DRAFT

Petition No. 1530
American Tower Corporation
401 Lopus Road
Beacon Falls, Connecticut

Staff Report
September 9, 2022

Introduction

On July 13, 2022, the Connecticut Siting Council (Council) received a petition from American Tower Corporation (ATC) for a declaratory ruling pursuant to Connecticut General Statutes (CGS) §4-176 and §16-50k, for the proposed modification of an existing wireless telecommunications facility located at 401 Lopus Road, Beacon Falls, Connecticut (Petition or Project). ATC proposes to install a shared-use emergency backup generator at the site.

Pursuant to Regulations of Connecticut State Agencies (RCSA) §16-50j-40 on or about July 7, 2022, ATC notified the abutting property owners and Town of Beacon Falls (Town) officials**.**

On July 13, 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 August 12, 2022. No comments were received.

The Council issued interrogatories to ATC on August 11, 2022. ATC submitted responses to the Council's interrogatories on August 12, 2022. ATC submitted a revised site plan on August 24, 2022.

Pursuant to CGS §4-176(e) of the Uniform Administrative Procedure Act, an administrative agency is required to take an action on a petition for a declaratory ruling within 60 days of receipt. On August 18, 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 January 9, 2023, which is the 180-day statutory deadline for a final decision under CGS §4-176(i).

Existing Facility

The Town approved the original facility in 2005. The Council approved AT&T's T-Mobile's and DISH Wireless' shared use of the tower on October 24, 2005, January 26, 2006, and January 14, 2022, respectively. On February 14, 2017, the Council approved an Eligible Facilities Request from Verizon Wireless to locate at the facility. On May 11, 2022, the Council denied a request for an exempt modification from ATC to expand the existing compound beyond the lease area and recommended that ATC submit a petition for a declaratory ruling.

The existing facility is owned by ATC and consists of a 150-foot monopole located on an approximately 3.0-acre commercially zoned parcel that is developed with a building. The host parcel and building are owned by the Town and used for maintenance and storage by the Town Public Works Department.

The tower hosts AT&T antennas at the 145-foot level, T-Mobile antennas at the 135-foot level, Verizon Wireless antennas at the 115-foot level and DISH Wireless antennas at the 105-foot level. The tower and associated ground equipment are located within a 1,992 square foot compound/lease area. Verizon Wireless currently maintains a 15-kW propane-fueled emergency backup generator for its equipment at the site. T-

Mobile, DISH Wireless, and AT&T each maintain a battery backup power system for their equipment at the site.

Proposed Project

ATC proposes to expand its existing compound by 170 square feet and install an 80-kW diesel-fueled emergency backup generator for shared use by multiple tower tenants on a six-foot by eight-foot concrete pad.[1] The generator would have a three-foot minimum safety clearance on all sides. An underground electrical connection would extend from the generator to a proposed transfer switch/circuit breaker that would be installed on an existing H-frame.

The expanded compound would be surfaced with gravel and enclosed by an eight-foot chain link fence to match the existing compound fence. A six-foot wide access gate would be located on the west side of the expanded compound. A 24-foot long retaining wall with a maximum height of three feet would be constructed on the south side of the compound expansion area to stabilize a slope.

The proposed generator has a self-contained, 300-gallon double walled fuel tank that could provide 48 hours of run time at full electrical load before re-fueling is required. It also has leak detection alarms and a locked intrusion cover.

Pursuant to RCSA §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.

The proposed emergency backup generator would operate weekly on a 10-minute run cycle for testing. Noise from the operation of the emergency backup generator is exempt from the State Noise Control Regulations.

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.

T-Mobile would utilize the generator immediately after installation. ATC anticipates other tower tenants would most likely decommission existing equipment and utilize the shared generator in the future.

Abutting land use is commercial. The generator is proposed to be located approximately 79 feet from the west property line (Lopus Road). Verizon Wireless' existing emergency backup generator is approximately 110 feet from the west property line.

Construction would occur over a two-week period. Typical construction hours and workdays are as follows: Monday – Friday, 8:00 AM to 5:00 PM.

The estimated cost of the project is approximately $50,000.

Environmental

No trees would be removed. The installation is proposed to be located within a grass/shrub area immediately adjacent to the existing equipment compound. No wetlands are on the host parcel or adjacent to the proposed installation. The existing tower/compound is currently visible from Lopus Road. No substantial adverse environmental or visual impact is expected from the proposed installation.

[1] The Town approved a 10,000 square foot lease area on the abutting parcel in 2005 as a "tower expansion area."

