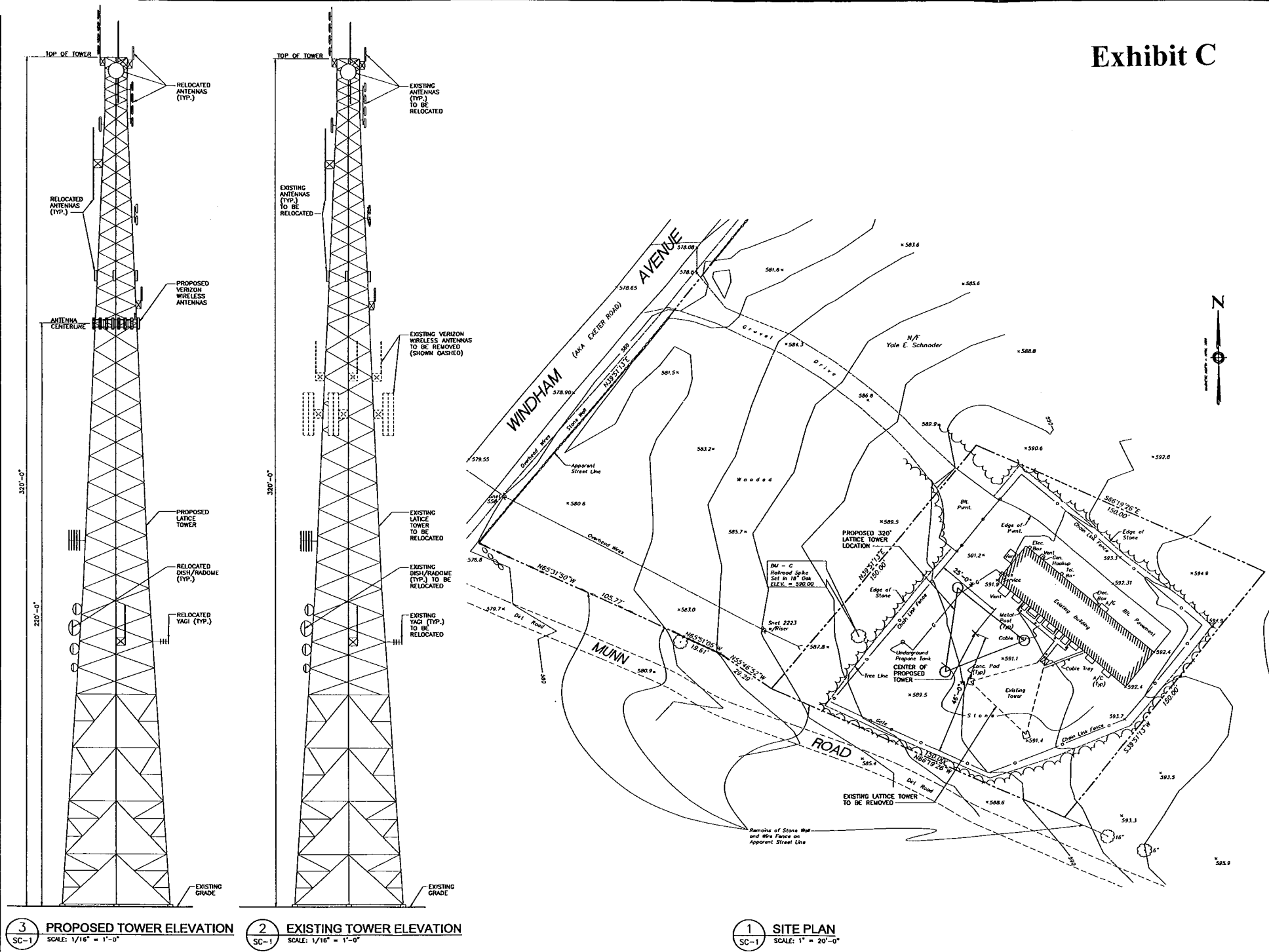
SCALE: AS NOTED

DATE: 08-24-00

DRAWING 1 OF 1

SITE  
MODIFICATION  
PLAN

SC-1



**3** PROPOSED TOWER ELEVATION  
SC-1 SCALE: 1/16" = 1'-0"

**2** EXISTING TOWER ELEVATION  
SC-1 SCALE: 1/16" = 1'-0"

**1** SITE PLAN  
SC-1 SCALE: 1" = 20'-0"



# Exhibit D

## RADIO/ANTENNA SYSTEMS DATA

=====

SITE NAME: COLCHESTER                      PREPARED BY: D.P.S.  
 TOWER HEIGHT: 320 FEET                      ON DATE: 11-06-2000

