

DOCKET NO. 533 - Tarpon Towers III, LLC and Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility and associated equipment located at 161 Conrad Street, Naugatuck, Connecticut.	} } }	Connecticut Siting Council
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July 18, 2025

DRAFT Findings of Fact

Introduction

1. Tarpon Towers III, LLC and Cellco Partnership d/b/a Verizon Wireless (Applicants) in accordance with provisions of Connecticut General Statutes (CGS) § 16-50g, *et seq*, applied to the Connecticut Siting Council (Council) on March 21, 2025, for a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, maintenance, and operation of a 150-foot monopole wireless telecommunications facility at 161 Conrad Street, Naugatuck, Connecticut. (refer to Figures 1-3). (Applicants 1, p. 2)
2. Tarpon Towers III, LLC (TT) is a Delaware limited liability company with an office located at 8916 77th Terrace East, Suite 103, Lakewood Ranch, Florida. TT currently owns and/or operates numerous tower facilities in Connecticut. TT would construct, maintain and own the proposed facility and would be the Certificate Holder. (Applicants 1, pp. 2, 3)
3. Cellco Partnership d/b/a Verizon Wireless (Cellco) is a Delaware Partnership with an office at 20 Alexander Drive, Wallingford, Connecticut. Cellco is licensed by the Federal Communications Commission (FCC) to provide personal wireless communication service in the State of Connecticut. (Applicants 1, p. 3)
4. The party in this proceeding is the Applicants. The Intervenors to this proceeding are New Cingular Wireless PCS, LLC (AT&T) and T-Mobile Northeast LLC (T-Mobile). (Record; Transcript 1, May 22, 2025, 2 p.m. (Tr. 1), pp. 5-6)
5. There are no Connecticut Environmental Protection Act (CEPA) Intervenors in this proceeding. (Record)
6. Under Regulations of Connecticut State Agencies (RCSA) §16-50j-16, the Council may add parties and intervenors at any time during the pendency of a proceeding. Any person granted status is responsible for obtaining and reviewing all materials for the proceeding. (RCSA §16-50j-16 (2025))
7. The purpose of the proposed facility is to provide reliable wireless communications services for Cellco customers and address coverage and capacity deficiencies throughout portions of Naugatuck. (Applicants 1 pp. 1, 2, 7, 8, Attachment 1, Attachment 6)
8. Under CGS §16-50p(b), there is a presumption of public need for personal wireless services and the Council is limited to consideration of a specific need for any proposed facility to be used to provide such services to the public. (C.G.S. §16-50p(b) (2025))
9. Also under CGS §16-50p(b), the Council must examine whether the proposed facility may be shared with any public or private entity that provides service to the public if the shared use is technically, legally, environmentally and economically feasible and meets public safety concerns,

and may impose reasonable conditions as it deems necessary to promote the immediate and shared use of telecommunications facilities and avoid the unnecessary proliferation of such facilities consistent with the state tower sharing policy. (CGS §16-50p(b) (2025); CGS §16-50aa (2025); Applicant 1 p. 11)

10. Pursuant to CGS § 16-50l (b), notice of the application was provided to all abutting property owners by certified mail on March 19, 2025. on May 6, 2025. (Applicants 1, p. 4, Attachment 4; Applicant 4, response 1)
11. On March 21, 2025, Applicants provided notice to all federal, state and local officials and agencies listed in CGS § 16-50l (b). (Applicants 1, p. 4, Attachment 2)
12. Pursuant to CGS § 16-50l (b), Applicants provided public notice of the filing of the application that was published in the Republican-American on March 19 and March 20, 2025. (Applicants 1, Attachment 3; Applicants 2)

Procedural Matters

13. CGS §1-225a permits public agencies to hold remote meetings under the Freedom of Information Act (FOIA) and the Uniform Administrative Procedure Act. FOIA defines “meeting” in relevant part as “any hearing or other proceeding of a public agency.” (Council Administrative Notice Item No. 62; CGS §1-200, *et seq.* (2025))
14. CGS §1-225a allows public agencies to hold remote meetings provided that:
 - a) The public has the ability to view or listen to each meeting or proceeding in real-time, by telephone, video, or other technology;
 - b) Any such meeting or proceeding is recorded or transcribed and such recording or transcript shall be posted on the agency’s website within seven (7) days of the meeting or proceeding;
 - c) The required notice and agenda for each meeting or proceeding is posted on the agency’s website and shall include information on how the meeting will be conducted and how the public can access it any materials relevant to matters on the agenda shall be submitted to the agency and posted on the agency’s website for public inspection prior to, during and after the meeting; and
 - d) All speakers taking part in any such meeting shall clearly state their name and title before speaking on each occasion they speak.(CGS §1-225a (2025))
15. Upon receipt of the application on March 21, 2025, the Council sent a letter to the Borough of Naugatuck (Borough), as notification that the application was received and is being processed, in accordance with CGS § 16-50gg. (Record)
16. Local zoning regulations do not apply to facilities under the exclusive jurisdiction of the Council. Pursuant to CGS §16-50x, the Council has exclusive jurisdiction over telecommunications facilities throughout the state. It shall consider any location preferences provided by the host municipality under CGS §16-50gg as the Council shall deem appropriate. (C.G.S. §16-50x (2025))
17. During a regular Council meeting on April 3, 2025, the application was deemed complete pursuant to RCSA § 16-50l-1a and the public hearing schedule was approved by the Council. (Record)
18. Pursuant to CGS § 16-50m, on March 21, 2025, the Council sent a letter to the Borough to provide notification of the scheduled public hearing via Zoom remote conferencing and to invite the municipality to participate. (Record)

19. Pursuant to CGS § 16-50m, the Council published legal notice of the date and time of the public hearing via Zoom remote conferencing in the Republican-American on April 7, 2025. (Record; Tr. 1, p. 5)
20. The Council's Hearing Notice did not refer to a public field review of the proposed site. Field reviews are neither required by statute nor an integral part of the public hearing process. The purpose of a field review is an investigative tool to acquaint members of a reviewing commission with the subject property. (Record; *Manor Development Corp. v. Conservation Comm. of Simsbury*, 180 Conn. 692, 701 (1980); *Grimes v. Conservation Comm. of Litchfield*, 243 Conn. 266, 278 (1997))
21. On March 27, 2025, pursuant to CGS §16-50o, Applicants filed a Motion for Protective Order related to the disclosure of the monthly rent and financial terms contained within the lease agreement for the proposed site. (Record)
22. On April 30, 2025, the Council held a pre-hearing conference on procedural matters for parties and intervenors to discuss the requirements for pre-filed testimony, exhibit lists, administrative notice lists, expected witness lists and filing of pre-hearing interrogatories. Applicants participated in the Council's pre-hearing conference. Procedures for the public hearing via Zoom remote conferencing were also discussed. (Council Pre-Hearing Conference and Remote Hearing Procedure Memoranda, dated January 15, 2025; RCSA §16-50j-22a; RCSA §16-50j-26 (2025))
23. On May 1, 2025, in lieu of an in-person field review of the proposed site, the Council requested that Applicants submit photographic documentation of site-specific features into the record intended to serve as a "virtual" field review of the site. On May 13, 2025, Applicants submitted such information in response to the Council's interrogatories. (Record; Applicants 4, response 38)
24. Also on May 1, 2025, the Applicants withdrew the Motion for Protective Order related to the disclosure of the monthly rent and financial terms contained within the lease agreement for the proposed site. (Record)
25. In compliance with RCSA §16-50j-21, On May 7, 2025, Applicants installed a four-foot by eight-foot sign at 161 Conrad Street in the vicinity of the access drive for the proposed site. The sign presented information regarding the proposed telecommunications facility and the Council's public hearing. (Applicants 5; Tr.1, p. 5; Record)
26. Pursuant to CGS §16-50p(g), the Council shall in no way be limited by Applicants already having acquired land or an interest therein for the purpose of constructing the proposed facility. (CGS §16-50p(g) (2025); *Corcoran v. Conn. Siting Council*, 284 Conn. 455 (2007))
27. The Council's evaluation criteria under CGS §16-50p does not include the consideration of property ownership or property values nor is the Council otherwise obligated to take into account the status of property ownership or property values. (C.G.S. §16-50p (2025); *Woodbridge Newton Neighborhood Env't Trust, et al v. Conn. Siting Council*, 2024 Conn. LEXIS 163 (2024); *Goldfisher v. Conn. Siting Council*, 95 Conn. App. 193 (2006))
28. Pursuant to CGS § 16-50m, the Council gave due notice of a public hearing to be held on May 22, 2025, beginning with the evidentiary session at 2:00 p.m. and continuing with the public comment session at 6:30 p.m. via Zoom remote conferencing. The Council provided information for

- video/computer access or audio only telephone access. (Council's Hearing Notice dated April 4, 2025; Tr. 1, p. 5; Tr. 2, p. 3)
29. The 6:30 p.m. public comment session afforded interested persons the opportunity to provide oral limited appearance statements. Interested persons were also afforded an opportunity to provide written limited appearance statements at any time up to 30 days after the close of the evidentiary record. Limited appearance statements in this proceeding, whether oral or written, were not provided under oath nor subject to cross examination. (Tr. 1, p. 6-7; Tr. 2, p. 5-6; C.G.S. §16-50n(f) (2024))
30. During the public comment session of the Council's hearing held on May 22, 2025, no members of the public made oral limited appearance statements. (Tr. 2, p. 10)
31. In compliance with CGS §1-225a:
- a) The public had the ability to view and listen to the remote public hearings in real-time, by computer, smartphone, tablet or telephone;
 - b) The remote public hearings were recorded and transcribed, and such recordings and transcripts were posted on the Council's website on May 22, 2025 and May 29, 2025.
 - c) The Hearing Notice, Hearing Program, Citizens Guide for Siting Council Procedures and Instructions for Public Access to the Remote Hearings were posted on the Council's website;
 - d) Prior to, during and after the remote public hearings, the record of the proceeding has been, and remains, available on the Council's website for public inspection; and
 - e) The Council, parties and intervenors provided their information for identification purposes during the remote public hearings.
- (Hearing Notice dated April 4, 2025; Tr. 1; Tr. 2; Record)
32. The purpose of discovery is to provide the Council, parties and intervenors access to all relevant information in an efficient and timely manner to ensure that a complete and accurate record is compiled. (RCSA §16-50j-22a (2025))
33. In an administrative proceeding, irrelevant, immaterial or unduly repetitious evidence shall be excluded, and an agency has the right to believe or disbelieve the evidence presented by any witness, even an expert, in whole or in part. (CGS §4-178 (2025); *Dore v. Commissioner of Motor Vehicles*, 62 Conn. App. 604 (2001); RCSA §16-50j-25)
34. Pursuant to CGS §16-50n(f), at the conclusion of the hearing session held on May 22, 2025, the Council closed the evidentiary record for Docket 533 and established June 21, 2025 as the deadline for public comments and the submission of briefs and proposed findings of fact. (Record)
35. Applicants did not submit a post-hearing brief. On June 16, 2025, AT&T submitted a post-hearing brief. On June 19, 2025, T-Mobile submitted a letter in lieu of post-hearing brief. (Record)
36. Constitutional principles permit an administrative agency to organize its hearing schedule so as to balance its interest in reasonable, orderly and non-repetitive proceedings against the risk of erroneous deprivation of a private interest. It is not unconstitutional for the Council, in good faith, to balance its statutory time constraints against the desire of a party, intervenor or CEPA intervenor for more time to present their objections to a proposal. (*Concerned Citizens of Sterling v. Conn. Siting Council*, 215 Conn. 474 (1990); *Pet v. Dept. of Public Health*, 228 Conn. 651 (1994); *FairwindCT, Inc. v. Conn. Siting Council*, 313 Conn. 669 (2014))

State Agency Comment

37. Pursuant to CGS § 16-50j (g), on April 4, 2025, the following state agencies were solicited by the Council to submit written comments regarding the proposed facility: Department of Energy and Environmental Protection (DEEP); Department of Public Health (DPH); Council on Environmental Quality (CEQ); Public Utilities Regulatory Authority (PURA); Office of Policy and Management (OPM); Department of Economic and Community Development (DECD); Department of Agriculture (DOAg); Department of Transportation (DOT); Connecticut Airport Authority (CAA); Department of Emergency Services and Public Protection (DESPP); State Historic Preservation Office (SHPO); and Office of Consumer Counsel (OCC). (Record)
38. No state agencies responded with comments on the application. (Record)
39. While the Council is obligated to consult with and solicit comments from state agencies by statute, the Council is not required to abide by the comments from state agencies. (C.G.S. §16-50p(g) (2025); *Corcoran v. Conn. Siting Council*, 284 Conn. 455 (2007)).

