



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 & CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

February 25, 2022

Denise Sabo
Northeast Site Solutions
Agent for AT&T
420 Main Street, Suite 1
Sturbridge, MA 01566-1359
denise@northeastsitesolutions.com

RE: **PETITION NO. 1473** - New Cingular Wireless PCS, LLC (AT&T) petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for proposed modifications to an existing telecommunications facility located at 311 Old Gate Lane, Milford, Connecticut.

Dear Ms. Sabo:

At a public meeting held on February 24, 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. Prior to AT&T's antenna installation, tower modification shall be installed in accordance with the Structural Modification Report prepared by Paul J. Ford & Company, dated July 1, 2021, and stamped and signed by Justin Kline;
3. Within 45 days following completion of proposed modifications, AT&T shall provide documentation that its installation complied with the recommendations of the Structural Modification Report;
4. Deployment of any 5G services must comply with FCC and FAA guidance relative to air navigation, as applicable;
5. 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;
6. 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 Milford;

7. Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed;
8. 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;
9. 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;
10. 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
11. 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 19, 2021, and additional information received on February 15, 2022.

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

Sincerely,



Melanie A. Bachman
Executive Director

MAB/MP/lm

Enclosure: Staff Report dated February 24, 2022

c: The Honorable Benjamin G. Blake, Mayor, City of Milford (bblake@ci.milford.ct.us)



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Petition No. 1473

New Cingular Wireless PCS, LLC

311 Old Gate Lane, Milford

Staff Report

February 24, 2022

Introduction

On December 8, 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 proposed modifications to an existing telecommunications facility located at 311 Old Gate Lane, in Milford. Specifically, AT&T proposes to co-locate antennas on the existing monopole and install a walk-in equipment cabinet and an emergency backup generator at the site.

Pursuant to Regulations of Connecticut State Agencies (RCSA) §16-50j-40, on November 19, 2021, AT&T provided notice to the abutting property owners and City of Milford (City) officials.

On December 14, 2021, the Council sent correspondence to the City stating that the Council has received the Petition and invited the municipality to contact the Council with any questions or comments by January 7, 2022. 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 June 6, 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 25, 2022. On February 2, 2022, AT&T requested an extension of time to submit responses to the interrogatories that was granted by the Council. AT&T submitted responses to the interrogatories on February 15, 2022.

Existing Facility

The City approved the tower on November 7, 1996.

The existing facility is owned by Crown Castle and consists of a 120-foot monopole. The site is located on a 15-acre parcel that hosts a Lowe's home improvement store. The host property is zoned Industrial (ID) and is located east of Old Gate Lane. The facility is accessed from Old Gate Lane through the Lowe's parking lot.

The tower hosts multiple telecommunications carriers with Cellco and Sprint located at antenna centerline heights of 120 feet and 100 feet above ground level (agl), respectively.

The existing compound at the facility cannot accommodate AT&T's proposed ground equipment.

Proposed Project

AT&T proposes to install 6 panel antennas and 12 remote radio units on three sector frame antenna mounts at a centerline height of approximately 83 feet agl. AT&T would install a 6-foot long by 6-foot wide by 8-

foot 2-inch high agl walk-in equipment cabinet on an 8-foot 6-inch by 8-foot 6-inch concrete pad in the eastern portion of the proposed 14.5-foot by 21.5-foot fenced compound expansion area to be leased by AT&T. Underground utilities would connect AT&T's equipment cabinet to the existing utility board on the western side of the existing compound.

AT&T would provide wireless services in the 700 MHz, 850 MHz, 1900 MHz, 2100 MHz and 2300 MHz frequency ranges. The facility would provide 5G services in the 850 MHz frequency band.

AT&T would also install a 15-kilowatt diesel fueled emergency backup generator on a 4-foot by 6-foot concrete pad within the western portion of the proposed compound expansion area. The backup generator would have a 92-gallon double-walled fuel tank, and the concrete pad is recessed for additional containment. The generator would have a runtime of 90 hours before refueling is required, at full load. The generator is typically exercised once a week for about 12 minutes.

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.

The estimated cost of the project is \$150,000.

Environmental

No native trees would be removed to develop the site. The proposed site is not within a Connecticut Department of Energy and Environmental Protection (DEEP) Natural Diversity Database (NDDB) buffered area. There are no wetlands or watercourses proximate to the site.

The site is located within unshaded Zone X, an area designated by the Federal Emergency Management Agency with a minimal risk of flooding.

There would be no increase in tower height. The proposed compound expansion would be screened by existing landscaping. Thus, visual impacts are expected to be minimal.

Pursuant to R.C.S.A. §22a-174-3b, the generator would be managed to comply with DEEP's "permit by rule" criteria and is exempt from general air permit requirements.

Public Safety

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 with certain conditions.

