



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL
Ten Franklin Square, New Britain, CT 06051
Phone: (860) 827-2935 Fax: (860) 827-2950
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**VIA ELECTRONIC MAIL & CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

February 14, 2022

Thomas J. Regan, Esq.
Brown Rudnick LLP
CityPlace I, 38th Floor
185 Asylum Street
Hartford, CT 06103
tregan@brownrudnick.com

RE: **PETITION NO. 1471** - 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 extension and modification of an existing telecommunications facility located at 343 Daleville Road, Willington, Connecticut.

Dear Attorney Regan:

At a public meeting held on February 10, 2022, 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. Deployment of any 5G services must comply with FCC and FAA guidance relative to air navigation, as applicable;
3. 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;
4. 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 Town of Willington;
5. Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed;
6. 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;

7. 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;
8. 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
9. 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 November 18, 2021 and additional information received on January 28, 2022.

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

Sincerely,



Melanie A. Bachman
Executive Director

MAB/RDM/lm

Enclosure: Staff Report dated February 10, 2022

c: The Honorable Erika Wiecenski, First Selectman, Town of Willington (ewiecenski@willingtonct.org)
The Honorable Antonia Moran, Mayor, Town of Mansfield (MoranT@mansfieldct.gov)
Ryan Aylesworth, Town Manager, Town of Mansfield (TownMngr@mansfieldct.org)



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Petition No. 1471

New Cingular Wireless PCS, LLC

343 Daleville Road,

Staff Report

February 10, 2022

Introduction

On November 18, 2021, New Cingular Wireless PCS, LLC (AT&T) submitted a petition (Petition) to the Connecticut Siting Council (Council) for a declaratory ruling pursuant to Connecticut General Statutes (CGS) §4-176 and §16-50k for the proposed extension and modification of an existing telecommunications facility located at 343 Daleville Road, Willington.

Pursuant to Regulations of Connecticut State Agencies (RCSA) §16-50j-40, on November 12, 2021, AT&T provided notice to the abutting property owners, Town of Willington (Town) and the Town of Mansfield (within 2,500 feet) officials, and required state agencies and officials.

On November 24, 2021, the Council sent correspondence to the Town and the Town of Mansfield stating that the Council has received the Petition and invited the municipalities to contact the Council with any questions or comments by December 19, 2021. No comments have been received to date.

Pursuant to CGS §4-176(e) of the Uniform Administrative Procedure Act, an administrative agency is required to take action on a petition within 60 days of receipt. On January 13, 2022, pursuant to CGS §4-176(e), the Council voted to set the date by which to render a decision on the Petition as no later than May 18, 2022, which is the 180-day statutory deadline for a final decision under CGS §4-176(i).

The Council submitted interrogatories to AT&T on January 14, 2022. AT&T submitted responses to the interrogatories on January 28, 2022.

Existing Facility

The Council issued a Certificate to Celco Partnership d/b/a Verizon Wireless (Celco) for this facility in Docket No. 400 on July 29, 2010. The Certificate was transferred from Celco to American Tower Corporation on March 5, 2015.

The existing 104-foot monopole is located on a 22-acre parcel developed with a residence, barn, small outbuildings, and several horse paddock areas. The host property is zoned residential and is located east of Daleville Road and 0.2 mile north of Route 44. The facility is accessed from an existing gravel drive extending east from the residential driveway on the host parcel.

The tower currently supports Celco's antennas at the 97-foot level of the tower.

Proposed Extension

AT&T proposes to install a 56-foot extension on the existing tower which would increase the overall height of the tower to 160 feet above ground level (agl). AT&T would install 6 panel antennas and 12 remote radio units on three sector frame antenna mounts at a centerline height of approximately 155 feet agl.

AT&T's lease area would measure 12.5 feet by 20 feet. AT&T would install a ground-mounted 6.6-foot wide by 6.6-foot long walk in equipment cabinet shelter on an 8.5-foot by 8.5-foot concrete pad in the central portion of the existing equipment compound. Underground utilities would extend from AT&T's equipment cabinet to the existing meter bank on the western side of the compound.

AT&T would also install a 15-kilowatt propane fueled emergency backup generator on a 4-foot by 6-foot concrete pad and a 500-gallon propane tank on a 10-foot by 4-foot concrete pad. The generator would have a runtime of 4.5 days before refueling is required, at full load. The generator would be tested once a week.

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.

AT&T's proposed facility would address a network coverage deficiency that exists in the Route 44 area of Willington and Mansfield by providing in-building service (700 MHz) to residences and businesses. The site would maintain a minimum of in-vehicle service along Route 44 eastward to an existing AT&T facility in Ashford. The proposed facility would provide 5G services and would be capable of providing FirstNet services, a prioritized, preemptive wireless service in the 700 MHz band for first responders across Connecticut and the U.S.

The estimated cost of the project is \$386,577.

Environmental

Construction would occur within existing developed areas (access road and compound).

No trees would be removed to install AT&T's facility.

The site is not within a Department of Energy and Environmental Protection Natural Diversity Database buffer area or critical habitat area.

The site is within Flood Zone C, designated by the Federal Emergency Management Agency as an area above the 500-year flood level.

