



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

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**Petition No. 1435**  
**Connecticut Department of Emergency Services and Public Protection**  
**Replacement Telecommunications Facility**  
**Leetes Island Road**  
**Branford, Connecticut**

**DRAFT Staff Report**  
**January 22, 2021**

**Introduction**

On October 5, 2020, the Connecticut Siting Council (Council) received a petition (Petition) from The Connecticut Department of Emergency Services and Public Protection (DESPP) for a declaratory ruling, pursuant to Connecticut General Statutes (CGS) §4-176 and §16-50k, for the proposed replacement of an existing monopole tower with a self-supporting lattice tower on property owned by the Connecticut Department of Transportation (DOT) off Leetes Island Road, Branford, Connecticut.

In the Petition, DESPP also respectfully requests the Council to waive the Petition filing fee pursuant to Regulations of Connecticut State Agencies (RCSA) §16-50j-3.

The purpose of this project is to upgrade the public safety telecommunications systems for DESPP, DOT and the Towns of Branford and Guilford (Towns).

On October 2, 2020, DESPP provided notice of the proposed project in accordance with RCSA §16-50j-40. By letter dated June 17, 2020, the Town of Branford First Selectman expressed support for the project and stated the proposed facility would expand and improve public safety communications, including police, fire, EMS and public works, particularly in the east side of Branford where public safety communications experience dead areas.

On October 5, 2020, the Council sent correspondence to the Town of Branford stating that the Council has received the petition and invited the municipality to contact the Council with any questions or comments by November 4, 2020. No comments were received.

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, and therefore, December 4, 2020 was the deadline for action on this Petition. In response to the Coronavirus pandemic, on September 8, 2020, Governor Lamont issued Executive Order No. 9A that provides for a 90-day extension of statutory and regulatory deadlines for administrative agencies. Thus, the deadline under CGS §4-176(e) is extended to March 4, 2021.

The Council issued interrogatories to DESPP on December 2, 2020. DESPP provided responses to the Council's interrogatories on December 2, December 3, December 8, December 14, and December 19, 2020. The Council approved DESPP's request for an extension of time to provide a response to the Council's interrogatory No. 9 related to a visual assessment of the proposed replacement tower. DESPP provided the supplemental information on January 19, 2021.

## **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 (Emphasis added).

Under RCSA §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 existing monopole telecommunications facility is owned and operated by DOT. The proposed lattice tower would be constructed immediately adjacent to the existing monopole. The existing monopole would be removed upon the operation of the proposed facility. The proposed facility would be constructed, owned and managed in accordance with a Memorandum of Agreement dated September 25, 2020 between DOT and DESPP. Thus, the Council has jurisdiction over the proposed telecommunications facility.

## **Existing Telecommunications Facility**

The subject property is a 5.0 acre parcel owned by the DOT located in the General Industrial (IG-2) zone of the Town of Branford. Two service buildings and associated parking areas and driveways are currently located on the host parcel. The surrounding land use is mostly commercial. The nearest residence is over 400 feet southwest of the proposed facility.

The existing 49-foot monopole tower was constructed in the early 1960s and is structurally inadequate to support the proposed public safety telecommunications equipment owned by DESPP and the Towns. The proposed 100-foot replacement self-supporting lattice tower would support equipment owned by DESPP, DOT and the Towns.

## **Proposed Telecommunications Facility**

Installation of the proposed facility would allow DESPP to expand its coverage and enhance the performance of its 800/700 MHz public safety radio system within the Middlesex County and New Haven County areas. The proposed facility would also include shared use by the Valley Shore Emergency Communication, Inc. and the Towns. The proposed facility would improve municipal public safety communications in the eastern area of Branford and the western area of Guilford.

The proposed facility would be located about 172-feet from the property entrance in the northwestern portion of the parcel and access would be via a proposed 12-foot wide gravel access drive to be installed in a northeastern direction from near the site entrance off of Leetes Island Road to the proposed tower compound.

The proposed facility would consist of a 100-foot self-supporting lattice tower with three DESPP antennas at the 100-foot level of the tower, two DESPP mutual aid whip antennas at the 100-foot level, one Town of Branford whip antenna at the 100-foot level, one Town of Branford whip antenna at the 70-foot level, one Town of Guilford whip antenna at the 60-foot level and one CT DOT whip antenna at the 24.5-foot level. The tower would reach a maximum height of approximately 114.2-feet including the whip antennas.