Municipal Consultation

40. Pursuant to CGS § 16-50(f), Applicants commenced the 90-day pre-application municipal consultation process in April of 2024. (Applicants 1, p. 17; Attachment 16)
41. On March 22, 2025 the Borough Mayor waived the submission of a technical report and any further pre-application consultation for the proposed facility. (Applicants 1, p. 17; Attachment 16)
42. The Borough prefers the location of the proposed facility as it is Town-owned property used for telecommunications by T-Mobile and had previously been used for municipal utility purposes. (Applicants 1, p. 17; Attachment 16; Record)
43. On May 12, 2025, the Council received comments from the Borough Mayor in support of the facility and reservation of space for collocation of emergency services equipment at the proposed site. (Record)

Public Need for Service

44. In 1996, the United States Congress recognized a nationwide need for high quality wireless telecommunications services, including cellular telephone service. Through the Federal Telecommunications Act of 1996, Congress seeks to promote competition, encourage technical innovations, and foster lower prices for telecommunications services. (Council Administrative Notice Item No. 4 – Telecommunications Act of 1996)
45. In issuing cellular licenses, the Federal government has preempted the determination of public need for cellular service by the states and has established design standards to ensure technical integrity and nationwide compatibility among all systems. (Council Administrative Notice Item No. 4 – Telecommunications Act of 1996)
46. Section 253 of the Telecommunications Act of 1996 prohibits any state or local statute or regulation, or other state or local legal requirement from prohibiting or having the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service. (Council Administrative Notice Item No. 4 – Telecommunications Act of 1996)

47. Section 704 of the Telecommunications Act of 1996 prohibits local and state entities from discriminating among providers of functionally equivalent services and from prohibiting or having the effect of prohibiting the provision of personal wireless services. This section also requires state or local governments to act on applications within a reasonable period of time and to make any denial of an application in writing supported by substantial evidence in a written record. (Council Administrative Notice Item No. 4 – Telecommunications Act of 1996)
48. Section 704 of the Telecommunications Act of 1996 also prohibits any state or local entity from regulating telecommunications towers on the basis of the environmental effects of radio frequency emissions, which include effects on human health and wildlife, to the extent that such towers and equipment comply with FCC’s regulations concerning such emissions. (Council Administrative Notice Item No. 4 – Telecommunications Act of 1996)
49. Section 706 of the Telecommunications Act of 1996 requires each state commission with regulatory jurisdiction over telecommunications services to encourage the deployment on a reasonable and timely basis of advanced telecommunications capability to all Americans, including elementary and secondary schools, by utilizing regulating methods that promote competition in the local telecommunications market and remove barriers to infrastructure investment. (Council Administrative Notice Item No. 4 – Telecommunications Act of 1996)
50. In December 2009, President Barack Obama recognized cell phone towers as critical infrastructure vital to the United States. The Department of Homeland Security, in collaboration with other federal stakeholders, state, local, and tribal governments, and private sector partners, has developed the National Infrastructure Protection Plan (NIPP) to establish a framework for securing resources and maintaining resilience from all hazards during an event or emergency. (Council Administrative Notice Item No. 11 –Presidential Proclamation 8460, Critical Infrastructure Protection)
51. In February 2012, Congress adopted the Middle Class Tax Relief and Job Creation Act (also referred to as the Spectrum Act) to advance wireless broadband service for both public safety and commercial users. The Act established the First Responder Network Authority (FirstNet) to oversee the construction and operation of a nationwide public safety wireless broadband network. Section 6409 of the Act contributes to the twin goals of commercial and public safety wireless broadband deployment through several measures that promote rapid deployment of the network facilities needed for the provision of broadband wireless services. (Council Administrative Notice Item No. 8 – Middle Class Tax Relief and Job Creation Act of 2012)
52. In June 2012, President Barack Obama issued an Executive Order to accelerate broadband infrastructure deployment declaring that broadband access is a crucial resource essential to the nation’s global competitiveness, driving job creation, promoting innovation, expanding markets for American businesses and affording public safety agencies the opportunity for greater levels of effectiveness and interoperability. (Council Administrative Notice Item No. 12 – Presidential Executive Order 13616, Accelerating Broadband Infrastructure Development; Council Administrative Notice Item No. 23 – FCC Wireless Infrastructure Report and Order)
53. Pursuant to Section 6409(a) of the Spectrum Act, a state or local government may not deny and shall approve any request for collocation, removal or replacement of equipment on an existing wireless tower provided that this does not constitute a substantial change in the physical dimensions of the tower. (Council Administrative Notice Item No. 8 – Middle Class Tax Relief and Job Creation Act of 2012; Council Administrative Notice Item No. 23 – FCC Wireless Infrastructure Report and Order)

54. In June 2020, the FCC issued a declaratory ruling that heights of existing towers located outside of the public right-of-way could increase by up to 20 feet plus the height of a new antenna without constituting a substantial change in the physical dimensions of a tower. (Council Administrative Notice Item No. 27)
55. In November 2020, the FCC issued an order that ground excavation or deployment up to 30 feet in any direction beyond the site boundary of existing towers located outside of the public right-of-way does not constitute a substantial change in the physical dimensions of a tower. (Council Administrative Notice Item No. 28)
56. According to state policy, if the Council finds that a request for shared use of a facility by a municipality or other person, firm, corporation or public agency is technically, legally, environmentally and economically feasible, and the Council finds that the request for shared use of a facility meets public safety concerns, the Council shall issue an order approving such shared use to avoid the unnecessary proliferation of towers in the state. (CGS §16-50aa (2025))
57. The Borough Plan of Conservation and Development does not identify telecommunications facilities as a land use consistent or inconsistent with the general planning and conservation principles or policies of the Borough. (Applicants 1, p. 16; Bulk Filing Section 3– Town Plan of Conservation and Development)
58. On April 4, 2025, the Council sent correspondence to other telecommunications carriers not intervening in the proceeding requesting that carriers interested in locating on the proposed facility in the foreseeable future to notify the Council by May 15, 2025. On April 22, 2025 and April 24, 2025, AT&T and T-Mobile, respectively, requested intervenor status. (Record)
59. The facility would be designed to accommodate five wireless carriers and municipal antennas. AT&T, T-Mobile and the Town have expressed interest in collocation at the site. (Applicants 1, p.12;)
60. The typical carrier antennas use 12-foot center spacing. The tower structure and foundation would be designed to accommodate a future 10 to 20-foot extension. (Applicants 1, Attachment 1; Applicants 4, response 11)

Cellco's Existing and Proposed Wireless Services

61. Cellco has a significant capacity deficiency in its wireless communications network in portions of central Naugatuck (refer to figure 4). (Applicants 1, pp. 7, 8; Attachment 6)
62. Cellco determined the existing water tank would not be structurally capable of supporting Cellco's equipment and the existing T-Mobile antennas. (Applicants 1, pp. i, 1, 2; T-Mobile, response 2)
63. Roads in the area without adequate service include, but are not limited to, Beacon Valley Road, Route 8, and Route 63. (Applicants 1 p. 9, 10; Attachment 6)
64. Cellco proposes to operate 700 MHz, 850 MHz, 1900 MHz, 2100 MHz, 3550 MHz and 3700 MHz frequencies at the site from a tower height of 140 feet above ground level (agl). All frequencies are capable of supporting 5G services. All frequencies would be capable of transmitting voice and data. (Applicants 1, pp. 7; Cellco 4, response 15)
65. The 700 MHz frequency provides the largest area of service and therefore defines the coverage footprint of Cellco's wireless network. Other frequencies (850 MHz, 1900 MHz, 2100 MHz) used

in Cellco's network provide smaller coverage footprints and are used to provide additional capacity to the system, reducing the customer load on the 700 MHz system, thereby increasing the data speeds available to users that only have 700 MHz coverage. (Applicants 1, Attachment 6)

66. Cellco currently operates five facilities within the Borough. The proposed facility would off-load capacity from its Naugatuck West, Naugatuck 2, and Naugatuck 3 sites and provide additional coverage and capacity in central Naugatuck. (refer to Figure 4 and 5). (Applicants 1 pp. 7, 8, Attachment 6)
67. Lowering the height of Cellco's proposed antennas would reduce the coverage footprint and create coverage gaps between the existing coverage and the coverage of the proposed site. (Applicants 1, Attachment 6; Applicants 4, response 19)
68. The proposed facility would provide capacity relief to Cellco's existing Naugatuck West (Alpha sector antennas), Naugatuck 2 (Delta and Alpha sector antennas), and Naugatuck 3 (Gamma sector antennas) sites located approximately 1.4 miles to the southwest, 1.8 miles to the southeast, and 1.8 miles to the northeast, respectively. (Applicants 1, pp. 7, 8; Attachment 6; Applicants 4, response 16)

AT&T's Existing and Proposed Wireless Services

69. AT&T has a significant coverage deficiency in its wireless communications network in portions of central Naugatuck (refer to figure 6). (AT&T 2, response 8)
70. Roads in the area without adequate service include, but are not limited to, Ansonia Derby Expressway, Rubber Ave, and Osborn Pond Hill Road. (AT&T 2; response 18)
71. AT&T commenced a site search in September of 2022. The center of the search area was Old Firehouse Road and the search radius was 3 miles. Five sites were investigated, but those sites were rejected due to failure to achieve wireless service objectives or an unwilling property owner and extensive modifications required for collocation on the steeple at Saint Francis of Assisi Church. (AT&T 2, responses 1 and 2)
72. AT&T currently operates fifteen tower and non-tower antenna array installations within approximately 5 miles of the proposed facility. Installation at the proposed facility would provide additional coverage and capacity in southern Naugatuck. (AT&T 2, response 20, Attachments 4 and 5)
73. AT&T proposes to operate 700 MHz, 850 MHz, 1900 MHz, 2100 MHz, 3550 MHz and 3700 MHz frequencies at the site from a tower height of 116 feet agl. The 850 MHz, 1900 MHz, and 2100 MHz frequencies are capable of supporting 5G services. All frequencies would be capable of transmitting voice and data. (ATT 2, response 15)
74. The 700 MHz frequency provides the largest area of service and therefore defines the coverage footprint of the AT&T's wireless network. The existing coverage gap is approximately 4.2 square miles at 700 MHz. The predicted coverage footprint from the proposed site at 700 MHz is approximately 2.4 square miles. (AT&T 2, response 19)
75. AT&T designs its network using a -93 dB Reference Signal Received Power (RSRP) standard for reliable in-vehicle service and -83 dB RSRP standard for reliable in-building service. (AT&T 2, response 10)

76. AT&T's installation would provide reliable coverage to the proposed service area. Specific coverage for the proposed site is presented in the table below:

Street Name	700 MHz Coverage Gap	1900 MHz Coverage Gap			Street Name	700 MHz New Coverage	1900 MHz New Coverage
Ansonia Derby Expressway	2.2	2.8			Ansonia Derby Expressway	2.2	0.9
Rubber Ave	1.2	1.4			Rubber Ave	1.2	0.7
Rubber Ave Ext	1.2	1.2			Rubber Ave Ext	1.2	0.4
Osborn Pond Hill Rd	0.9	1.3			Osborn Pond Hill Rd	0.9	--
Overall Coverage Gap (sq mi)	4.2	6.2			Overall New Coverage (sq mi)	2.4	2.1

(AT&T 2, response 18)

77. Lowering the height of AT&T's proposed antennas would reduce the coverage footprint and create coverage gaps between the existing coverage and the coverage of the proposed site. (ATT 2, response 15)

