



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL
Ten Franklin Square, New Britain, CT 06051
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VIA ELECTRONIC & CERTIFIED MAIL
RETURN RECEIPT REQUESTED

March 11, 2022

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

RE: **PETITION NO. 1476** – 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 modifications to an existing telecommunications facility located at 2627 Day Hill Road, Bloomfield, Connecticut.

Dear Attorney Regan:

At a public meeting held on March 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. Prior to AT&T's antenna/tower extension installation, structural modifications shall be performed in accordance with the Structural Analysis prepared by American Tower Corporation, dated September 10, 2021 and stamped and signed by Esha Kaushal Modi;
4. Within 45 days following completion of equipment installation, AT&T shall provide documentation certified by a Professional Engineer that its installation complied with the recommendations of the Structural Analysis;
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 Towns of Bloomfield and Windsor;

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 January 13, 2022 and additional information received on February 22, 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 March 10, 2022

c: The Honorable Danielle Wong, Mayor, Town of Bloomfield (dwong@bloomfieldct.org)
Stanley D. Hawthorne, Town Manager, Town of Bloomfield (shawthorne@bloomfieldct.org)
Peter Souza, Town Manager, Town of Windsor (souza@townofwindsorct.com)



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Petition No. 1476

New Cingular Wireless PCS, LLC

2627 Day Hill Road, Bloomfield

Staff Report

March 10, 2021

Introduction

On January 14, 2022, 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 2627 Day Hill Road, Bloomfield, Connecticut.

Pursuant to Regulations of Connecticut State Agencies (RCSA) §16-50j-40, on December 22, 2021, AT&T provided notice to the abutting property owners, the Town of Bloomfield (Town) and Town of Windsor (within 2,500 feet) officials, and required state agencies and officials.

On January 20, 2022, the Council sent correspondence to the Town and the Town of Windsor stating that the Council has received the Petition and invited the municipalities to contact the Council with any questions or comments by February 13, 2022. No comments were received.

The Council submitted interrogatories to AT&T on January 27, 2022. AT&T submitted responses to the interrogatories on February 22, 2022.

Existing Facility

The Council issued a Certificate to Celco Partnership d/b/a Verizon Wireless (Celco) for this facility in Docket No. 416 on November 3, 2011. The Certificate was transferred to Construction Services Towers LLC (CST) on December 14, 2012. The Certificate was transferred from CST to American Tower Corporation (ATC) on March 6, 2015.

The existing 109-foot monopole is located on an 11.8-acre mostly wooded parcel that contains several abandoned barns. The host property is zoned residential and is southwest of Day Hill Road and west of a rail corridor. The surrounding area is a mix of residential and industrial uses. Access to the facility is from an existing driveway extending from Day Hill Road.

The existing facility currently supports T-Mobile and Celco antennas at the 100-foot and 110-foot level of the tower, respectively.

Proposed Extension

AT&T proposes to install a 30-foot extension on the existing tower which would increase the overall height of the tower to 139 feet above ground level (agl). AT&T would install 9 panel antennas and 15 remote radio units on three sector frame antenna mounts at a centerline height of approximately 135 feet agl.

AT&T's lease area within the existing compound would measure 11.4 feet by 16 feet. AT&T would install a 6.6-foot wide by 6.6-foot long walk in equipment cabinet on an 8.5-foot by 8.5-foot concrete pad within compound. Underground utilities would extend from AT&T's equipment cabinet to the existing meter bank on the exterior of the south side of the compound.

Due to limited space within the compound, AT&T intends to share an emergency backup generator at the site as part of a future project in collaboration with ATC. On July 26, 2021, the Council approved ATC's request to install an 80-kW diesel generator within the compound as a shared emergency backup generator option for existing and future tenants on the existing tower. Celloco maintains an emergency propane generator within an equipment shelter and an associated 1,000-gallon propane tank within the compound for its own use.

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.

AT&T's proposed facility would address a network coverage deficiency that exists in the Day Hill Road, Griffin Road, Route 187 and Route 189 areas. In addition to these traffic corridors, reliable in-building service (700 MHz) would be provided to surrounding residential and commercial areas. The proposed facility would provide 5G services (850 MHz, 1900 MHz, 2100 MHz frequencies) 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.

No existing structures were identified that would be able to satisfy the coverage requirements needed for this area. Reducing AT&T's proposed installation by 10 feet would reduce the coverage footprint by eight percent and road coverage by nine percent.

The estimated cost of the project is \$456,446.

Environmental

Construction would occur within existing developed areas (access road and compound). The Project would not require any tree removal or wetland disturbance. The existing site is not within a flood zone.