The proposed facility would also include a 34-foot long by 12-foot wide by 11-foot tall, prefabricated equipment shelter, an 80-kilowatt emergency backup propane generator and a 1000-gallon underground propane tank all enclosed within a 50-foot by 50-foot equipment compound. The proposed compound would be surrounded by an eight-foot tall chain link fence with barbed wire and include a 12-foot wide double swing gate. The backup generator would be installed within the equipment shelter and would have an estimated run time of 3 days based on its fuel tank capacity.

Electrical and telephone service would be run underground and routed along the proposed driveway to the nearest existing utility service pole. The utility meter for the proposed facility would be mounted on the proposed equipment shelter and connected to a proposed utility transformer to be located to the west of the facility.

Although commercial wireless carrier installations on the replacement telecommunications facility are not proposed at this time, if the project is approved, DESPP would share space on the facility consistent with the state tower sharing policy under CGS §16-50aa.

### **Public Safety**

A Professional Engineer duly licensed in the State of Connecticut has certified that the proposed replacement tower and antenna mounts would be structurally adequate to support the proposed equipment loading. The tower is not designed to accommodate any increase in height.

The Federal Aviation Administration determined the proposed tower would not be a hazard to air navigation and would not require marking or lighting.

The calculated power density would be 3.71 percent of the applicable limit using a -10 dB off-beam adjustment.

### **Environmental**

The facility site is not located within the Federal Emergency Management Agency-designated 100-year or 500-year flood zone. The nearest wetland is a freshwater forested/shrub wetland located about 0.13 miles (686-ft) south of the proposed facility.

The proposed project is not located within a buffered area of the Department of Energy and Environmental Protection's Natural Diversity Database.

The State Historic Preservation Office determined that no historic properties will be affected by the proposed activities.

The facility would comply with United States Fish and Wildlife Service guidelines for minimizing potential impacts to bird species.

The project will require minimal grading and DESPP will implement erosion and sedimentation controls in accordance with the *2002 Connecticut Guidelines for Soil Erosion and Sediment Control*.

No schools or commercial day care centers are located within 250 feet of the Site. The nearest school and child day care are located approximately 1.2 and 1.9 miles southwest of the site, respectively. No visibility of the proposed replacement facility is predicted from either location.

The proposed replacement telecommunications facility is not expected to have a significant visual impact to the surrounding area. The Petitioner evaluated the potential visibility of the proposed facility by using a predictive computer model for areas within 2 miles of the site (study area) and an in-field analysis to develop photo-simulations of the proposed tower. The visual assessment determined that both year-round and seasonal visibility of the tower would generally occur from locations within 0.5 miles or less. These areas are generally oriented along major roadways in the area and are predominately commercial, although a church, undeveloped land and some residential areas are present.

The visual assessment indicates year-round visibility of the proposed tower would occur from approximately 48 acres (or about 0.60 percent) within the study area. Year-round visibility would occur from portions of Leetes Island Road, I-95, and from industrial and commercial areas north of I-95. Seasonal visibility of the tower would occur from an additional 62 acres (or about 0.77 percent) within the study area and are mostly located around the periphery of areas with year-round views.

### **Facility Construction**

The construction of the proposed telecommunications facility is anticipated to begin as soon as possible and would require approximately 60 days.

### **Conclusion**

If approved, staff recommends the following conditions:

1. Waiver of the filing fee pursuant to RCSA §16-50j-3; and
2. Approval of any project changes be delegated to Council staff.