T-Mobile's Existing and Proposed Wireless Services

78. T-Mobile received approval from the Borough to install equipment on the existing southerly located water tank at the site in 2005, pursuant to a lease agreement, dated February 15, 2005. (T-Mobile 2, response 1)
79. The existing non-tower antenna array consists of nine T-Mobile antennas on a steel platform at a height of 67 feet agl on top of the abandoned southerly located water tank. (T-Mobile, response 2)
80. T-Mobile has a significant capacity deficiency in its wireless communications network in portions of southern Naugatuck. The southerly located abandoned water tank is structurally compromised which prevents the ability to install 5G technology and exacerbates coverage gaps. (T-Mobile 2, response 12)
81. T-Mobile currently operates seven tower and non-tower antenna array installations within 5 miles of the proposed facility. The proposed facility would replace its existing non-tower antenna array (NTAA) installed on the water tank and provide additional coverage and capacity in southern Naugatuck. (T-Mobile 2, responses 1, 2, 3, 26)
82. T-Mobile commenced a site search in 2021 that focused on existing structures in the vicinity of its existing NTAA. Six sites were investigated, but those sites were rejected due to proximity to existing sites and topographical challenges. (T-Mobile 2, response 4, Attachment 1)
83. T-Mobile proposes to operate 600 MHz, 700 MHz, 1900 MHz, 2100 MHz, and 2500 MHz frequencies at the site from a tower height of 128 feet agl. The 600 MHz, 1900 MHz, and 2500 MHz frequencies are capable of supporting 5G services. All frequencies would be capable of transmitting voice and data. (T-Mobile 2, response 20)
84. The 700 MHz frequency provides the largest area of service and therefore defines the coverage footprint of the T-Mobile's wireless network. Other frequencies (600 MHz, 1900 MHz, 2500 MHz) used in T-Mobile's network provide smaller coverage footprints and are used to provide additional capacity to the system, reducing the customer load on the 700 MHz system, thereby providing capacity relief within the surrounding coverage area. (T-Mobile 2, response 19)

85. T-Mobile designs its network using a -101 dB RSRP standard for reliable in-vehicle service and -94 dB and -89 dB RSRP standard for reliable in-building service. Data speeds increase with a stronger signal. (T-Mobile 2, response 17)
86. T-Mobile's installation would provide reliable coverage to the proposed service area. The increase in antenna height at the proposed facility site would improve T-Mobile's signal propagation and expand its coverage area. Specific coverage for the proposed site is presented in the table below:

	Existing 5G Coverage	Proposed 5G Coverage
In-Building Commercial Coverage	N/A	5.459868382 square miles
In-Building Residential Coverage	N/A	9.361815194 square miles
In-Vehicle	N/A	19.169578198 square miles

	Existing LTE Coverage	Proposed LTE Coverage
In-Building Commercial Coverage	3.5409231 square miles	10.343286478 square miles
In-Building Residential Coverage	7.2528885 square miles	16.204314838 square miles
In-Vehicle	17.2598283 square miles	32.237200388 square miles

(T-Mobile 2, responses 14 and 25)

87. Lowering the height of T-Mobile's proposed antennas would reduce the coverage footprint and create coverage gaps between the existing coverage and the coverage of the proposed site. (T-Mobile 2, response 21)

Site Selection

88. Cellco commenced a site search in the area around Route 8, north of May Street and south of City Hill Street in October of 2022. The center of the search area was to the east of Route 8. Sites investigated in this area were rejected due to failure to meet wireless service objectives and inability to lease.
89. Applicants investigated 11 sites within the search area as follows:
- 161 Conrad Street, Naugatuck:** this is the proposed site.
 - 567 High Street, Naugatuck:** Grace Lutheran Church expressed an interest in the use of its church steeple, but there was inadequate space inside the steeple for Cellco's antennas and on the property for its ground-mounted equipment.
 - 127 City Hill Street, Naugatuck:** the location was not selected by RF Engineering.
 - 299 Johnson Street, Naugatuck:** A certified letter was mailed to the property owner with no response.
 - 123 City Hill Street, Naugatuck:** the location was not selected by RF Engineering.
 - 32 May Street, Naugatuck:** the location was not selected by RF Engineering.
 - 0 Auburn Street Naugatuck:** the location was not selected by RF Engineering.
 - Auburn Street Naugatuck:** the location was not selected by RF Engineering.
 - 31 Wooster Street, Naugatuck:** A certified letter was mailed to the property owner with no response.
 - 165 Morris Street Naugatuck:** A certified letter was mailed to the property owner with no response.
 - 156 Forest Street, Naugatuck:** the location was not selected by RF Engineering

(Applicants 1, Attachment 8)

90. The Borough asked that Cellco consider 161 Conrad Street as an alternative location. Cellco investigated locating on the northern water tank and determined the structure was too short to satisfy wireless service objectives. The Borough agreed to the installation of a new tower site on the parcel and Cellco ended the search for alternative locations. (Applicants 1 p. 10, Attachment 8)
91. The Borough authorized the execution of a lease agreement with TT for the proposed facility site in July of 2024. (Applicants 4, response 3, Exhibits 2 and 3)
92. TT entered into a lease agreement with the Borough for the proposed facility site in October of 2024. (Applicants 1, p 10)
93. The Council has no authority to compel a parcel owner to sell or lease property, or portions thereof, for the purpose of siting a facility nor shall the Council be limited in any way by the applicant having already acquired land or an interest therein for the purpose of constructing a facility. (*Corcoran v. Conn. Siting Council*, 284 Conn. 455 (2007); CGS §16-50p(g) (2025))
94. For any site to be considered a feasible and prudent alternative to a proposed facility site, it must be available to host the proposed facility. The Council has no authority to force a property owner to agree to sell or lease land, or any portion thereof, as a primary or alternative location for a proposed facility. (*Corcoran v. Conn. Siting Council*, 284 Conn. 455 (2007))

Small Cells and Distributed Antenna Systems

95. A series of small cells or a Distributed Antenna System (DAS) to serve the area is not cost effective or feasible given the number of facilities required and encumbrances on existing utility poles such as transformers, risers, and streetlights that would limit a carrier's ability to use the pole. While the number of small cells or DAS nodes that would be required to provide comparable service is unknown, it is expected to be a large number given the size of the service area. (Applicants 4, response 22)
96. Small cell limitations include a reduction in the number of frequencies deployed, the lack of structure sharing with other carriers, and the lack of space for emergency backup power. (Applicants 4, response 22)
97. To provide wireless service to the proposed service area would require a significant number of small cell deployments either on existing utility poles or on new utility poles along roadways or on private parcels throughout the proposed service area and would not be economically viable as a replacement for a single tower site. The estimated cost of each small cell deployment is \$75,000. (Applicants 4, response 22)

Proposed Site

98. Pursuant to RCSA §16-50j-2a(29), "Site" means a contiguous parcel of property with specified boundaries, including, but not limited to, the leased area, right-of-way, access and easements on which a facility and associated equipment is located, shall be located or is proposed to be located. (RCSA §16-50j-2a(29)(2025))
99. The proposed site is located on an approximate 1.74-acre host parcel owned by the Borough at 161 Conrad Street. The parcel has frontage on Conrad Street to the southwest (refer to Figure 3). (Applicants 1, p. 8; Attachment 1)

- 100. The host parcel is zoned residential (R-15). (Applicants 1, p. 16)
- 101. The proposed tower site is located in the southwest portion of the host parcel, within a previously disturbed area occupied by the abandoned water tanks. (Applicants 1, Attachment 1)
- 102. Land use immediately surrounding the site is residential. (Applicants 1, Attachment 1)
- 103. The proposed tower site is at an approximate ground elevation of 516 feet above mean sea level. (Applicants 1, Attachment 1)
- 104. Access to the site would extend 15 feet from an existing curb cut on Conrad Street to the compound. (Applicants 1, Attachment 1)
- 105. The tower site would be within a 6,916 square foot lease area. (Applicants 1, Attachment 1)
- 106. Development of the site would disturb less than one acre of land (approximately 0.2 acres). (Applicants 1, Attachment 1)

Existing Water Tank Removal

- 107. The northern water tank is 60 feet agl and the southern water tank is 65 feet agl. (Tr. 1, p. 27)
- 108. The existing water tanks are owned by the Borough. Under the lease agreement for the proposed site, removal of the water tanks would be accomplished by the Borough. (Applicants 4, response 6 and Exhibit 2; Tr. 1, pp.19-20)
- 109. Under the lease agreement for the proposed site, TT agreed to pay the Borough a Water Tank Removal allowance of \$170,000. If the removal costs exceed the allowance, the Borough may reduce TT's rent. (Applicants 4, response 6 and Exhibit 2)
- 110. Removal of the two existing water tanks is expected to cost approximately \$385,000. (Applicants 4, response 7; Tr. 1, pp 19-20)
- 111. TT would recover the costs associated with removal of the two water tanks by leasing space on the proposed facility to Cellco, AT&T and T-Mobile. (Applicants 4, response 7)
- 112. TT would remove the northern water tank and install the proposed facility then remove the southern tank. (Applicants 4, response 6; Tr. 1, p. 20)
- 113. T-Mobile would decommission and remove its equipment from the southern water tank once the new tower is installed. No existing T-Mobile equipment would be reused. (Applicants 4, response 7; T-Mobile 2, response 9, response 15; Tr. 1, pp. 19-20)
- 114. TT would remove the southern water tank after T-Mobile completes its equipment installation on the new tower. (Applicants 4, response 7; Tr. 1 pp. 19-20)

Proposed Facility

- 115. The proposed facility would consist of a 150-foot monopole within a 6,737 square foot equipment compound. (Refer to Figures 10 and 11). (Applicants 1, Attachment 1)

116. The tower and foundation would be designed to support an increase in height of up to 20 feet. (Applicants 4, response 11)
117. The compound is designed to accommodate equipment pads for five tenants. (Applicants 1, Attachment 1)
118. Cellco would install 18 panel antennas and 10 remote radio heads on an antenna platform at a centerline height of 140 feet agl (refer to Figure 10). (Applicant 1, p2; Attachment 1)
119. Cellco would install two equipment cabinets and a 50-kilowatt diesel-fueled emergency backup generator on a 10-foot by 20-foot concrete pad. (Applicants 1, Attachment 1)
120. T-Mobile would install 6 panel antennas and 6 remote radio heads on an antenna platform at a centerline height of 128 feet agl (refer to Figure 10). (T-Mobile 2, response 5, 6)
121. T-Mobile would install a battery backup cabinet and a 48-kilowatt diesel-fueled emergency backup generator on a 12-foot by 20-foot concrete pad. (Applicants 1, Attachment 1; T-Mobile 2, response 29, 32)
122. AT&T would install 9 panel antennas and 9 remote radio heads on an antenna platform at a centerline height of 116 feet agl (refer to Figure 10). (AT&T 2, response 3)
123. AT&T would install a battery backup cabinet and a 20-kilowatt diesel-fueled emergency backup generator on a 12-foot by 20-foot concrete pad. (Applicants 1, Attachment 1; AT&T 2, response 22, 25)
124. The proposed equipment compound would be surrounded by an eight-foot high chain link fence. The proposed compound fence would have a double swing access gate that would be locked for security purposes. (Applicants 1, Attachment 1)
125. Power and telecommunications utilities would extend underground from the compound to a new utility pole on Conrad Street. (Applicants 1, Attachment 1)
126. The site does not require water supply or wastewater utilities. There would be no water connection to the site. (Applicants 1, p. 2)
127. There are 155 residential structures within 1,000 feet of the site. (Applicant 1, Attachment 1)
128. The nearest property line from the compound fence and tower is approximately 53 feet and 101 feet, respectively, to the northwest at 171 Conrad Street. (Applicant 1, Attachment 1)
129. The proposed tower is approximately 90 feet to the property line and approximately 120 feet to the residence located across the street at 134 Craig Circle. (Applicant 1, Attachment 1; Tr. 1, pp. 29-30)
130. Applicants are willing to consider the possibility of moving the tower site further into the host parcel away from the property lines at 171 Conrad Street and 134 Craig Circle. (Tr. 1, pp. 29-30; 64-65)

131. A geotechnical survey using a boring rig would be performed prior to construction to evaluate existing subsurface conditions at the site for the preparation of the Development and Management (D&M) Plan if the proposed facility site is approved. (Tr. 1, pp. 22-23)
132. A D&M Plan is a condition of a Council final decision that must be met prior to commencement of construction and constitutes the “nuts and bolts” of a facility approved by the Council. (CGS §16-50p (2025); RCSA §16-50j-75, *et seq.*; *Woodbridge Newton Neighborhood Env’t Trust, et al v. Conn. Siting Council*, 2024 Conn. LEXIS 163 (2024))
133. TT does not anticipate any blasting to construct the site. (Applicants 4, response 5)
134. Construction would require 50 cubic yards of excavation for the compound area. (Applicant 1, Attachment 1)
135. Applicants anticipate the facility would be constructed over a 6 to 12 week period, followed by 2 weeks of radio frequency testing and system integration. (Applicants 1, p. 19)
136. Site construction would commence following Council approval of a D&M Plan for the facility. (Applicants 1, p. 19)
137. A copy or notice of the filing of a D&M Plan with the Council, is required to be provided to the service list for comment. (RCSA §16-50j-75(e)(2025))
138. The Council has statutory authority to order a D&M Plan and the Council’s D&M Plan process has been upheld by the Connecticut Supreme Court. (CGS §16-50p (2025); *FairwindCT, Inc. v. Conn. Siting Council*, 313 Conn. 669 (2014))
139. The site will be accessed periodically for maintenance activities. (Applicants 1, p. 8)
140. The estimated cost of the proposed facility is:

