



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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VIA ELECTRONIC MAIL

August 14, 2020

Lucia Chiocchio, Esq.
Cuddy & Feder, LLP
445 Hamilton Avenue, 14th Floor
White Plains, NY 10601

RE: **PETITION NO. 1409** – New Cingular Wireless PCS, LLC (AT&T) petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed installation of a small cell wireless telecommunications facility on a new approximately 30-foot privately-owned light pole to be located at the western edge of the parking lot at 880 Wethersfield Avenue, Hartford, Connecticut.

Dear Attorney Chiocchio:

At a public meeting held on August 13, 2020, the Connecticut Siting Council (Council) considered and ruled that the above-referenced proposal would not have a substantial adverse environmental effect, and pursuant to Connecticut General Statutes § 16-50k, would not require a Certificate of Environmental Compatibility and Public Need with the following conditions:

1. Approval of any project changes be delegated to Council staff;
2. Unless otherwise approved by the Council, if the facility authorized herein is not fully constructed within three years from the date of the mailing of the Council's decision, this decision shall be void, and the facility owner/operator shall dismantle the facility 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 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 facility owner/operator shall provide written notice to the Executive Director of any schedule changes as soon as is practicable;
3. Any request for extension of the time period to fully construct the facility shall be filed with the Council not later than 60 days prior to the expiration date of this decision and shall be served on all parties and intervenors, if applicable, and the City of Hartford;
4. Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed;
5. Any nonfunctioning antenna and associated antenna mounting equipment on this facility owned and operated by the Petitioner shall be removed within 60 days of the date the antenna ceased to function;

6. The facility owner/operator 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;
7. This Declaratory Ruling may be transferred, provided the facility owner/operator/transferor is current with payments to the Council for annual assessments and invoices under Conn. Gen. Stat. §16-50v and the transferee provides written confirmation that the transferee agrees to comply with the terms, limitations and conditions contained in the Declaratory Ruling, including timely payments to the Council for annual assessments and invoices under Conn. Gen. Stat. §16-50v; and
8. If the facility owner/operator is a wholly owned subsidiary of a corporation or other entity and is sold/transferred to another corporation or other entity, the Council shall be notified of such sale and/or transfer and of any change in contact information for the individual or representative responsible for management and operations of the facility within 30 days of the sale and/or transfer.

This decision is under the exclusive jurisdiction of the Council and is not applicable to any other modification or construction. All work is to be implemented as specified in the petition dated June 2, 2020 and additional information received on July 9, 2020.

Enclosed for your information is a copy of the staff report on this project.

Sincerely,

s/Melanie A. Bachman

Melanie A. Bachman
Executive Director

MAB/IN/lm

Enclosure: Staff Report dated August 13, 2020

- c: The Honorable Luke Bronin, Mayor, City of Hartford
Frederick D. Peck, City Planner, City of Hartford
Erick L. Johnson, Director of Development Services, City of Hartford
The Honorable Michael L. Rell, Mayor, Town of Wethersfield
Gary A. Evans, Town Manager, Town of Wethersfield
Peter Gillespie, Director of Planning & Economic Development, Town of Wethersfield



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Petition No. 1409
New Cingular Wireless PCS, LLC (AT&T)
Small Cell Facility
880 Wethersfield Avenue, Hartford
Staff Report
August 13, 2020

Introduction

On June 3, 2020, the Connecticut Siting Council (Council) received a petition (Petition) from New Cingular Wireless PCS, LLC (AT&T) for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed installation of a small cell wireless telecommunications facility at 880 Wethersfield Avenue, Hartford. The small cell installation would be installed on a new metal pole in the parking lot of a commercial property. It would provide reliable wireless service to AT&T customers and emergency service providers in the surrounding area.

On June 1, 2020, AT&T provided notice of the project to abutting property owners, City of Hartford officials, Town of Wethersfield officials (within 2500 feet) and state and federal agencies.

On June 4, 2020, the Council sent correspondence to the City of Hartford (City) and the Town of Wethersfield (Town) stating that the Council has received the Petition and invited the City and Town to contact the Council with any questions or comments by July 3, 2020. The Council has not received any comments to date.