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

The site is approximately 2.2 miles southwest of Northwest Park in Windsor, a National Audubon Society Important Bird Area (IBA). The proposed, extended facility would comply with the U.S. Fish and Wildlife Service guidelines for minimizing the potential for telecommunications towers to impact bird species, and thus, no impact to the IBA is expected.

ATC's Environmental Compliance Team identified the existing tower as a Bird Watch Site as the tower has been used to support an osprey nest for a period of three years. In the event the proposed modification requires a nest to be removed, ATC would obtain all applicable permits required by the Migratory Bird Treaty Act and remove the nest when it is inactive.

The proposed tower extension would increase year-round visibility from 63 acres to 91 acres, primarily to the north and east of the site, generally out to a distance of one-mile due to flat terrain and open field and lawn areas associated with office parks. Year-round visibility of the extended tower would increase from a residential area to the west along Tunxis Avenue (Route 189), within 0.2 mile of the site. The extended tower would be visible from approximately 160 acres, mostly within a half-mile of the site.

No schools or commercial child day care centers are located within 250 feet of the existing tower. Global Experience Magnet School is located approximately 0.60 mile to the southeast of the Site at 44 Griffin Road South in Bloomfield. No visibility is predicted from or in the vicinity of the school.

The State Historic Preservation Office submitted comments to the Petitioner on June 11, 2021 indicating that three structures (barns) greater than 50 years of age adjacent to the existing facility are eligible for the National Register of Historic Places but these structures would not be impacted by the proposed tower extension due to the presence of the current 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 with certain conditions.

The existing tower facility is approximately 300 feet to the east and west property lines. The nearest residence from the existing tower is approximately 480 feet to the west. The setback radius of the proposed extended facility would remain within the boundaries of the host property.

The facility, with AT&T's antennas, would have a cumulative worst-case power density of 34.4 percent, of the applicable limit using a -10 dB off-beam adjustment.

Construction Schedule

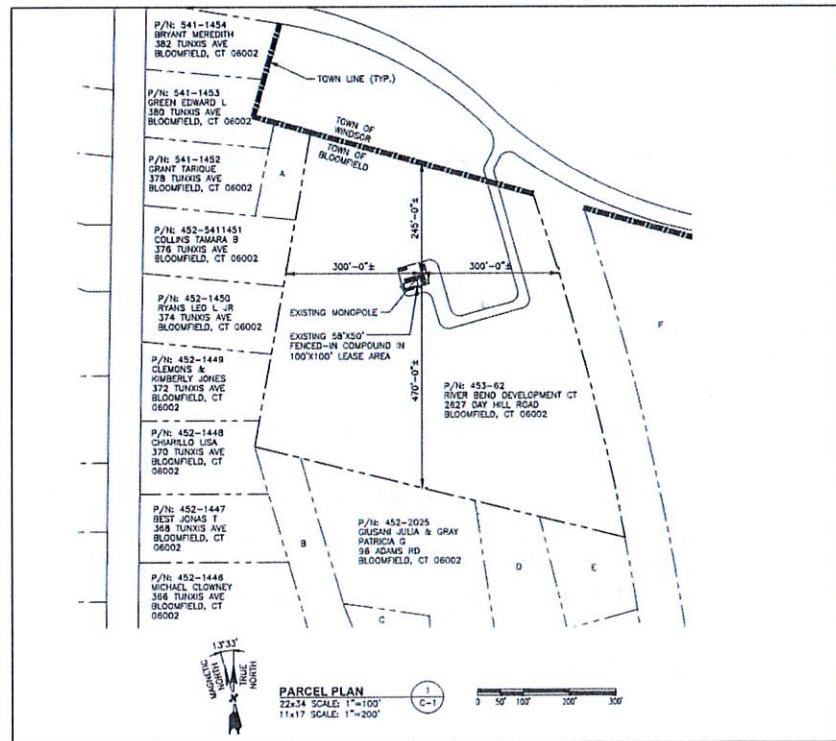
Construction is expected to be completed within four weeks. Construction hours are Monday – Friday, 8 AM to 5 PM.

Conclusion

If approved, staff recommends the following conditions:

- 1) Approval of any project changes be delegated to Council staff;
- 2) Deployment of any 5G services must comply with FCC and FAA guidance relative to air navigation, as applicable;
- 3) Prior to AT&T's antenna/tower extension installation, structural modifications shall be performed in accordance with the Structural Analysis prepared by American Tower Corporation, dated September 10, 2021 and stamped and signed by Esha Kaushal Modi; and
- 4) Within 45 days following completion of equipment installation, AT&T shall provide documentation certified by a Professional Engineer that its installation complied with the recommendations of the Structural Analysis.

Project Location



Site Plan