Applicants	\$1,025,000
AT&T	\$358,424
T-Mobile	\$200,000

<u>Total Estimated Costs</u>	<u>\$625,000</u>
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Tarpon Towers, LLC

(1)	Tower and foundation costs of approximately	\$150,000
(2)	Site development costs of approximately	120,000
(3)	Utility and Facility installation costs of approximately	70,000
(4)	Removal of two (2) abandoned water tanks	385,000
	Subtotal – Tarpon Towers III, LLC	725,000

Cellco Partnership d/b/a Verizon Wireless

(1)	Cell site radio equipment costs of approximately	\$115,000
(2)	Antenna and coax costs of approximately	75,000
(3)	Power systems costs of approximately	50,000
	Subtotal – Cellco Partnership d/b/a Verizon Wireless	300,000

AT&T

Component	Cost
<i>Equipment / Materials</i>	<i>\$ 198,769.30</i>
<i>Construction</i>	<i>\$ 93,005.00</i>
<i>Integration & Optimization</i>	<i>\$ 66,650.00</i>
TOTAL	\$358,424.30

T-Mobile

- Decommissioning Costs: \$50,000.00
- New Installation Costs: \$150,000.00

(Applicants 1, p. 19; ATT 2, response 6; T-Mobile 2, response 11)

141. TT would recover the costs associated with the facility construction and the water tank removal by leasing space on the proposed facility to Cellco, AT&T and T-Mobile. (Applicants 4, Responses 7 and 14)
142. AT&T would recover the costs associated with the equipment installations on the proposed facility as part of its business operations and services provided. (AT&T 2, response 7)
143. T-Mobile does not expect to recover the costs associated with relocation of its equipment from the southerly water tank to the proposed facility. (T-Mobile 2, response 10)
144. Neither the Project, nor any portion thereof, is proposed to be undertaken by state departments, institutions or agencies or to be funded in whole or in part by the state through any grant or contract. Applicants are private entities. (Applicants 4, response 13; CGS §22a-1, *et seq.* (2025))

Public Health and Safety

145. The Wireless Communications and Public Safety Act of 1999 (911 Act) was enacted by Congress to promote and enhance public safety by making 9-1-1 the universal emergency assistance number, by furthering deployment of wireless 9-1-1 capabilities, and by encouraging construction and operation of seamless ubiquitous and reliable networks for wireless services. (Council Administrative Notice Item No. 6 - Wireless Communications and Public Safety Act of 1999)
146. The proposed facility would be in compliance with the requirements of the 911 Act and would provide Enhanced 911 services. (Applicants 1, pp. 5-6)
147. Wireless carriers have voluntarily begun supporting text-to-911 services nationwide in areas where municipal Public Safety Answering Points (PSAP) support text-to-911 technology. Text-to-911 will extend emergency services to those who are deaf, hard of hearing, have a speech disability, or are in situations where a voice call to 911 may be dangerous or impossible. However, even after a carrier upgrades its network, a user's ability to text to 911 is limited by the ability of the local 911 call center to accept a text message. The FCC does not have the authority to regulate 911 call centers; therefore, it cannot require them to accept text messages. (Council Administrative Notice Item No. 21 – FCC Text-to-911: Quick Facts & FAQs)
148. Cellco's, AT&T's and T-Mobile's proposed equipment installations would be capable of supporting text-to-911 service. (Applicants 4, response 12; AT&T 2, response 27; T-Mobile 2, response 34)
149. Pursuant to the Warning, Alert and Response Network Act of 2006, "Wireless Emergency Alerts" (WEA) is a public safety system that allows customers who own enabled mobile devices to receive geographically-targeted, text messages alerting them of imminent threats to safety in their area. WEA complements the existing Emergency Alert System that is implemented by the FCC and FEMA at the federal level through broadcasters and other media service providers, including wireless carriers. (Council Administrative Notice No. 5 – FCC WARN Act)
150. Cellco's, AT&T and T-Mobile's proposed equipment would provide WEA services. (Applicants 4, response 29; AT&T 2, response 27; T-Mobile 2, response 36)
151. Pursuant to CGS §16-50p(a)(3)(G), the tower would be constructed in accordance with the current governing standard in the State of Connecticut for tower design and in accordance with the currently adopted International Building Code. (Applicants 4, response 32)
152. The tower would be designed to the Telecommunications Industry Association 222-H Structural Standards for Antenna Supporting Structures and Antennas and Small Wind Turbine Support Structures. (Applicants 1, Attachment 1; Applicants 4, Response 32)
153. The tower would be designed, per manufacturer recommendations, to withstand 150 miles per hour (MPH) wind speeds, in excess of the ANSI/TIA-222-H recommended 130 MPH design. (TR.1, pp. 42-43, 55-56)
154. The proposed tower would not constitute an obstruction or hazard to air navigation and would not require Federal Aviation Administration (FAA) marking or lighting. (Applicant 1, p. 18, attachment 17; Applicant 4, response 35)

155. Security measures at the site would include, but are not limited to, the proposed compound fence, silent intrusion alarms on the equipment cabinets, and removal of climbing pegs on the lower portion of the tower. (Applicants 4, response 31)
156. The tower setback radius* would extend beyond the boundary of the host parcel to the northwest by 46 feet. TT would design a tower yield point at the 104-foot agl of the tower, to ensure the tower setback radius remains within the boundaries of the host parcel. Any extension of the tower height would alter the yield point, possibly extending the setback radius. (Applicants 1, Attachment 1; Tr. 1, pp. 28-29)
*The horizontal distance equal to the tower height that extends radially from the center of the tower.
157. Operational noise from the facility would comply with DEEP Noise Control Regulations. (Applicants 1, p. 15, Applicants 4, response 34)
158. Construction noise is exempt from the DEEP Noise Control Regulations §22a-69-1.8(g), which includes, but is not limited to, “physical activity at a site necessary or incidental to the erection, placement, demolition, assembling, altering, blasting, cleaning, repairing, installing, or equipping of buildings or other structures, public or private highways, roads, premises, parks, utility lines, or other property.” (RCSA §22a-69-1.8(g))
159. The proposed site is not located within the Federal Emergency Management Agency designated 100-year or 500-year flood zone. (Applicants 1, Attachment 15)
160. The proposed site is not located within a state-designated aquifer protection area. (Applicants 4, response 33)
161. Cellco’s cumulative worst-case maximum power density from the radio frequency emissions from the operation of antennas is 2.2 percent of the standard for the General Public/Uncontrolled Maximum Permissible Exposure, as adopted by the FCC, at a horizontal distance of approximately 846 feet from the tower using the proposed antenna configuration. This calculation was based on methodology prescribed by the FCC Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997) using far-field methodology that assumes all channels would be operating simultaneously, which creates the highest possible power density levels. (Applicants 1, p 15, Attachment 14; Council Administrative Notice Item No. 2 – FCC OET Bulletin No. 65)
162. AT&T’s cumulative worst-case maximum power density from the radio frequency emissions from the operation of antennas is 4.33 percent of the standard for the General Public/Uncontrolled Maximum Permissible Exposure, as adopted by the FCC, at a horizontal distance of approximately 695 feet from the tower using the proposed antenna configuration. This calculation was based on methodology prescribed by the FCC Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997) using far-field methodology that assumes all channels would be operating simultaneously, which creates the highest possible power density levels. (AT&T 2, attachment 3; Council Administrative Notice Item No. 2 – FCC OET Bulletin No. 65)
163. T-Mobile’s cumulative worst-case maximum power density from the radio frequency emissions from the operation of antennas is 5.57 percent of the standard for the General Public/Uncontrolled Maximum Permissible Exposure, as adopted by the FCC. This calculation was based on methodology prescribed by the FCC Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997) using far-field methodology that assumes all channels would be operating simultaneously, which creates the highest possible power density levels. (T-Mobile 2, Attachment 4; Council Administrative Notice Item No. 2 – FCC OET Bulletin No. 65)

Emergency Backup Power

164. In response to two significant storm events in 2011, Governor Malloy formed a Two Storm Panel (Panel) that was charged with an objective review and evaluation of Connecticut's approach to the prevention, planning and mitigation of impacts associated with emergencies and natural disasters that can reasonably be anticipated to impact the state. (Final Report of the Two Storm Panel, (Council Administrative Notice Item No. 53)
165. Consistent with the findings and recommendations of the Panel, and in accordance with C.G.S. §16-50*ll*, the Council, in consultation and coordination with DEEP, DESPP and PURA, studied the feasibility of requiring backup power for telecommunications towers and antennas as the reliability of such telecommunications service is considered to be in the public interest and necessary for the public health and safety. (Council Administrative Notice Item No. 34 – Council Docket No. 432)
166. Commercial Mobile Radio Service (CMRS) providers are licensed by and are under the jurisdiction and authority of the FCC. At present, no standards for backup power for CMRS providers have been promulgated by the FCC. (Council Administrative Notice Item No. 34 – Council Docket No. 432)
167. Cellco proposes to install a 50-kilowatt diesel-fueled generator with an associated 229-gallon tank for backup power. Cellco's proposed generator would provide approximately 2 days of run time before it requires refilling. Cellco would also install an 8-hour backup battery at the site. (Applicants 1 p. 18; Applicants 4, responses 23-27)
168. AT&T proposes to install a 20-kilowatt diesel-fueled generator with an associated 105-gallon tank for backup power. AT&T's proposed generator would provide approximately 2 days of run time before it requires refilling. AT&T would also install an 2-4 hour backup battery at the site. (AT&T 2, responses 22-25)
169. T-Mobile proposes to install a 48-kilowatt diesel-fueled generator for backup power. T-Mobile's proposed generator would provide approximately 2 days of run time before it requires refilling. T-Mobile would also install a 2-4 hour backup battery at the site. (T-Mobile, responses 28-32)
170. According to RCSA §22a-69-1.8, noise created as a result of, or relating to, an emergency, such as an emergency backup generator, is exempt from the DEEP Noise Control Regulations. (RCSA §22a-69-1.8)

Environmental Effects and Mitigation Measures

Air and Water Quality

171. Operation of the proposed facility would not produce air emissions, excluding operation of the emergency backup generator. (Applicants 1, p. 18)
172. Pursuant to RCSA §22a-174-3b, the emergency backup generator would be managed to comply with DEEP's "permit by rule" criteria and would comply with air emissions. Therefore, the generator would be exempt from general air permit requirements. (Applicants 1, p. 18; Applicants 4, response 27; RCSA §22a-174-3b)
173. The Inland Wetlands and Watercourses Act (IWWA), CGS §22a-36, *et seq.*, contains a specific legislative finding that the inland wetlands and watercourses of the state are an indispensable and irreplaceable but fragile natural resource with which the citizens of the state have been endowed,

and the preservation and protection of the wetlands and watercourses from random, unnecessary, undesirable and unregulated uses, disturbance or destruction is in the public interest and is essential to the health, welfare and safety of the citizens of the state. (CGS §22a-36, et seq. (2025))

174. The IWWA grants regulatory agencies with the authority to regulate upland review areas in its discretion if it finds such regulations necessary to protect wetlands or watercourses from activity that will likely affect those areas. (CGS §22a-42a (2025))
175. The IWWA forbids regulatory agencies from issuing a permit for a regulated activity unless it finds on the basis of the record that a feasible and prudent alternative does not exist. (CGS §22a-41 (2025))
176. A Wetland Inspection conducted on February 12, 2025, identified no wetland areas or watercourses in the vicinity of the site. (Applicants 1, Attachment 11)
177. Applicants would install appropriate erosion and sedimentation (E&S) controls such as a construction fence and silt socks in compliance with the 2024 Connecticut Guidelines for Soil Erosion and Sediment Control (2024 E&S Guidelines). (Applicants 1, Attachment 1)
178. Pursuant to CGS §22a-430b, a DEEP Stormwater Permit is required for any disturbance greater than 1 acre. The construction limit of disturbance for the proposed site is approximately 0.2-acre; therefore, the project would not require a DEEP Stormwater Permit (CGS §22a-430b; DEEP General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities. (DEEP-WPED-GP-015))