Figure 1. Proposed Site Location





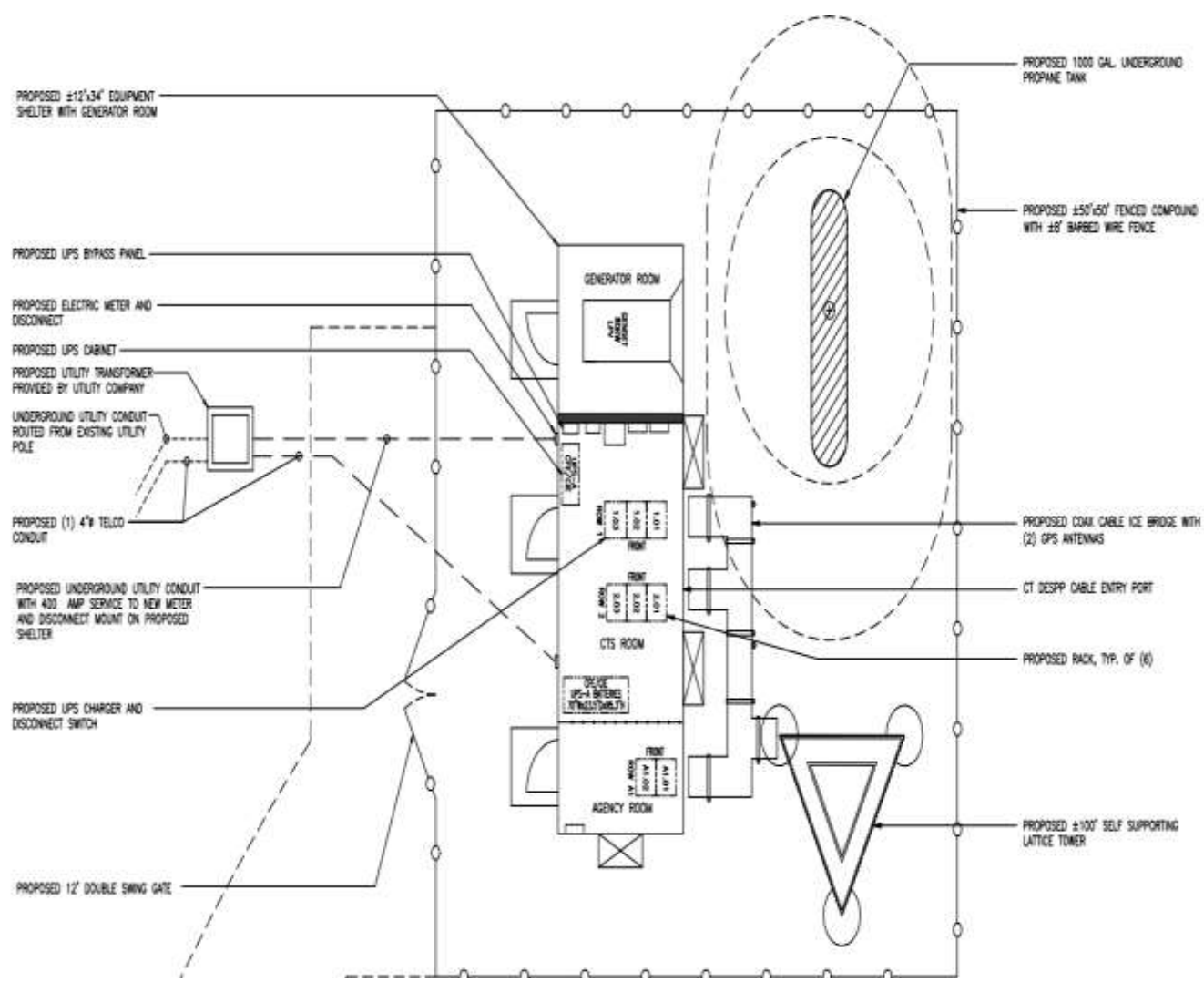
**Figure 2. Existing facility**



**Figure 3. Simulation of the Proposed Tower alongside the existing monopole**



**Figure 4. Site Plan of the proposed Facility**





## Attachment 1: Comments from the Council on Environmental Quality (CEQ)



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Alicia Hilding

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Matthew Reiser

Charles Vidich

Peter Hearn  
Executive Director

STATE OF CONNECTICUT

### COUNCIL ON ENVIRONMENTAL QUALITY

October 28, 2020

Melanie Bachman, Executive Director  
Connecticut Siting Council  
Ten Franklin Square  
New Britain, CT 06051

RE: PETITION NO. 1435 - The Connecticut Department of Emergency Services and Public Protection (DESPP) petition for the proposed replacement and extension of an existing telecommunications facility located at property owned by the Connecticut Department of Transportation off Leetes Island Road, Branford, Connecticut.

Dear Ms. Bachman:

The Council on Environmental Quality (Council) has reviewed the Petition materials submitted in Petition 1435 and offers the following comments for consideration by the Petitioner and the Siting Council.

#### 1. Visual Impact

The Petitioner states that the proposed increase in height from the proposed replacement tower "will not have a significant impact on existing viewsheds". However, there is no visual impact analysis in the Petition materials to document that determination. Exhibit 4 includes images of the existing tower, but no photo simulations of the proposed tower and antennas. The Council recommends that the Petitioner 1) identify possible sensitive receptors, including possible historic structures and viewpoints within a two-mile radius of the proposed tower, and 2) assess whether the proposed increase in height and the addition of antennas would be visible under both leaf-off and leaf-on conditions.

The Council notes that there is limited information in the Petition materials regarding any analysis of potential impacts on wildlife. The Council recommends that the Petitioner assess if there are any Natural Diversity Database (NDDb) buffer areas proximate to the existing site and/or any Federally-listed species or migratory birds that could be impacted by the proposed tower extension.

Thank you for your consideration of these comments. Please do not hesitate to contact the Council if you have any questions.

Sincerely,

Peter Hearn,  
Executive Director