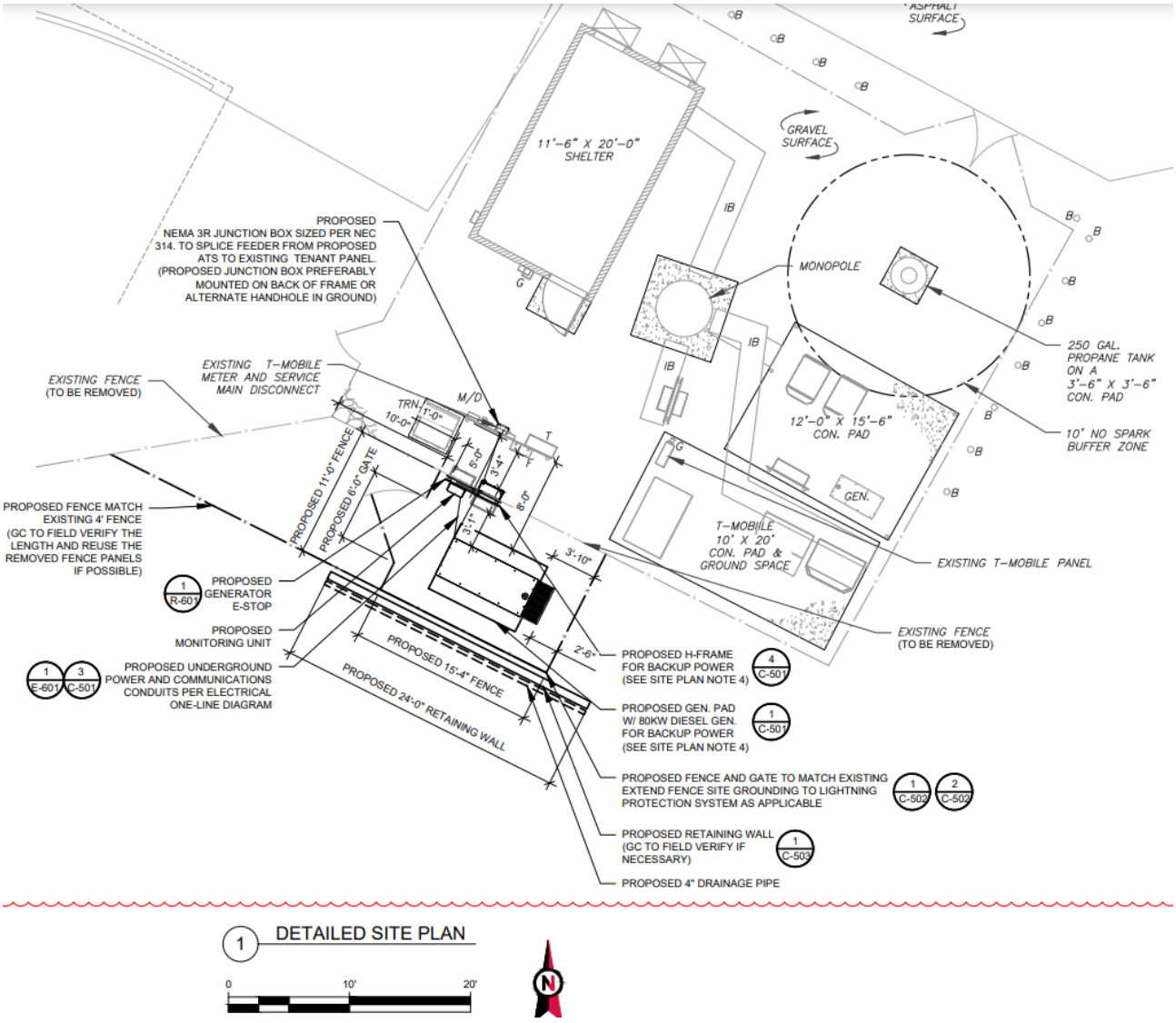
Conclusion

If approved, staff recommends the following conditions:

1. Approval of any project changes be delegated to Council staff; and
2. The Council shall be notified in writing at least two weeks prior to the commencement of site construction activities.

Site Location

Site Plan


11'-6" X 20'-0" SHELTER
GRAVEL SURFACE
ASPHALT SURFACE
MONOPOLE
250 GAL. PROPANE TANK ON A 3'-6" X 3'-6" CON. PAD
10' NO SPARK BUFFER ZONE
12'-0" X 15'-6" CON. PAD
GEN.
T-MOBILE 10' X 20' CON. PAD & GROUND SPACE
EXISTING T-MOBILE PANEL
EXISTING FENCE (TO BE REMOVED)
PROPOSED NEMA 3R JUNCTION BOX SIZED PER NEC 314. TO SPLICE FEEDER FROM PROPOSED ATS TO EXISTING TENANT PANEL. (PROPOSED JUNCTION BOX PREFERABLY MOUNTED ON BACK OF FRAME OR ALTERNATE HANDHOLE IN GROUND)
EXISTING T-MOBILE METER AND SERVICE MAIN DISCONNECT
EXISTING FENCE (TO BE REMOVED)
TRN
M/D
PROPOSED 11'-0" FENCE
PROPOSED 6'-0" GATE
PROPOSED FENCE MATCH EXISTING 4' FENCE (GC TO FIELD VERIFY THE LENGTH AND REUSE THE REMOVED FENCE PANELS IF POSSIBLE)
PROPOSED GENERATOR E-STOP
PROPOSED MONITORING UNIT
PROPOSED UNDERGROUND POWER AND COMMUNICATIONS CONDUITS PER ELECTRICAL ONE-LINE DIAGRAM
PROPOSED 15'-4" FENCE
PROPOSED 24'-0" RETAINING WALL
PROPOSED H-FRAME FOR BACKUP POWER (SEE SITE PLAN NOTE 4)
PROPOSED GEN. PAD W/ 80KW DIESEL GEN. FOR BACKUP POWER (SEE SITE PLAN NOTE 4)
PROPOSED FENCE AND GATE TO MATCH EXISTING EXTEND FENCE SITE GROUNDING TO LIGHTNING PROTECTION SYSTEM AS APPLICABLE
PROPOSED RETAINING WALL (GC TO FIELD VERIFY IF NECESSARY)
PROPOSED 4" DRAINAGE PIPE
1 DETAILED SITE PLAN
0
10'
20'
N