Forests and Parks

179. The Naugatuck State Forest is located within 2 miles to the south. The tower would not be visible from the state forest. (Applicant 1, Attachment 9)
180. Approximately 2 trees greater than 6-inches diameter at breast height, including dead trees, would be removed. (Applicants 1, Attachment 1)

Fish and Wildlife

181. The site is not adjacent to DEEP-designated cold-water habitat. Development of the site would not affect fish passage. (Council Administrative Notice Item No. 47; Applicants 1, Attachment 10)
182. DEEP Natural Diversity Database (NDDB) maps show approximate locations of state-listed endangered, threatened, and special concern species and can be used to find areas of potential conservation concern. (Council Administrative Notice Item No. 76)
183. The proposed facility is not located within a NDDB buffer area. (Applicants 1, Attachment 10; Council Administrative Notice Item No. 76)
184. The site is within the range of the northern long-eared bat (NLEB) and tricolored bat (TCB), federally-listed and state-listed endangered species. There are no known NLEB or TCB hibernacula or known maternity roost trees within 0.25 miles of the proposed site. By letter dated January 30, 2025 the U.S. Fish and Wildlife Service (USFWS) determined that the Project is located within sensitive habitat for the TCB, and suggests Applicants should implement recommended measures for TCB conservation including but not limited to:

- a) Conducting tree removal activities outside of the TCB active season (June 1-August 15) to minimize impacts to pups at roosts not yet identified;
 - b) Contractor education;
 - c) Compliance monitoring reporting.
(Applicants 1, pp. 13, Attachment 10)
185. The proposed facility is not located adjacent to an Important Bird Area (IBA), as designated by the National Audubon Society. (Council Administrative item No. 81)
186. The proposed facility would comply with the USFWS telecommunications tower guidelines for minimizing the potential for impact to bird species. (Applicants 1, p. 13)
187. Applicants complied with National Environmental Policy Act (NEPA) requirements for telecommunications facilities. (Applicants 1, pp. 13, 14; Attachment 9)

Agriculture and Soils

188. Agricultural land is an economic resource. The terms “agriculture” and “farming” are defined under CGS §1-1q. Agriculture and farming activities are exempt from certain statutes and regulations, including, but not limited to, provisions related to wetlands and nuisance. (CGS §1-1q (2025); CGS §19a-341(2025)(commonly known as “the Right to Farm Law”); CGS §22a-19 (2025); CGS §22a-40 (2025); CGS §7-131d (2025); Red Hill Coalition, Inc. v. Town Plan & Zoning Comm’n, 212 Conn. 727 (1989); Indian Spring Land Co. v. Inland Wetlands & Watercourse Agency of Greenwich, 322 Conn. 1 (2016))
189. The host parcel does not contain prime farmland soils or statewide important farmland soils. (Applicants 1, p. 15, Attachment 13)

Scenic, Historic and Recreational Values

190. By letter dated March 3, 2025, SHPO determined that the Project would have no effect on sites listed on or eligible for listing on the National Register of Historic Places. (Applicants 1, Attachment 12)
191. There are no state or local designated scenic roads within one-mile of the site. (Applicants 1, Attachment 9)
192. The Naugatuck Forest Trail and Larkin Bridle Trail, “blue-blazed” hiking trails, maintained by the Connecticut Forest and Park Association are within two miles of the site. No visibility is anticipated from any portion of the trails. (Applicants 1, Attachment 9)
193. Pursuant to CGS §16-50p(b), the Council shall examine whether the proposed facility would be located in an area of the state which the Council, in consultation with DEEP and any affected municipalities, finds to be a relatively undisturbed area that possesses scenic quality of local, regional or state-wide significance and the latest facility design options intended to minimize aesthetic and environmental impacts. The Council may deny an application for a certificate if it determines that the proposed facility would substantially affect the scenic quality of its location or surrounding neighborhood and no public safety concerns require that the proposed facility be constructed in such a location. (CGS §16-50p(b) (2025))
194. No comments were received from the Borough, OPM or DEEP regarding any impacts to scenic quality or resources. (Record)

Visibility

195. Property owners have no right to an unobstructed view from structures built on adjacent property except where there is an express statutory provision or there is a contract or restrictive covenant protecting the private right to a view or vista. (*Mayer v. Historic District Comm'n of Town of Groton*, 325 Conn. 765 (2017); CGS §47-25 (2025))
196. TT used a combination of predictive computer models, in-field analysis, and a review of various data sources to evaluate the visibility of the proposed facility. (Applicants 1, p. 12-13, Attachment 9)
197. On January 17, 2025, Applicants conducted a balloon test and field reconnaissance at the proposed tower site to assist in the visibility evaluation. The balloon test consisted of flying a four-foot diameter helium filled balloon to a height of approximately 150-feet agl at the proposed site. An in-field reconnaissance was then performed from publicly accessible locations in the surrounding area to determine where the proposed tower would be visible. The in-field reconnaissance included photographs taken from various areas around the site. (Applicants 1, Attachment 9)
198. Information obtained during the field reconnaissance was incorporated into a viewshed map that depicts areas with year-round visibility within a two-mile radius (8,042 acres) of the site (Study Area) based on computer modeling and in-field observations from publicly-accessible locations. (Applicants 1, Attachment 9)
199. Based on the viewshed analysis (refer to Figure 13), the proposed tower would be visible year-round from approximately 58 acres of the study area. (Applicants 1, Attachment 9)
200. The tower would be seasonally visible (leaf-off conditions) from an additional 138 acres of the study area. (Applicants 1, Attachment 9)
201. Year-round visibility would occur in open fields within one mile of the site. Seasonal visibility would occur within one mile of the site. (Applicants 1, Attachment 9)
202. A monopine facility would not blend into the area due to the surrounding tree canopy height of approximately 60 feet and lack of coniferous trees in the area. (Applicants 4, response 37)
203. A stealth unipole facility would require a wider profile and increased height to accommodate the necessary antennas. (Applicants 4, response 37)
204. A water tank design would stand nearly three times higher than the existing structures occupying the site and be highly visible well above the tree line. (Applicants 4, response 37)
205. Pursuant to CGS §16-50p(a)(3)(F), for a telecommunications proposed to be installed on land near a building containing a school, the facility will not be less than 250 feet from the building containing the school unless the location is acceptable to the chief elected official of the municipality or the Council finds that the facility will not have a substantial adverse effect on the aesthetics or scenic quality of the neighborhood in which such school is located. (CGS §16-50p(a)(3)(F) (2025))
206. No schools or commercial child day care facilities are located within 250 feet of the site. The nearest building containing a school or commercial day care is Sunset Child Care located approximately 0.13 miles west of the proposed facility site. (Applicants 1, Attachment 9)

Figure 1 – Site Location – Topographic Map

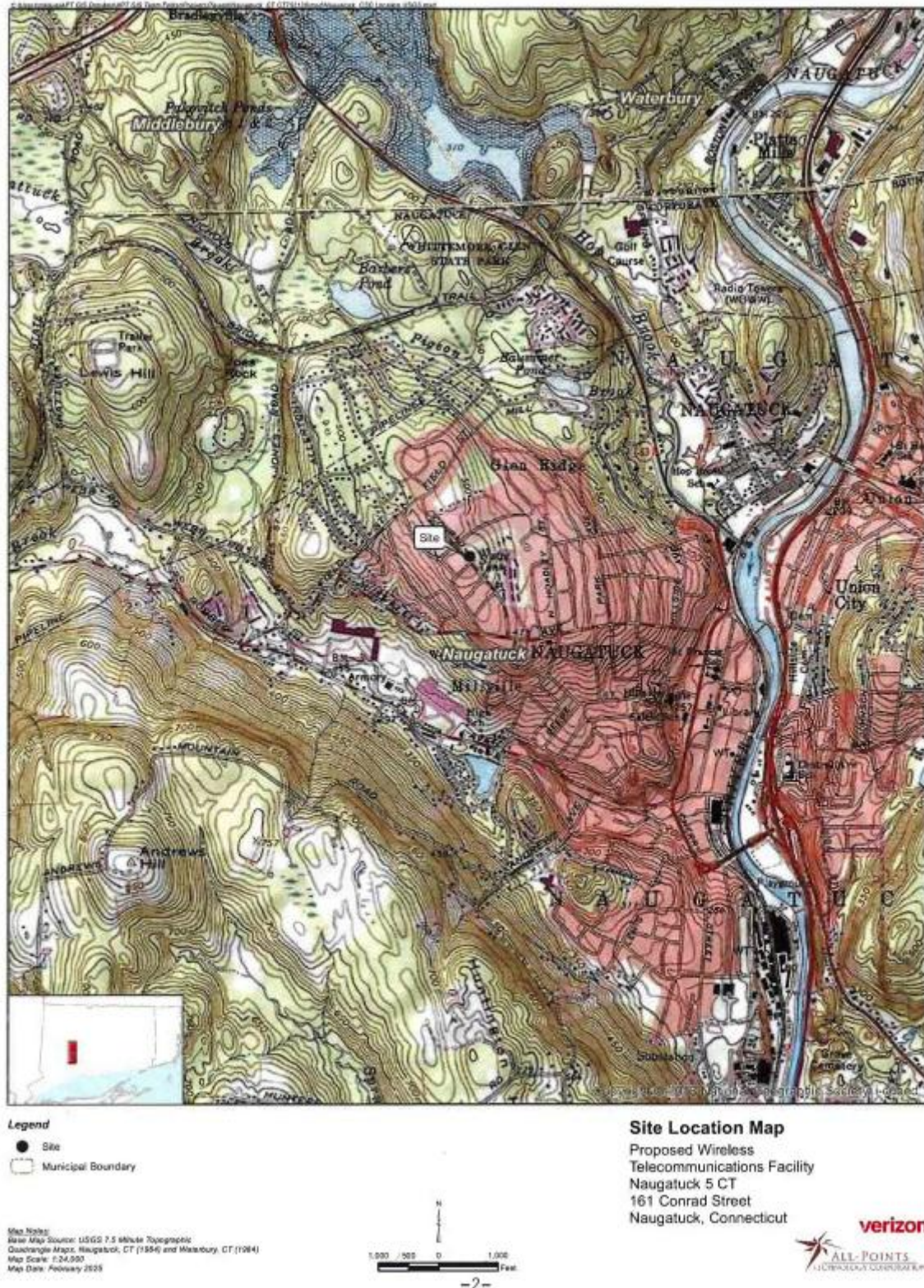
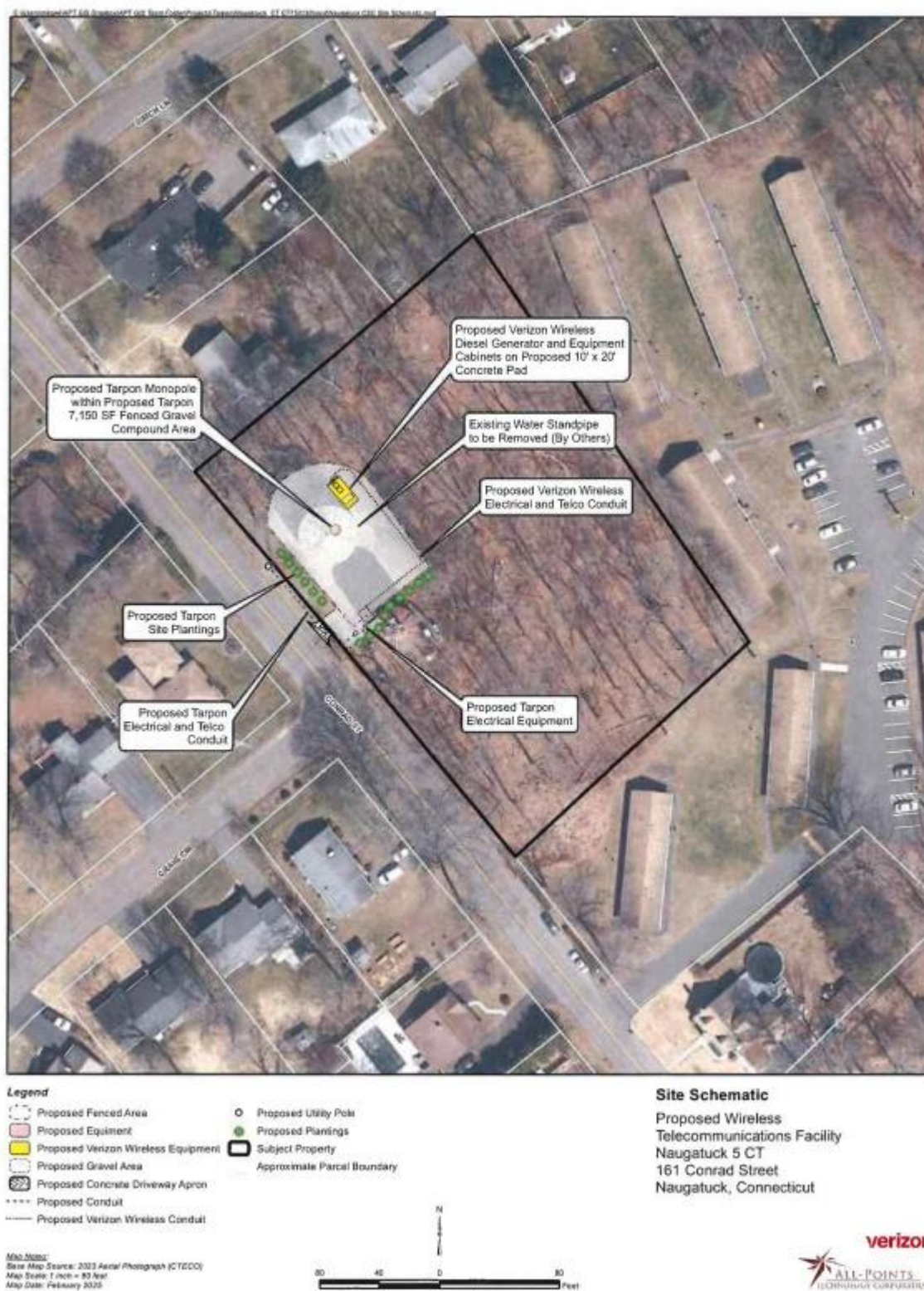


