



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: [siting.council@ct.gov](mailto:siting.council@ct.gov)

[www.ct.gov/csc](http://www.ct.gov/csc)

### CERTIFIED MAIL RETURN RECEIPT REQUESTED

September 6, 2016

Eric Dahl  
Vertical Development LLC  
20 Commercial Street  
Branford, CT 06405

RE: **PETITION NO. 1245** - T-Mobile Northeast LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the installation of an additional rooftop wireless telecommunications facility located at the Connecticut Post Mall, 1201 Boston Post Road, Milford, Connecticut.

Dear Mr. Dahl:

At a public meeting held on September 1, 2016, the Connecticut Siting Council (Council) considered and ruled that the above-referenced proposal would not have a substantial adverse environmental effect, and pursuant to Connecticut General Statutes § 16-50k, would not require a Certificate of Environmental Compatibility and Public Need with the following conditions:

1. Use of off-road construction equipment that meets the latest EPA or California Air Resources Board standards, or in the alternative, equipment with the best available controls on diesel emissions, including, but not limited to, retrofitting with diesel oxidation catalysts, particulate filters and use of ultra-low sulfur fuel;
2. Compliance with the provisions of Section 22a-174-18(b)(3)(C) of the Regulations of Connecticut State Agencies that limit the idling of mobile sources to 3 minutes;
3. Approval of any minor project changes be delegated to Council staff;
4. Unless otherwise approved by the Council, if the facility authorized herein is not fully constructed within three years from the date of the mailing of the Council's decision, this decision shall be void, and the facility owner/operator shall dismantle the facility and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made. The time between the filing and resolution of any appeals of the Council's decision shall not be counted in calculating this deadline. Authority to monitor and modify this schedule, as necessary, is delegated to the Executive Director. The facility owner/operator shall provide written notice to the Executive Director of any schedule changes as soon as is practicable;
5. Any request for extension of the time period to fully construct the facility shall be filed with the Council not later than 60 days prior to the expiration date of this decision and shall be served on all parties and intervenors, if applicable, and the City of Milford;
6. Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed;



CONNECTICUT SITING COUNCIL  
Affirmative Action / Equal Opportunity Employer

7. Any nonfunctioning antenna and associated antenna mounting equipment on this facility owned and operated by the Petitioner shall be removed within 60 days of the date the antenna ceased to function;
8. The facility owner/operator shall remit timely payments associated with annual assessments and invoices submitted by the Council for expenses attributable to the facility under Conn. Gen. Stat. §16-50v;
9. This Declaratory Ruling may be transferred, provided the facility owner/operator/transferor is current with payments to the Council for annual assessments and invoices under Conn. Gen. Stat. §16-50v and the transferee provides written confirmation that the transferee agrees to comply with the terms, limitations and conditions contained in the Declaratory Ruling, including timely payments to the Council for annual assessments and invoices under Conn. Gen. Stat. §16-50v; and
10. If the facility owner/operator is a wholly owned subsidiary of a corporation or other entity and is sold/transferred to another corporation or other entity, the Council shall be notified of such sale and/or transfer and of any change in contact information for the individual or representative responsible for management and operations of the facility within 30 days of the sale and/or transfer.

This decision is under the exclusive jurisdiction of the Council and is not applicable to any other modification or construction. All work is to be implemented as specified in the petition dated July 11, 2016.

Enclosed for your information is a copy of the staff report on this project.

Very truly yours,

A handwritten signature in black ink that reads "Robert Stein". To the right of the signature, the letters "MAB" are handwritten in a smaller, stylized font.

Robert Stein  
Chairman

RS/MP/cm

Enclosure: Staff Report dated September 1, 2016

c: The Honorable Benjamin G. Blake, Mayor, City of Milford  
David Sulkis, City Planner, City of Milford



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**Petition No. 1245**

**T-Mobile**

**1201 Boston Post Road, Milford**

**Small Cell Facility**

**Staff Report**

**September 1, 2016**

On July 15, 2016, the Connecticut Siting Council (Council) received a petition from T-Mobile Northeast LLC (T-Mobile) for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed installation of a small cell telecommunications facility at the Connecticut Post Mall at 1201 Boston Post Road, Milford, Connecticut. T-Mobile currently provides GSM and UMTS wireless services in the 1950 and 2100 MHz frequency ranges from an existing facility at this site. The proposed project would allow T-Mobile to provide LTE service in the 700 MHz frequency range as well.

T-Mobile currently maintains three panel antennas at a 43-foot above ground level (agl) centerline on an existing pipe mast on the roof of the building. Specifically, T-Mobile would install a small cell tower on the roof of this existing commercial building on property owned by Connecticut Post Limited Partnership. The tower would consist of an antenna mast with three panel antennas and three remote radio heads and would attach to an existing steel frame on the lower roof of the mall building. The proposed small cell tower would extend to a maximum height of 45 feet agl. This is approximately 18-feet 8-inches above the roof height at the tower's location. T-Mobile would also attach one flush-mounted panel antenna to the side of the upper roof. The flush-mounted antenna would be located at a centerline height of 40-foot 8-inches and would reach a maximum height of 44-feet 8-inches. The top of the antenna would be approximately the same height as the roof height at that location. Antenna cables would connect to T-Mobile's existing equipment on the existing steel frame. An existing T-Mobile RBS 6102 equipment cabinet on the steel frame would be internally upgraded.

The subject property is located within the City of Milford's Shopping Center Design District (SCD) Zone. The visual impact is not expected to be significant due to the narrow profile of the tower, flush-mounted design for the single antenna, limited height (i.e. less than 20 feet above the existing roof of the building), and the size of the mall property. In addition, there are no residences located within 1,000 feet. The nearest residence is located on Cedarhurst Lane, approximately 1,150 feet to the northwest of the proposed tower.

The calculated power density of T-Mobile's existing and proposed antennas would be 70.2 percent of the applicable limit using a -10 dB off-beam adjustment. Notice is not required to the Federal Aviation Administration.

Notice was provided to the City of Milford, the property owner, and abutting property owners on or about July 11, 2016. No comments have been received to date.

T-Mobile contends that this proposed project would not have a substantial adverse environmental impact.

Staff recommends the following conditions:

1. Use of off-road construction equipment that meets the latest EPA or California Air Resources Board standards, or in the alternative, equipment with the best available controls on diesel emissions, including, but not limited to, retrofitting with diesel oxidation catalysts, particulate filters and use of ultra-low sulfur fuel;
2. Compliance with the provisions of Section 22a-174-18(b)(3)(C) of the Regulations of Connecticut State Agencies that limit the idling of mobile sources to 3 minutes; and
3. Approval of any minor project changes be delegated to Council staff.

### Site Location



### Photo-simulation