No	OPERATING FREQUENCY (MHz)	TRANSMIT POWER (WATTS)	ANTENNA				ERP (W)
			HEIGHT (FEET)	TYPE	VERTICAL SIZE (FT)	GAIN (dB)	
1	42.0400	0	316	FOLDED MONOPOLE	7	0.0	0
2	154.6650	330	320	FOLDED MONOPOLE	2	0.0	330
3	2141.2000	1	315	SOLID DISH W/RADOME	8	32.2	1015
4	151.3550	100	294	FOUR DIPOLE ARRAY	22	6.0	398
5	44.7200	98	292	SINGLE DIPOLE	13	2.5	175
6	153.9350	50	257	TWO DIPOLE ARRAY	12	3.0	100
7	45.5200	100	243	SINGLE DIPOLE	13	2.5	178
8	42.0400	330	227	FOLDED MONOPOLE	7	0.0	330
9	75.5000	25	138	YAGI	7	7.0	125
10	2138.0000	1	97	SOLID DISH W/RADOME	6	29.7	569
11	2133.2000	1	90	SOLID DISH W/RADOME	4	26.2	252
12	6795.0000	1	105	SOLID DISH W/RADOME	6	39.7	5750
13	10567.5000	1	112	SOLID DISH W/SHROUD	2	34.0	1545
14	867.4000	5 x 25	320	WHIP	14	9.0	1000
15	867.5000	5 x 25	320	WHIP	11	9.0	1000
16	822.5000	0	320	WHIP	14	9.0	0
17	822.5000	0	320	WHIP	11	9.0	0
18	453.6250	75	100	WHIP	14	8.0	473
19	875.0000	5 x 6	220	PANEL ANTENNA	4	12.0	500
20	875.0000	0	220	PANEL ANTENNA	4	12.0	0
21	875.0000	5 x 6	220	PANEL ANTENNA	4	12.0	500
22	875.0000	0	220	PANEL ANTENNA	4	12.0	0
23	875.0000	5 x 6	220	PANEL ANTENNA	4	12.0	500
24	875.0000	0	220	PANEL ANTENNA	4	12.0	0
25	875.0000	5 x 6	220	PANEL ANTENNA	4	12.0	500
26	875.0000	0	220	PANEL ANTENNA	4	12.0	0
27	875.0000	5 x 6	220	PANEL ANTENNA	4	12.0	500
28	875.0000	0	220	PANEL ANTENNA	4	12.0	0
29	875.0000	5 x 6	220	PANEL ANTENNA	4	12.0	500
30	875.0000	0	220	PANEL ANTENNA	4	12.0	0
31	406.0000	1	100	YAGI	1	10.0	10

NOTES: 1. TRANSMIT POWER ENTRIES SHOWN AS '5 x 25' SHOULD BE INTERPRETED AS '5 TRANSMITTERS, EACH HAVING A POWER OF 25 WATTS'. ENTRIES OF '0' MEAN 'RECEIVE ONLY'- i.e. NO TRANSMITTER. ALL OTHER ENTRIES REFER TO ONE TRANSMITTER WITH THE POWER SHOWN.

2. ERP (EFFECTIVE RADIATED POWER) IS THE PRODUCT OF ALL TRANSMITTER POWERS AND THE NUMERICAL VALUE OF THE GAIN (ANTILOG OF dB) RELATIVE TO A DIPOLE ANTENNA.



POWER DENSITY ANALYSIS  
 =====  
 AT THE TOWER BASE, FOR EACH RADIO/ANTENNA SYSTEM  
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SITE NAME: COLCHESTER  
 TOWER HEIGHT: 320 FEET