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 38.4 percent of the applicable limit using a -10 dB off-beam adjustment.

Construction Schedule

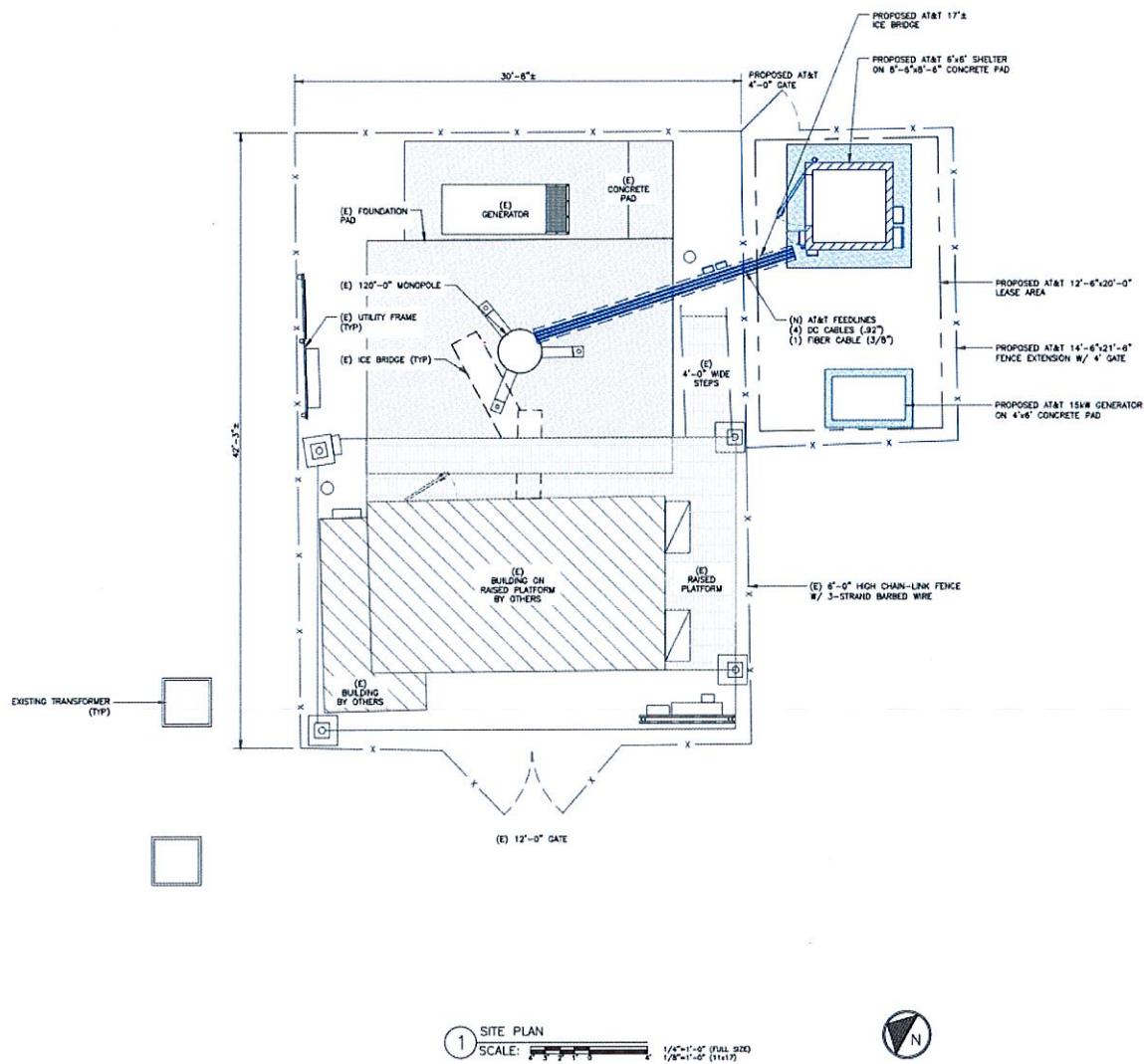
Construction is expected to be completed within approximately 30 days. Construction hours are Monday – Friday, 9 AM to 5 PM.

Conclusion

If approved, staff recommends the following conditions:

- 1) Approval of any project changes be delegated to Council staff;
- 2) Prior to AT&T's antenna installation, tower modification shall be installed in accordance with the Structural Modification Report prepared by Paul J. Ford & Company, dated July 1, 2021, and stamped and signed by Justin Kline;
- 3) Within 45 days following completion of proposed modifications, AT&T shall provide documentation that its installation complied with the recommendations of the Structural Modification Report; and
- 4) Deployment of any 5G services must comply with FCC and FAA guidance relative to air navigation, as applicable.

Site Plan



Tower Elevation Drawing

