

# DRAFT

**Petition No. 1502  
New Cingular Wireless PCS, LLC (AT&T)  
Davis Avenue, between MNR & I-95 ROW  
Greenwich, Connecticut  
Small Wireless Facility  
Staff Report  
May 20, 2022**

## **Introduction**

On March 29, 2022, the Connecticut Siting Council (Council) received a petition from New Cingular Wireless, PCS (AT&T) for a declaratory ruling, pursuant to Connecticut General Statutes (CGS) §4-176 and §16-50k, for the proposed installation of a small wireless telecommunications facility on a new 43-foot AT&T owned utility pole to be located in the public right-of-way along Davis Avenue between the Metro-North Railroad (MNR) and Interstate 95 (I-95), Greenwich, Connecticut (Petition or Project).

The small wireless facility would be installed on a new wood utility pole that will not be used principally for electric distribution service. It would provide additional coverage and capacity relief to the AT&T network in the surrounding area.

On March 25, 2022, AT&T provided notice of the proposed small wireless facility to the Town of Greenwich (Town), the host property owner and abutting property owners. No comments from the Town, host property owner or abutting property owners were received.

On March 31, 2022, the Council sent correspondence to the Town stating that the Council has received the Petition and invited the Town to contact the Council with any questions or comments by April 28, 2022. On April 14, 2022, the Council received comments from the Town regarding the location of the proposed project in relation to its critical sewer infrastructure and the importance of protecting this infrastructure from any disruption or damage.<sup>1</sup>

The Council issued interrogatories to AT&T on April 13, 2022. AT&T provided responses to the Council's interrogatories on April 25, 2022.

## **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:

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<sup>1</sup> [PE1501-PE1502-Pubformtownorcommission-Siebert .pdf \(ct.gov\)](#); See also Council Final Decisions in Docket Nos. 461 and 461A, available at [https://portal.ct.gov/CSC/1\\_Applications-and-Other-Pending-Matters/Applications/3\\_DocketNos400s/Docket-No-461A--EversourceGreenwich](https://portal.ct.gov/CSC/1_Applications-and-Other-Pending-Matters/Applications/3_DocketNos400s/Docket-No-461A--EversourceGreenwich)

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

The Federal Communications Commission (FCC) specifically defined “small wireless facility” in its 2018 Report and Order as facilities that meet any of the following conditions:

1. Mounted on structures 50 feet or less in height including their antennas; or
2. Mounted on structures no more than 10 percent taller than other adjacent structures; or
3. Do not extend existing structures on which they are located to a height of more than 50 feet or by more than 10 percent, whichever is greater.

The proposed utility pole is 50 feet or less in height including the antennas. It is a “small wireless facility” under the FCC definition.

### **Proposed Small Wireless Facility**

AT&T’s proposed facility would provide network coverage and/or capacity relief in this area of Greenwich, and along the MNR and I-95 in the 700/1900/2100 MHz frequency range.

The proposed site is located within the public ROW adjacent to Davis Avenue between the DOT-owned MNR ROW and the I-95 overpass. It is bounded by the MNR ROW to the north and the I-95 ROW to the south. The site is zoned Local Business Retail. Land use surrounding the site beyond the MNR ROW and I-95 is residential and commercial. The nearest residential property line from the proposed facility is approximately 120 feet beyond the MNR ROW to the north.

The proposed utility pole would have a height of approximately 43 feet<sup>2</sup> above ground level (agl) and be located in the public ROW about 10 feet east of the public ROW boundary and about 3 feet west of the curb on Davis Avenue. AT&T would install two square panel antennas measuring 23.3 inches in height by 23.3 inches in width by 6 inches in depth, at a centerline height of approximately 42 feet agl. An equipment cabinet would be mounted on the side of the pole. The bottom of the equipment cabinet would be approximately 12 feet 9 inches agl. The facility would be capable of providing 5G wireless services.

Two remote radio heads would be installed within the equipment cabinet. A service disconnect box would be attached to the pole at 9 feet 8 inches agl, and a meter socket with lever bypass would be installed at 5 feet agl.

Electrical and telephone service would run overhead from an existing nearby utility pole located about 12 feet northwest of the proposed facility.

No backup power is proposed for this small wireless 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.

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<sup>2</sup> The proposed wood utility pole would be approximately 50 feet in length. Approximately 7 feet would be buried.

The estimated cost of the facility is \$50,000.

### **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 14.1 percent of the applicable limit at the base of the pole using a - 10 dB off-beam adjustment. The maximum power density at the level of the nearest utility lines to the AT&T antennas would be approximately 2.3 percent of the FCC's occupational limit.