Figure 2 – Site Location – Aerial Image

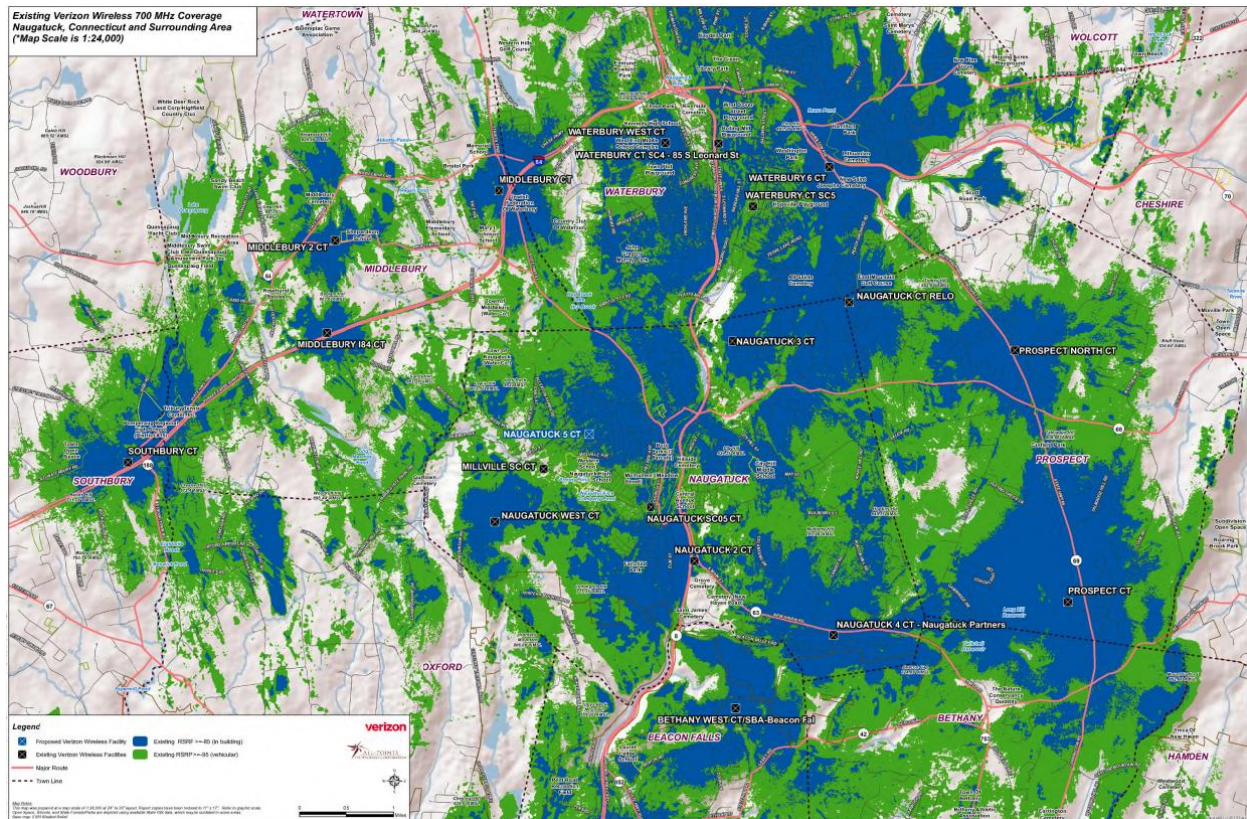


Figure 3 – Site Location – Site Schematic



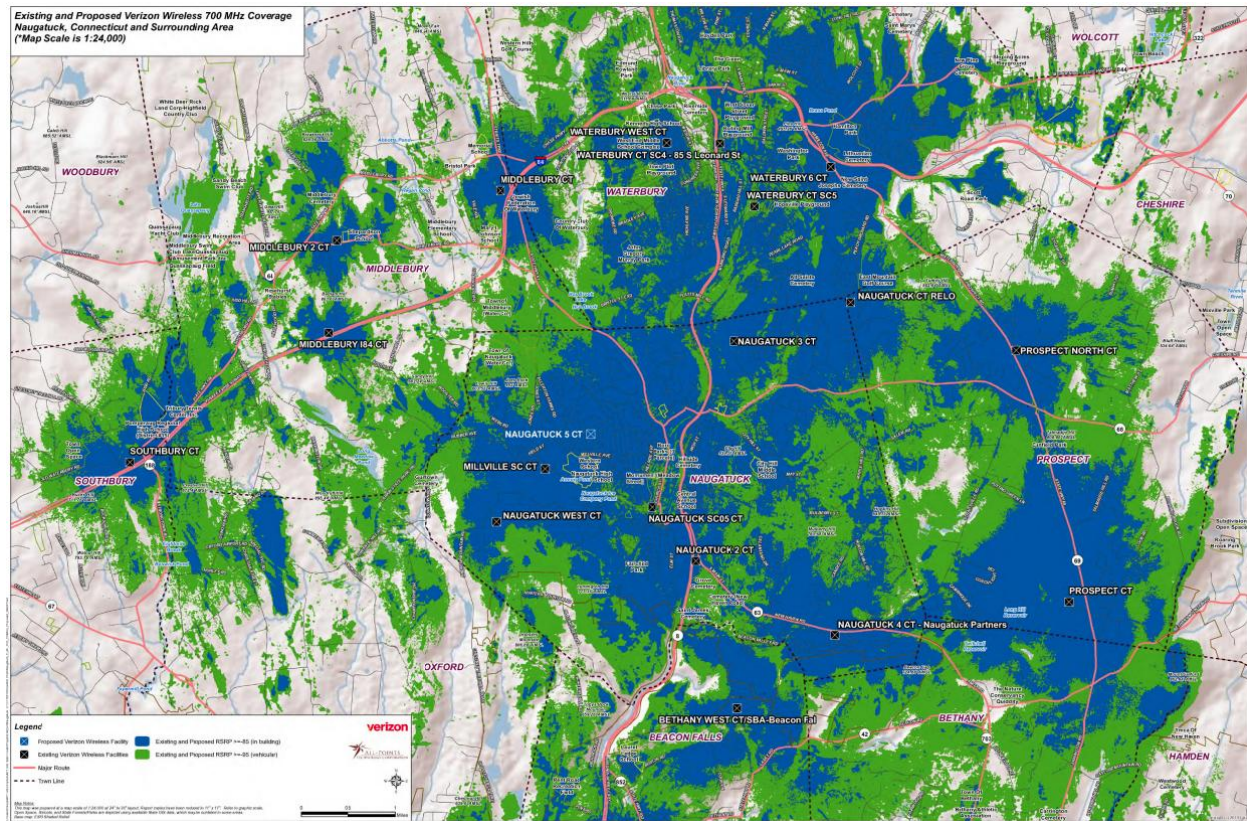
(Applicants 1, Attachment 1, p. 4)

Figure 4 – Cellco Existing 700 MHz Coverage



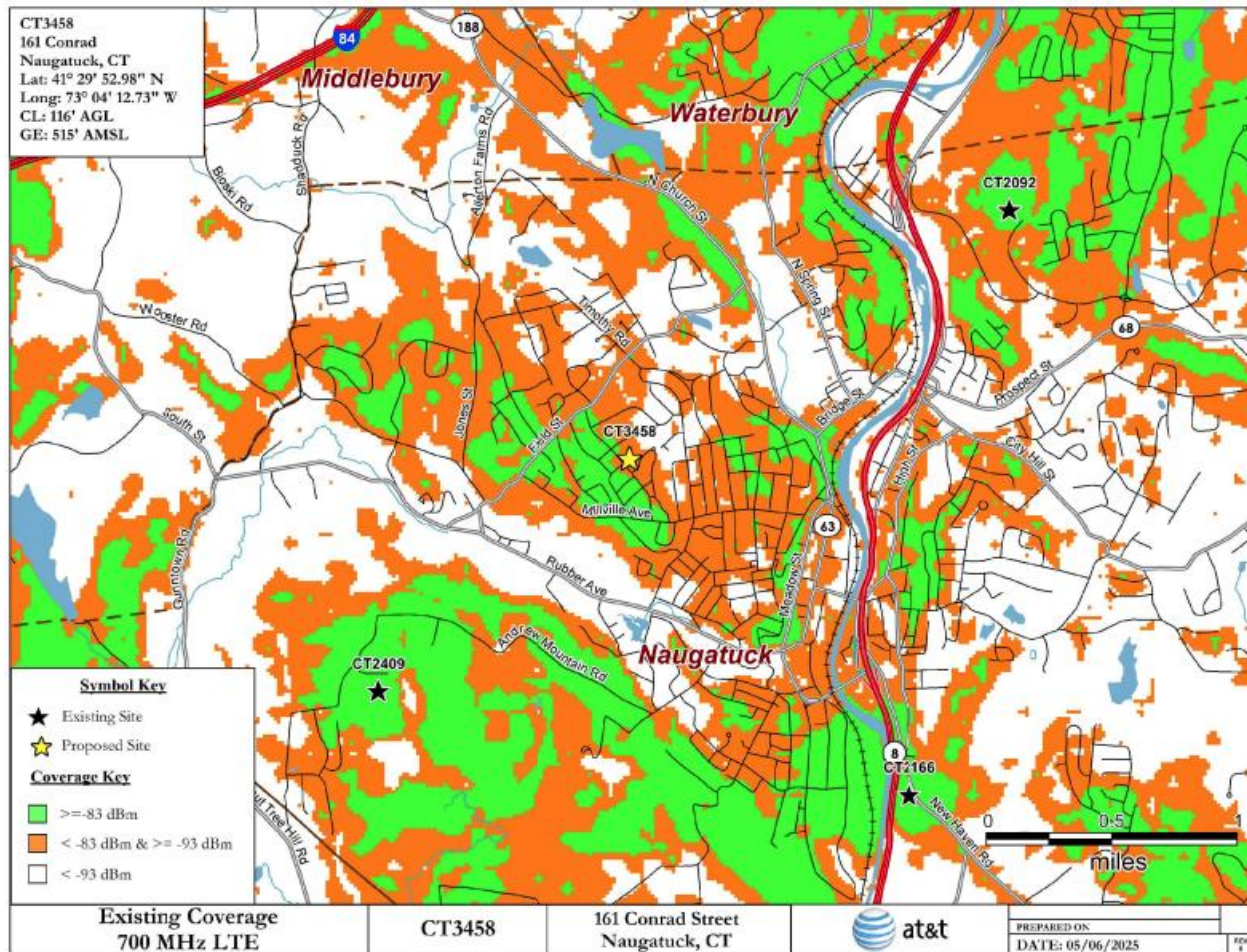
(Applicants 1, Attachment 6, p. 1)