The Council issued interrogatories to AT&T on June 22, 2020. AT&T provided responses to the Council's interrogatories on July 9, 2020.

Jurisdiction

Pursuant to CGS §16-50i(a)(6), the Council has exclusive jurisdiction over telecommunications towers, including associated equipment, owned or operated by the state, a public service company or a certified telecommunications provider or used in a cellular system.

Under Regulations of Connecticut State Agencies §16-50j-2a (30), "Tower" means a structure, whether free standing or attached to a building or another structure, that has a height greater than its diameter and that is high relative to its surroundings, or that is used to support antennas for sending or receiving radio frequency signals, or for sending or receiving signals to or from satellites, or any of these, which is or is to be:

- (A) **used principally to support one or more antennas** for receiving or sending radio frequency signals, or for sending or receiving signals to or from satellites, or any of these, and
- (B) owned or operated by the state, a public service company as defined in Section 16-1 of the Connecticut General Statutes, or a certified telecommunications provider, or used in a cellular system, as defined in Section 16-50i(a) of the Connecticut General Statutes. (Emphasis added).

The proposed metal pole will be used principally to support the proposed small cell facility. It will be owned and operated by AT&T, a certified telecommunications provider. Thus, the Council has jurisdiction over the proposed small cell facility.

Proposed Small Cell Facility

AT&T proposes to provide coverage and capacity relief in its network by establishing a new small cell wireless facility along Wethersfield Avenue. The proposed facility would provide wireless service in AT&T's 1900/2100/5200 MHz LTE frequency range.

The site is located on a 0.32 acre developed commercial property within Hartford's commercial (MS-3) zone. The host parcel is used as an automotive dealership.

AT&T's proposed metal pole would have a height of approximately 30 feet above ground level (agl) and a diameter of eight inches supported by a pier foundation at the western edge of the parking lot. A canister antenna would be installed at the top of the metal pole and the top of the canister antenna would reach a height of approximately 32 feet 6 inches agl. Associated equipment would be installed in a 2.5-foot wide, 4.6-foot high vented enclosure at the base of the pole. Electrical and telephone service would run underground and be routed to the nearest local utility company's service box. The utility meter for the proposed facility would be mounted at the power source location. A light fixture would be installed on the pole at a height of 27 feet agl that would serve to illuminate the parking lot.

No backup power is proposed for this small cell facility. Commercial Mobile Radio Service (CMRS) providers are licensed by and are under the jurisdiction and authority of the Federal Communications Commission (FCC). At present, no standards for backup power for CMRS providers have been promulgated by the FCC. Every year since 2006, AT&T, T-Mobile, and Verizon have certified their compliance with the CTIA Business Continuity/Disaster Recovery Program and the Communications Security, Reliability and Interoperability Council standards and best practices to ensure network reliability during power outages.

Public Safety

A Professional Engineer duly licensed in the State of Connecticut has certified that the proposed pole would be structurally adequate to support the proposed loading.

The calculated power density would be 0.8 percent of the applicable limit using a -10 dB off-beam adjustment.

A radio frequency safety sign with an emergency contact number would be placed at the bottom of the pole. A second warning sign would be placed below the canister antenna.

Environmental

The surrounding land use is a mixture of commercial and residential. The nearest residence is approximately 315 feet west of the proposed facility site. The project is located in a previously disturbed area and consists of paved areas. No environmental impact is anticipated.

The visual impact of the pole is not expected to be significant due to the numerous wood utility poles in the immediate area. The property owner reviewed design options and preferred a metal pole over the wood utility pole due to aesthetics and because they can benefit from an additional light in the parking lot.

Facility Construction

The construction of the proposed small cell facility is anticipated to take eight days working eight hours each day. Construction will be conducted in accordance with the City of Hartford regulations between the hours of 7 am and 6 pm weekdays and Saturdays.

Conclusion

AT&T contends that this proposed project would not have a substantial adverse environmental impact.