A radio frequency (RF) safety/caution sign with an emergency contact number visible from the ground would be placed on opposite sides of the equipment cabinet.

The installation will not impact or interfere with any of the existing public utilities within the ROW and Project area. AT&T will contact Call Before You Dig prior to any excavation activities to confirm the proposed installation will not impact any existing underground utilities. AT&T will also coordinate with the Town's Department of Public Works to ensure protection of any underground utilities.

### **Environmental**

The site is located in the public ROW among existing utility structures and nearby railroad infrastructure. Development of the facility would not require tree removal and would result in minimal ground disturbance.

The site is not located within a Federal Emergency Management Agency-designated flood zone. The nearest wetland is off-site approximately 1,004 feet to the east of the site. The site is not within a Department of Energy and Environmental Protection Natural Diversity Database buffer area.

The proposed utility pole would not have a significant visual impact on the surrounding area due to utility poles and railroad infrastructure in the immediate area. Existing vegetation would screen the facility from some views.

### **Facility Construction**

The construction of the small wireless facility is anticipated to take 90 days working Monday through Friday between 8:00 a.m. and 5:00 p.m.

### **Conclusion**

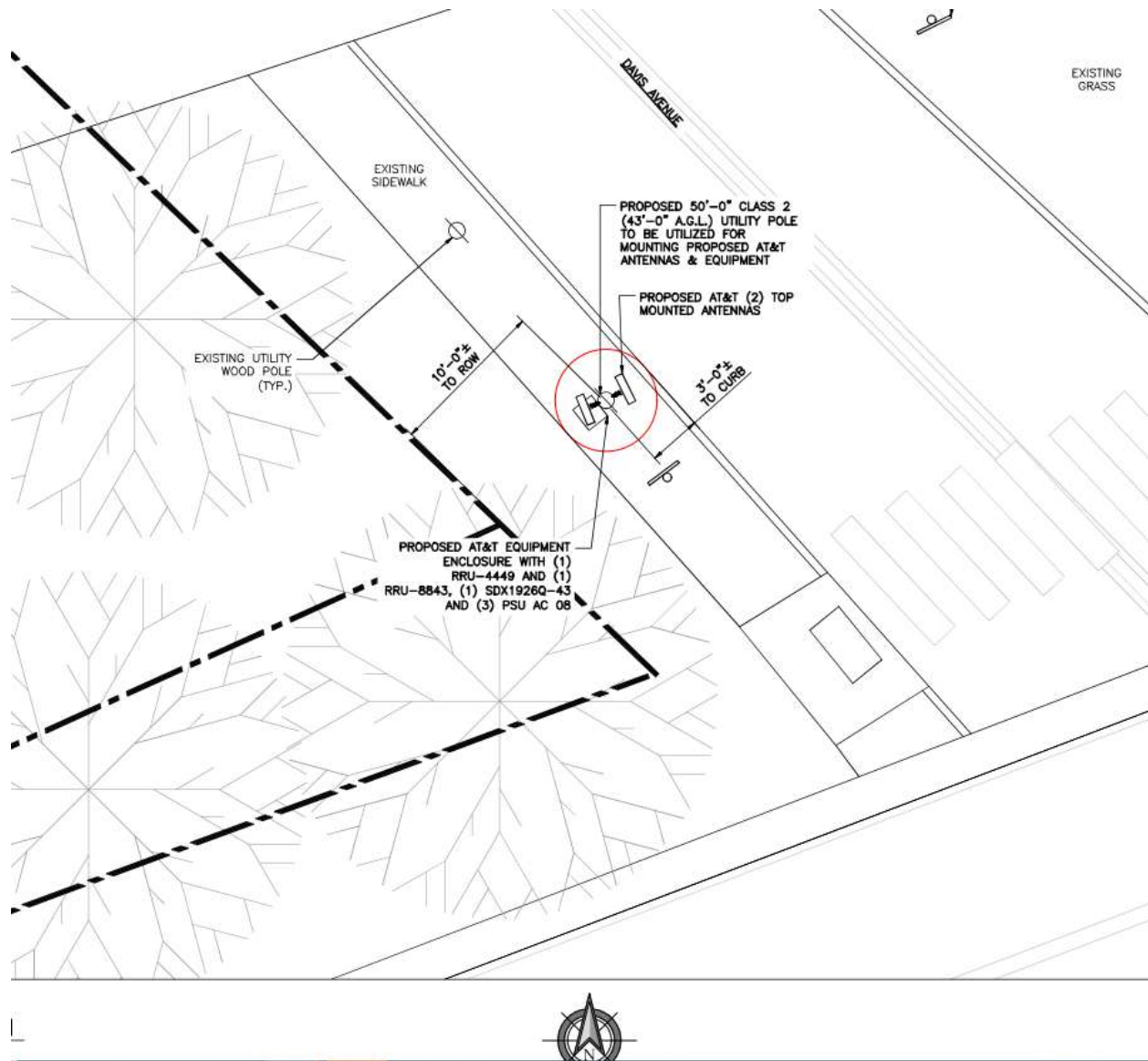
If approved, staff recommends the following conditions:

1. Approval of any project changes be delegated to Council staff;
2. The Council shall be notified in writing at least two weeks prior to the commencement of site construction activities; and
3. Deployment of any 5G services must comply with FCC and FAA guidance relative to air navigation, as applicable.