PREPARED BY: D.P.S.  
 ON DATE: 11-06-2000

No	OPERATING FREQUENCY (MHz)	EIRP (WATTS)	DISTANCE TO BASE OF TOWER (FEET)	MAXIMUM PERMISSIBLE EXPOSURE (MW/SQ-CM)	AT THE BASE OF THE TOWER	
					POWER DENSITY (MW/SQ-CM)	PERCENT OF MAX. EXPOSURE
1	42.0400	0	320	0.200	0.0000000	0.0000
2	154.6650	541	321	0.200	0.0001799	0.0900
3	2141.2000	1665	315	1.000	0.0000014	0.0001
4	151.3550	653	305	0.200	0.0002404	0.1202
5	44.7200	287	299	0.200	0.0001103	0.0552
6	153.9350	164	263	0.200	0.0000810	0.0405
7	45.5200	292	250	0.200	0.0001605	0.0803
8	42.0400	541	231	0.200	0.0003490	0.1745
9	75.5000	206	138	0.200	0.0003697	0.1848
10	2138.0000	934	97	1.000	0.0000116	0.0012
11	2133.2000	413	90	1.000	0.0000087	0.0009
12	6795.0000	9434	105	1.000	0.0004957	0.0496
13	10567.5000	2535	112	1.000	0.0000115	0.0011
14	867.4000	1641	327	0.578	0.0005254	0.0909
15	867.5000	1641	326	0.578	0.0005303	0.0917
16	822.5000	0	327	0.548	0.0000000	0.0000
17	822.5000	0	326	0.548	0.0000000	0.0000
18	453.6250	776	107	0.302	0.0023223	0.7690
19	875.0000	820	220	0.583	0.0005804	0.0996
20	875.0000	0	220	0.583	0.0000000	0.0000
21	875.0000	820	220	0.583	0.0005804	0.0996
22	875.0000	0	220	0.583	0.0000000	0.0000
23	875.0000	820	220	0.583	0.0005804	0.0996
24	875.0000	0	220	0.583	0.0000000	0.0000
25	875.0000	820	220	0.583	0.0005804	0.0996
26	875.0000	0	220	0.583	0.0000000	0.0000
27	875.0000	820	220	0.583	0.0005804	0.0996
28	875.0000	0	220	0.583	0.0000000	0.0000
29	875.0000	820	220	0.583	0.0005804	0.0996
30	875.0000	0	220	0.583	0.0000000	0.0000
31	406.0000	16	100	0.270	0.0000562	0.0208

TOTAL PERCENT OF MAXIMUM PERMISSIBLE EXPOSURE FOR  
 UNCONTROLLED ENVIRONMENTS FOR ALL 31 RADIO SYSTEMS = 2.3681

- NOTES: 1. THE POWER DENSITIES REPRESENTING THE 'MAXIMUM PERMISSIBLE EXPOSURE FOR UNCONTROLLED ENVIRONMENTS' ARE CALCULATED IN ACCORDANCE WITH IEEE C95.1-1991 (REVISION OF ANSI C95.1-1982).
2. POWER DENSITIES ARE CALCULATED IN ACCORDANCE WITH THE METHODS DEFINED IN FCC DOCUMENT 'OET BULLETIN NO.65', AUGUST 1997
3. EIRP (EFFECTIVE ISOTROPICALLY RADIATED POWER) REFERENCES THE RADIATED POWER TO A POINT SOURCE, WHICH YIELDS POWERS 1.6406 TIMES HIGHER THAN ERP.



POWER DENSITY ANALYSIS

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POWER DENSITY (% OF MAX. EXPOSURE VS DISTANCE FROM THE TOWER BASE

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SITE NAME: COLCHESTER PREPARED BY: D.P.S.  
TOWER HEIGHT: 320 FEET ON DATE: 11-06-2000  
-----

DISTANCE (FEET)	POWER DENSITY (% OF MAX. EXPOSURE)
-----	-----
0	2.3681
50	2.1906
100	2.1582
150	2.0535
200	1.8776
250	1.6644
300	1.4562
350	1.2891
400	1.1595
450	1.0440
500	0.9387
550	0.8502
600	0.7815
650	0.7175
700	0.6583
750	0.6042
800	0.5548
850	0.5101
900	0.4697
950	0.4342
1000	0.4052
1050	0.3789
1100	0.3549
1150	0.3329
1200	0.3128
1250	0.2942



# Exhibit C

CELLCO PARTNERSHI  
DBA



A/E FIRM

**HRS CORPORATION A/E**

500 ENTERPRISE DRIVE  
ROCKY HILL, CONNECTICUT  
1-(800)-520-8882

A/E SEAL

PROJECT NO: F301825.17/F0

DRAWN BY: HLM

CHECKED BY:

ISSUED FOR

08-24-00	CLIENT REVIEW
10-04-00	CLIENT REVIEW
10-11-00	CT SITING COUNCIL

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IN THIS SET OF DOCUMENTS  
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ANY USE OR DISCLOSURE  
OTHER THAN THAT WHICH  
RELATES TO VERIZON WIRELESS  
IS STRICTLY PROHIBITED.

MUNN ROAD

MUNN ROAD  
COLCHESTER, CONNECTICUT

SCALE: AS NOTED

DATE: 08-24-00

DRAWING 1 OF 1

SITE  
MODIFICATION  
PLAN

SC-1

