

DOCKET NO. 319 - Optasite, Inc. and New Cingular Wireless } Connecticut
PCS, LLC application for a Certificate of Environmental }
Compatibility and Public Need for the construction, maintenance } Siting
and operation of a telecommunications facility on one of two sites }
at 1662 Gold Star Memorial Highway (Route 184), Groton, } Council
Connecticut.

February 27, 2007

Opinion

On August 1, 2006, Optasite Incorporated (Optasite) and New Cingular Wireless PCS, LLC (Cingular), collectively referred to as the “Applicants”, applied to the Connecticut Siting Council (Council) for a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, operation, and maintenance of a wireless telecommunications facility at one of two locations at 1662 Gold Star Memorial Highway (Route 184) in Groton, Connecticut. The purpose of the proposed facility is to provide service to coverage gaps in the Center Groton area, primarily near the Gold Star Memorial Highway and North Road (Route 117).

The Applicants propose to construct a 150-foot monopole at Site A in the center portion of a 32.2 acre parcel, owned by Chester B. Crouch. Cingular would locate antennas at the 120-foot level of the proposed tower. The proposed equipment compound would consist of a 75-foot by 75-foot area enclosed by an eight-foot tall security fence. Access to the proposed Site A compound would extend from Gold Star Highway along an existing driveway for a distance of approximately 440 feet and continue along an existing but unimproved driveway for a distance of approximately 450 feet. Utilities would be installed underground along the access road.

The Applicants propose to construct a 160-foot monopole at Site B in the southern central portion of the same 32.2 acre parcel. Cingular would locate antennas at the 130-foot level of the proposed tower. The proposed equipment compound would consist of a 50-foot by 100-foot area enclosed by an eight-foot tall security fence. Access to the proposed Site B compound would extend from Gold Star Highway along an existing driveway for a distance of 440 feet and continue along an existing but unimproved driveway for a distance of approximately 100 feet. Utilities would be installed underground along the access road.

The Applicants could reduce the size equipment compound at either proposed site by 20 to 25 feet, leaving it large enough to allow a technician to drive a vehicle in and close the gate. The Council will order that the Applicants construct a reduced size compound to accommodate Cingular’s equipment.

The tower setback radius of the proposed Site A and Site B tower would not extend onto an adjacent property. The nearest off-site residence to both proposed towers is located on property owned by Benny and Phyllis Wimes at 1720 Gold Star Highway, which is located approximately 770 feet to the southeast of proposed Site A and 600 feet to the southeast of proposed Site B.

The leased areas for both proposed sites are within the 100-foot wetlands buffer. The proposed access to Site A would cross a 20 to 25 foot section of wetlands. No construction activities for

Site B would occur within the 100-foot wetlands buffer. The wetlands crossing at proposed Site A would be constructed to improve water flow, mitigate sedimentation and eliminate the potential for soil erosion.

Construction of the proposed Site A facility would require the removal of approximately 26 trees with a diameter of six inches or greater, while construction of the proposed Site B facility would require the removal of one tree.

The proposed Site A tower would be located farther from the Gold Star Memorial Highway than the proposed Site B tower, which would have the result of a reduction in visibility above the tree line. The proposed Site A tower would be visible from approximately eight residences year round and the proposed Site B tower would be visible from approximately ten residences year round.

The whip-poor-will (*Caprimulgus vociferous*), a state Species of Special Concern, may exist near the proposed sites. An ornithological survey performed by the Applicants indicated no sightings of whip-poor-wills; however, to minimize potential impact, the Applicants would conduct non-routine maintenance activities at either proposed site during the fall, winter and early spring and plant Connecticut-native evergreens around the perimeter of the compound.

Proposed Site A and Site B would have no effect on historic, architectural or archaeological resources.

Cingular currently has a 1.5 mile coverage gap along Route 184 and a 3 mile coverage gap along Route 117. Construction of a facility at either proposed site will provide coverage to the gaps along Route 184, and Route 117. Within a two mile radius of the proposed sites no coverage gaps would remain along Route 184; however, a 0.8 mile coverage gap would remain along Route 117 north of the sites. Moreover, coverage from Site A and Site B are equivalent even though antennas at Site A would be 24 feet higher in elevation above mean sea level than Site B. This 24-foot difference does not offer any significant improvement in coverage.

Cingular is the only wireless provider that seeks to use this tower at this time. The coverage objectives can be achieved with an antenna centerline at 120 feet and 130 feet at Site A and Site B respectively.

After reviewing the record in this proceeding, we find Site B preferable. Site B would have less impact on the environment by avoiding the crossing of wetlands, and requiring the removal of significantly fewer trees than Site A. The Council will approve a 133-foot monopole at Site B with a reduction in the size of the proposed equipment compound. The added three feet would be needed if the tower were ever extended.

According to a methodology prescribed by the FCC Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997), the combined radio frequency power density levels of the antennas proposed to be installed on the tower have been calculated by Council staff

to amount to 10.76% (at proposed Site A) and 9.17 % (at proposed Site B) of the FCC's Maximum Permissible Exposure, as measured at the base of the tower. This percentage is well below federal and state standards established for the frequencies used by wireless companies. If federal or state standards change, the Council will require that the tower be brought into compliance with such standards. The Council will require that the power densities be recalculated in the event other carriers add antennas to the tower. The Telecommunications Act of 1996 prohibits any state or local agency from regulating telecommunications towers on the basis of the environmental effects of radio frequency emissions to the extent that such towers and equipment comply with FCC's regulations concerning such emissions.

Based on the record in this proceeding, the Council finds that the effects associated with the construction, operation, and maintenance of the telecommunications facility at proposed Site B, including effects on the natural environment; ecological integrity and balance; public health and safety; scenic, historic, and recreational values; forests and parks; air and water purity; and fish and wildlife are not disproportionate either alone or cumulatively with other effects when compared to need, are not in conflict with policies of the State concerning such effects, and are not sufficient reason to deny this application. Therefore, the Council will issue a Certificate for the construction, operation, and maintenance of a 133-foot monopole telecommunications facility at Site B, 1662 Gold Star Memorial Highway, Groton, Connecticut, and deny the certification of Site A.