**Aerial View**

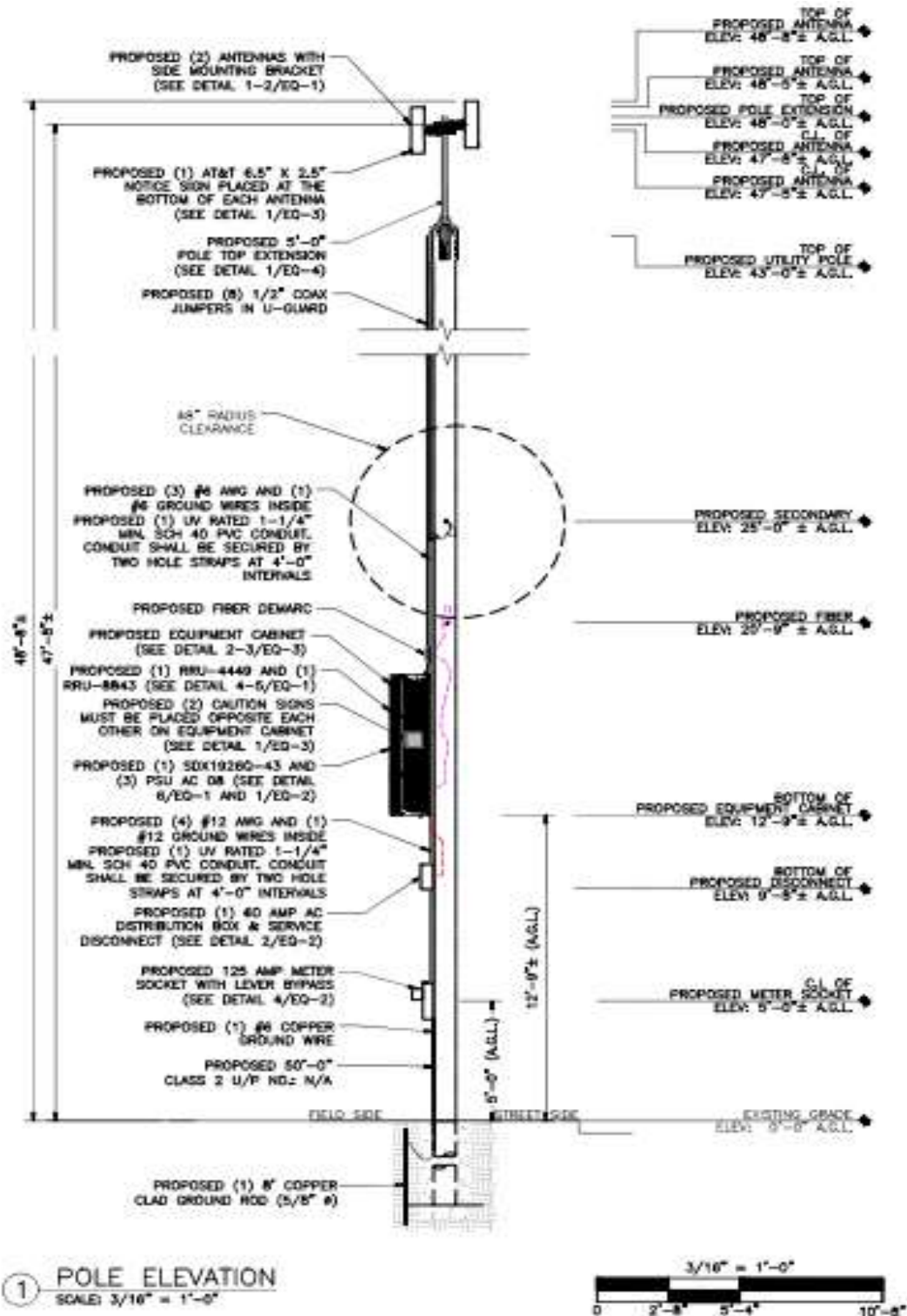


## Site Plan





## Site Elevation



**Photosimulation of Proposed Facility**