If approved, staff recommends the following condition:

1. Approval of any project changes be delegated to Council staff.

Figure 1. Proposed Site Location

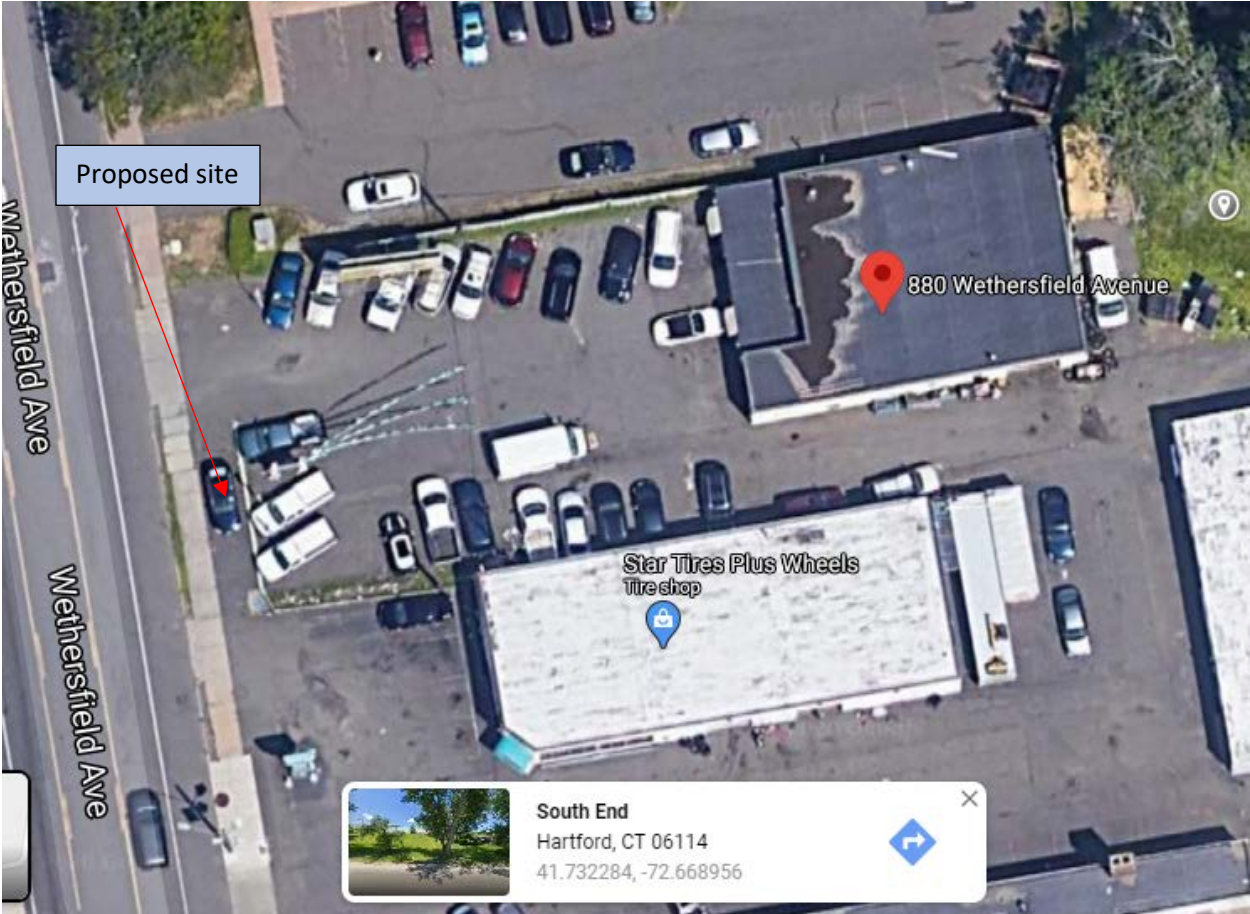


Figure 2. Proposed Small Cell Facility Simulation



VIEW EAST FROM WETHERSFIELD AVENUE

Figure 3. Facility Elevation Site Plan