Figure 5 – Cellco Existing and Proposed 700 MHz Coverage



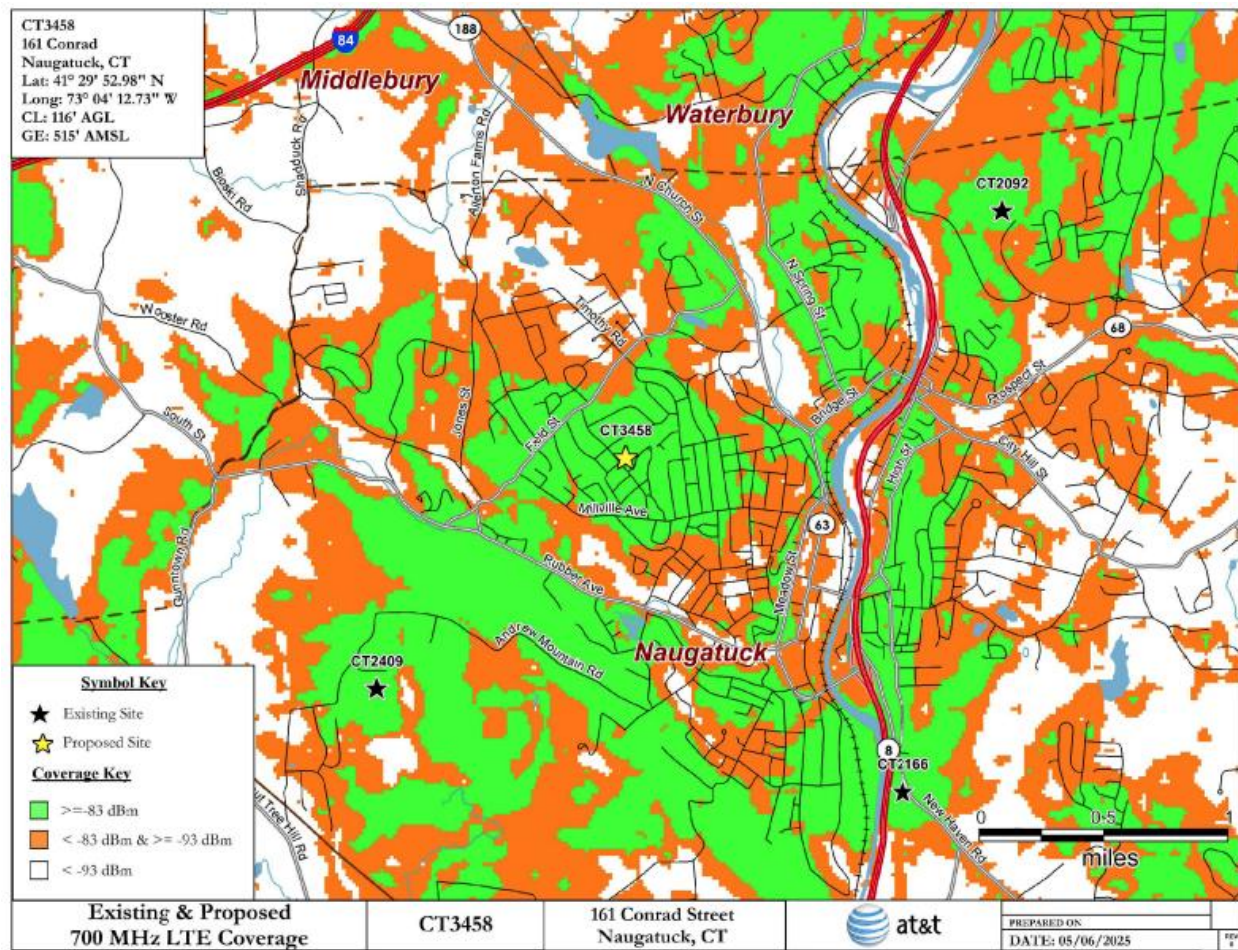
(Applicants 1, Attachment 6, p. 2)

Figure 6 – AT&T Existing 700 MHz Coverage



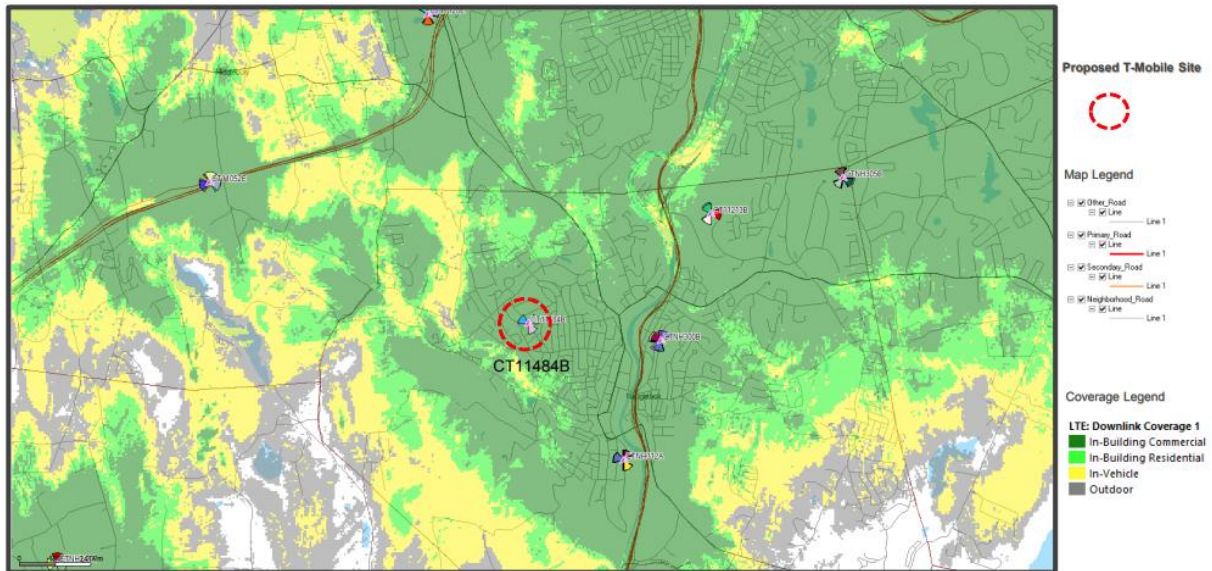
(AT&T 2, response attachment 2)

Figure 7 – AT&T Existing and Proposed 700 MHz Coverage



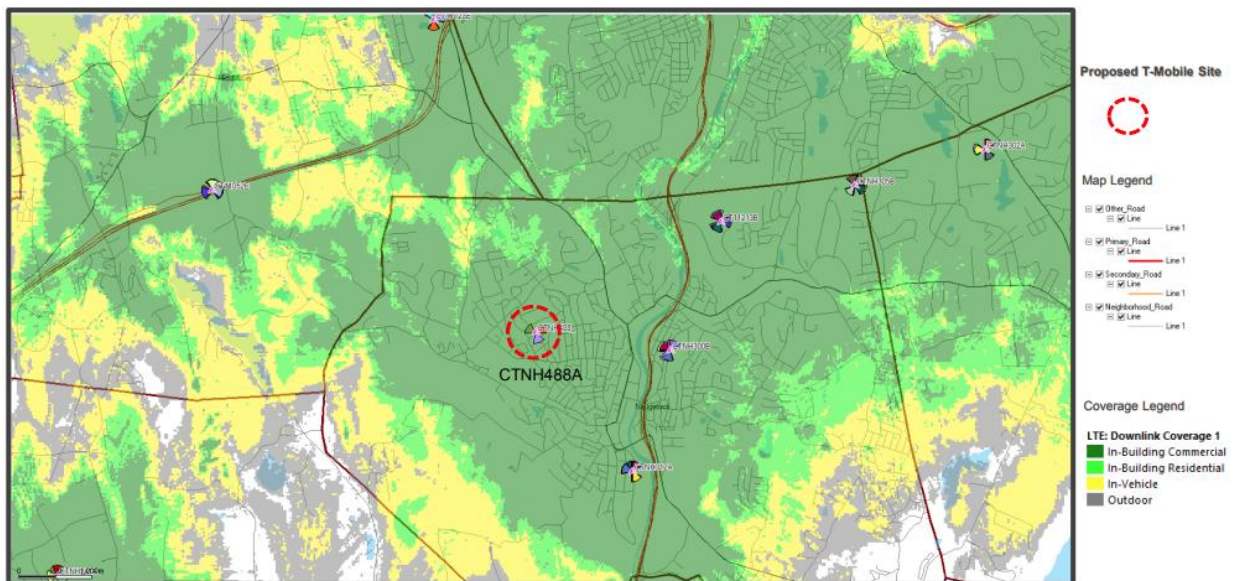
(AT&T 2, response attachment 2)

Figure 8 – T-Mobile Existing 700 MHz Coverage



(T-Mobile 2, response attachment 3)

Figure 9 – T-Mobile Existing and Proposed 700 MHz Coverage



(T-Mobile 2, response attachment 3)