The nearest wetland from the existing compound is 140 feet to the south. The construction area would be isolated in accordance with the *2002 Connecticut Guidelines for Soil Erosion and Sedimentation Control*.

The proposed extension of the facility would comply with the U.S. Fish and Wildlife Service guidelines for minimizing the potential for telecommunications towers to impact bird species. The site is not near any Audubon Society Important Bird Areas.

The proposed tower extension would have a minimal impact on year-round visibility, except from several residential parcels northwest of the site along Daleville Road where seasonal visibility would increase. Predicted year-round visibility would increase by 0.6 acre and predicted seasonal visibility would increase by 15 acres.

There are no schools or day care facilities within one mile of the existing tower.

Public Safety

The proposed tower extension would not require notice to the Federal Aviation Administration (FAA) or require aviation hazard lighting.

The Project would be constructed in accordance with the 2017 National Electric Code, 2018 Connecticut State Building Code and the American National Standards Institute "Structural Standards for Steel Antenna Towers and Antenna Support Structures" Revision H.

A Professional Engineer duly licensed in the State of Connecticut has certified that the tower is structurally adequate to support the proposed loading without modifications.

The nearest abutting property and residence are approximately 360 feet and 680 feet south, respectively, of the existing facility. The setback radius would remain within the boundaries of the host property.

The proposed backup generator is exempt from Department of Energy and Environmental Protection Noise Control Regulations §22a-69-1.8.

The calculated power density would be 6.78 percent of the applicable limit using a -10 dB off-beam adjustment.

Construction Schedule

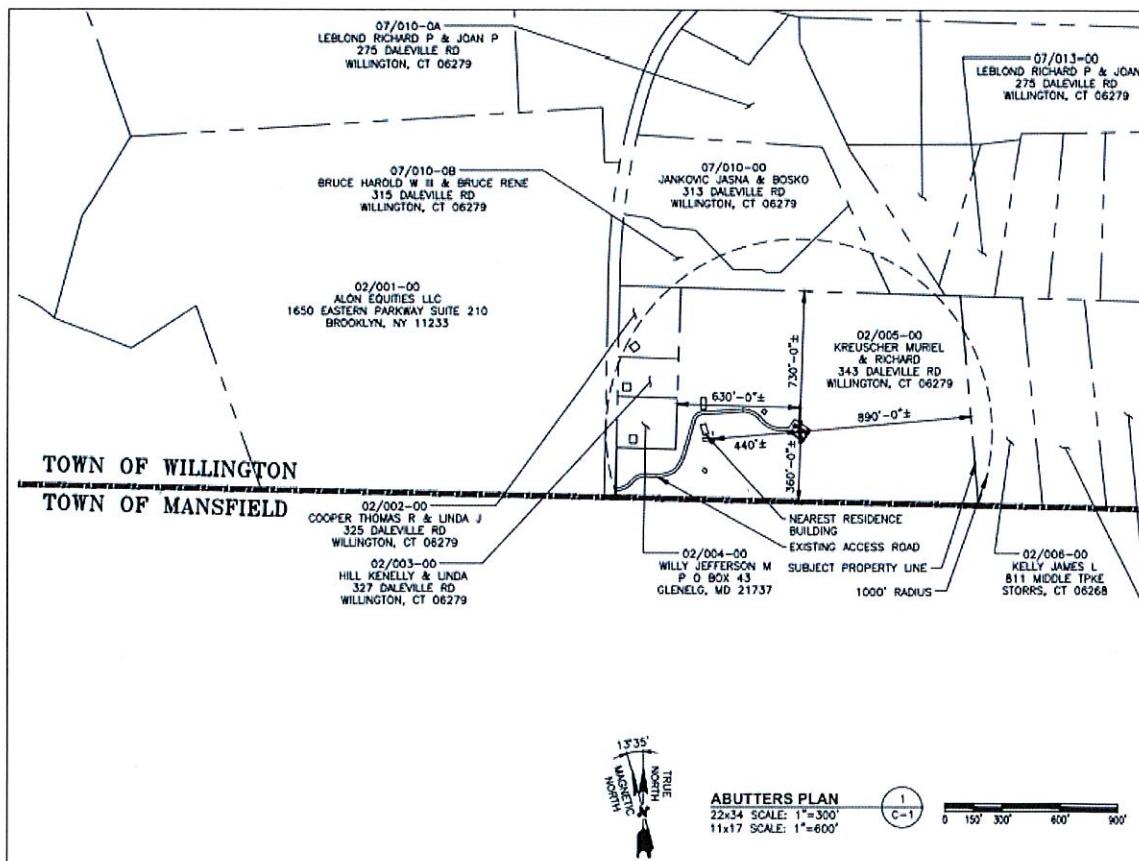
Construction is expected to be completed within four weeks. Construction hours are Monday – Friday, 8 AM to 5 PM.

Conclusion

If approved, staff recommends the following conditions:

- 1) Approval of any project changes be delegated to Council staff; and
- 2) Deployment of any 5G services must comply with FCC and FAA guidance relative to air navigation, as applicable.

Project Location



Site Plan