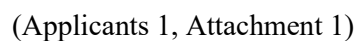
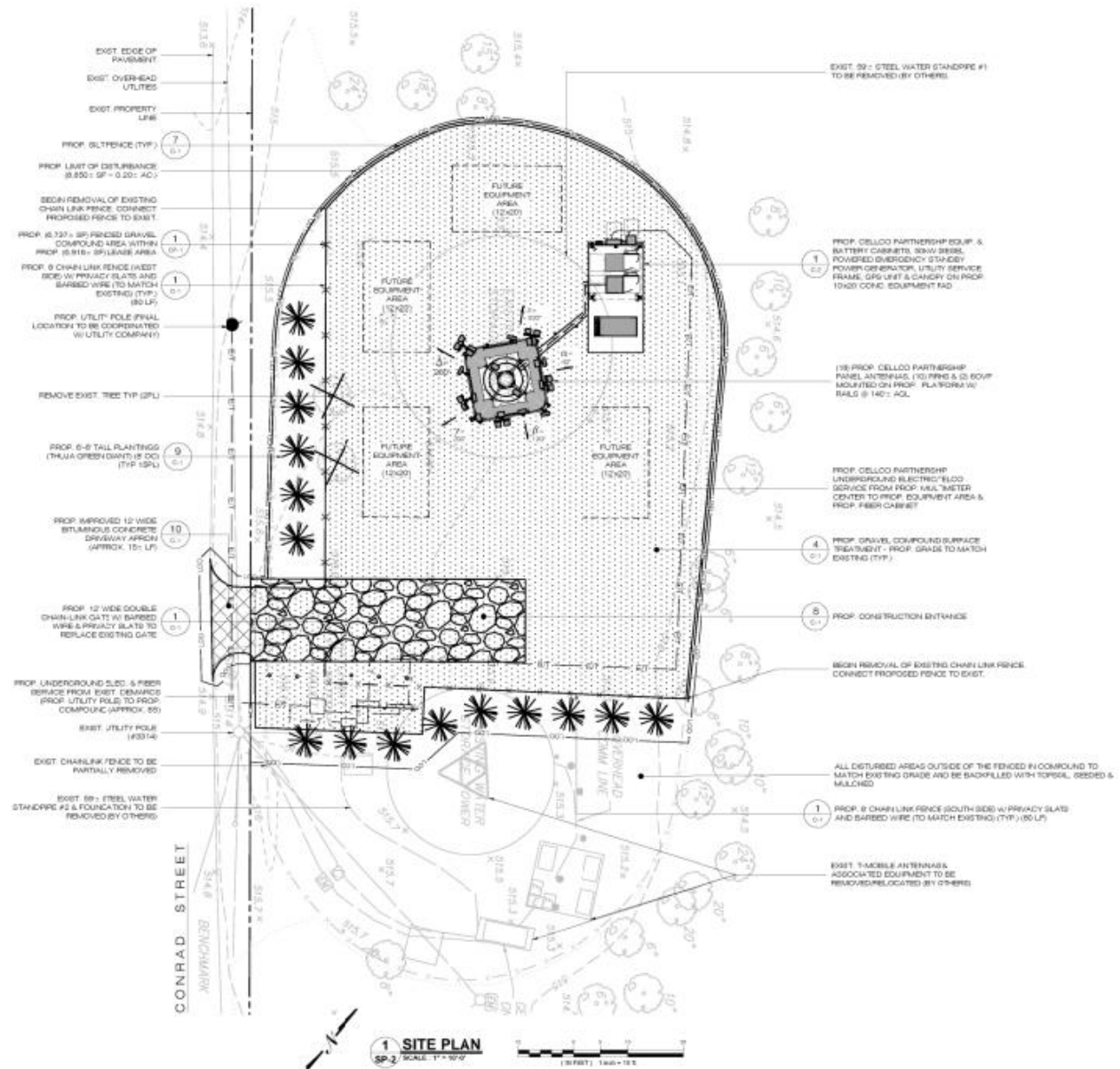
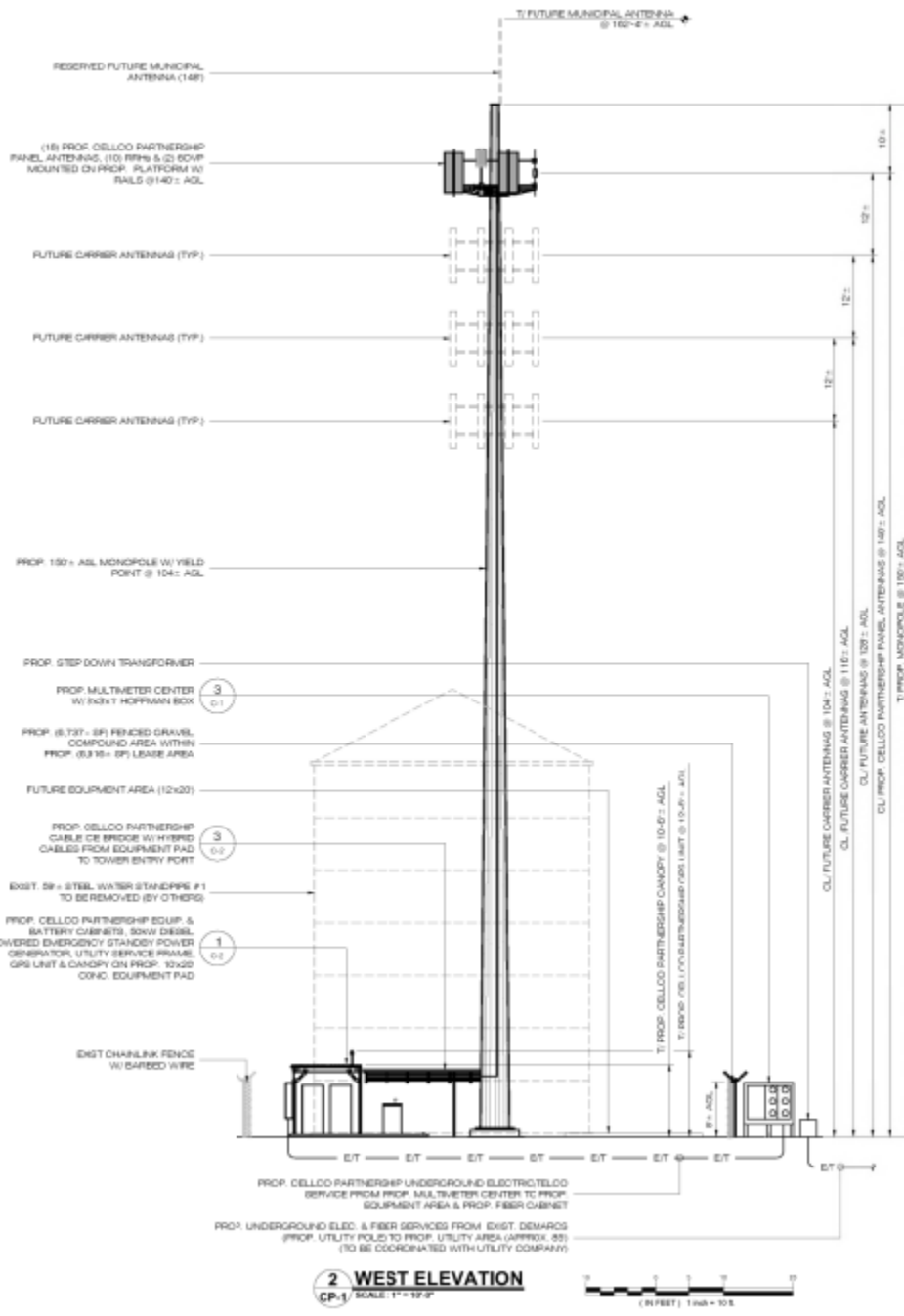


Figure 11– Site Plan detail



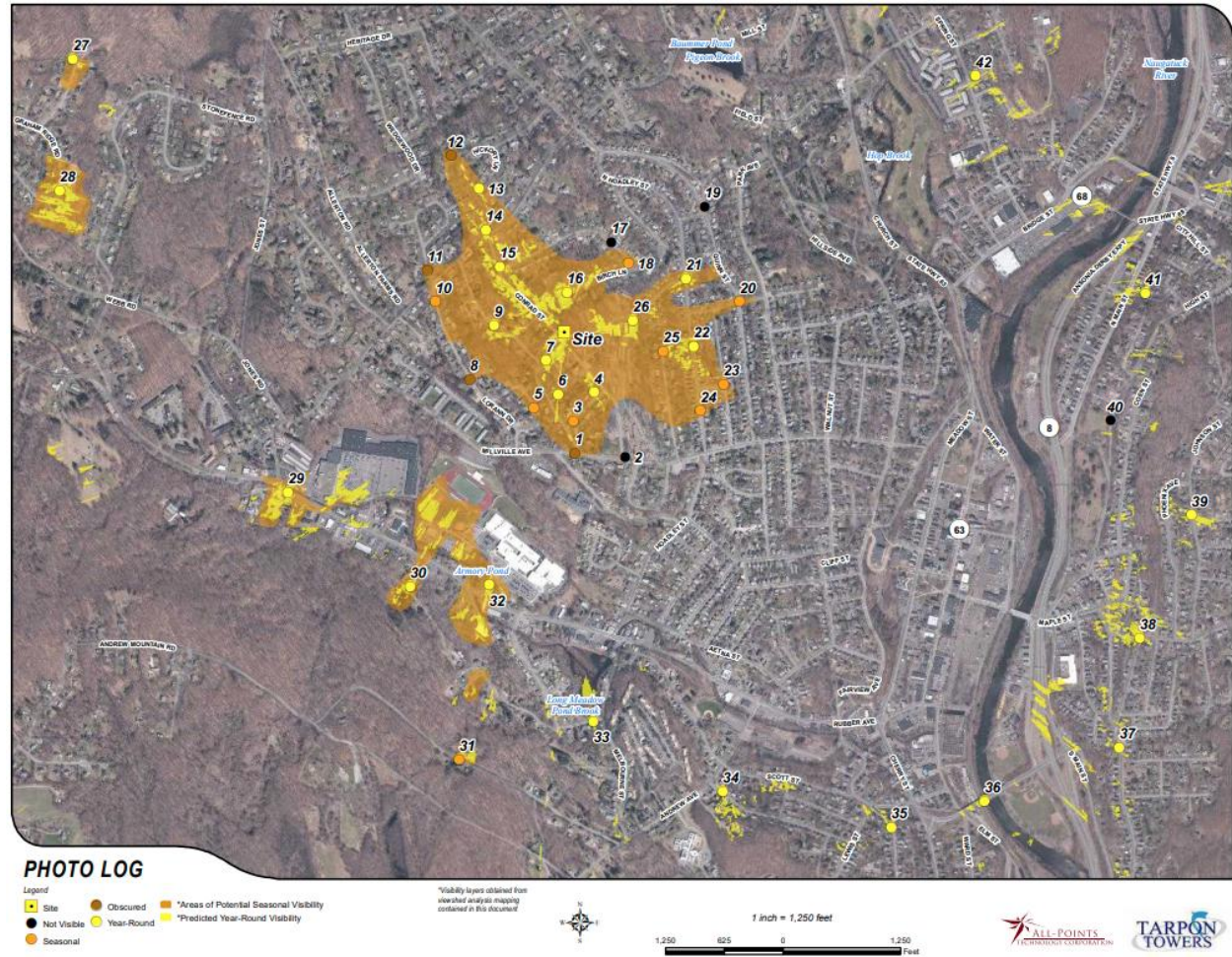
(Applicants 1, Attachment 1)

Figure 12 – Tower Plan



(Applicants 1, Attachment 1)

Figure 13 – Proposed Site Visibility Analysis



(Applicants 1, Attachment 9)

Visibility Analysis Map Photolog

Table 1 - Photo Locations

Photo	Location	Orientation	Distance	Visibility
1	MILLVILLE ROAD	N	+/- 0.24 MILE	OBSCURED
2	MILLVILLE ROAD AT CONRAD STREET	NNW	+/- 0.28 MILE	NOT VISIBLE
3	CASPER COURT	N	+/- 0.18 MILE	SEASONAL
4	CASPER COURT	NNW	+/- 0.14 MILE	YEAR ROUND
5	JOSEPH ROAD	NNE	+/- 0.16 MILE	SEASONAL
6	PIERCE LANE*	N	+/- 0.12 MILE	YEAR ROUND
7	CRAIG CIRCLE*	NE	+/- 360 FEET	YEAR ROUND
8	LORANN DRIVE	ENE	+/- 0.21 MILE	OBSCURED
9	SUNSET DRIVE	E	+/- 0.14 MILE	YEAR ROUND
10	LORANN DRIVE	ESE	+/- 0.27 MILE	SEASONAL
11	ROUND HILL ROAD	ESE	+/- 0.30 MILE	OBSCURED
12	HICKORY LANE	SSE	+/- 0.42 MILE	OBSCURED
13	HICKORY LANE	SSE	+/- 0.33 MILE	YEAR ROUND
14	FIELD STREET AT CONRAD STREET	SE	+/- 0.26 MILE	SEASONAL
15	HILLTOP ROAD AT CONRAD STREET	SE	+/- 0.19 MILE	YEAR ROUND
16	BIRCH LANE	S	+/- 450 FEET	YEAR ROUND
17	HILLTOP ROAD	SSW	+/- 0.20 MILE	NOT VISIBLE
18	HILLTOP ROAD AT BIRCH LANE	SW	+/- 0.19 MILE	SEASONAL
19	QUINN STREET AT SURREY DRIVE	SW	+/- 0.38 MILE	NOT VISIBLE
20	CHESTNUT STREET AT QUINN STREET	W	+/- 0.36 MILE	SEASONAL
21	NORTH HOADLEY STREET AT DEERING LANE	WSW	+/- 0.27 MILE	YEAR ROUND
22	NORTH HOADLEY STREET	W	+/- 0.26 MILE	YEAR ROUND
23	FERN STREET AT COLLEGE STREET	WNW	+/- 0.34 MILE	SEASONAL

*Photograph was taken at 35 mm focal length.

Table 1 - Photo Locations Continued

Photo	Location	Orientation	Distance	Visibility
24	NORTH HOADLEY STREET	WNW	+/- 0.32 MILE	SEASONAL
25	PHYLLIS DRIVE	W	+/- 0.20 MILE	SEASONAL
26	NAUGATUCK HOUSING AUTHORITY	W	+/- 0.14 MILE	YEAR ROUND
27	FARMSTEAD LANE	ESE	+/- 1.13 MILES	YEAR ROUND
28	GRAHAM RIDGE ROAD	ESE	+/- 1.06 MILES	YEAR ROUND
29	RUBBER AVENUE	ENE	+/- 0.64 MILE	YEAR ROUND
30	WOODRUFF AVENUE	NNE	+/- 0.60 MILE	YEAR ROUND
31	ANDREW MOUNTAIN ROAD	NNE	+/- 0.88 MILE	SEASONAL
32	NAUGATUCK HIGH SCHOOL	NNE	+/- 0.53 MILE	YEAR ROUND
33	MELBOURNE COURT	N	+/- 0.78 MILE	YEAR ROUND
34	MANNERS AVENUE	NNW	+/- 0.98 MILE	YEAR ROUND
35	GORMAN STREET	NNW	+/- 1.19 MILES	YEAR ROUND
36	CHERRY STREET	NW	+/- 1.26 MILES	YEAR ROUND
37	HIGH STREET	NW	+/- 1.40 MILES	YEAR ROUND
38	HILL STREET AT MAY STREET	WNW	+/- 1.31 MILES	YEAR ROUND
39	JOHNSON STREET	WNW	+/- 1.32 MILES	YEAR ROUND
40	HIGH STREET	W	+/- 1.11 MILES	NOT VISIBLE
41	ORCHARD STREET	W	+/- 1.17 MILES	YEAR ROUND
42	PEPPERMILL COURT	WSW	+/- 0.97 MILE	YEAR ROUND