



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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www.ct.gov/csc

CERTIFIED MAIL RETURN RECEIPT REQUESTED

November 15, 2016

Kathleen M. Shanley
Manager-Transmission Siting
Eversource Energy
P.O. Box 270
Hartford, CT 06141-0270

RE: **PETITION NO. 1252** - Eversource Energy petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed replacement of an existing 70-foot tall telecommunications facility with a new 120-foot tall telecommunications facility at property owned by Eversource Energy used as a service center and maintenance yard located at 22 East High Street, East Hampton, Connecticut.

Dear Ms. Shanley:

At a public meeting held on November 10, 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 Town of East Hampton;

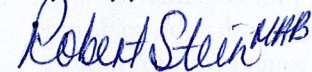
6. Unless otherwise approved by the Council, the existing wood pole telecommunications facility shall be removed within 180 days of the installation of the new self-supporting lattice tower;
7. The Council shall be notified in writing within 45 days of when the existing wood pole telecommunications facility is removed and the new self-supporting lattice tower is operational unless a written request for an extension is submitted to the Council within that timeframe;
8. 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;
9. 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;
10. 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
11. 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.

The Council recommends that Eversource work with the abutting property owners on providing landscaping for additional site screening.

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 September 8, 2016, and additional information received on October 31, 2016.

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

Very truly yours,



Robert Stein

Chairman

RS/RDM/lm

Enclosure: Staff Report dated November 10, 2016

c: Parties and Intervenors

The Honorable Patience Anderson, Chairman, Town of East Hampton

Michael Maniscalco, Town Manager, Town of East Hampton

Jeremy DeCarli, Planning & Zoning Official, Town of East Hampton



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Petition No. 1252

Eversource - Tower Replacement

22 East High Street, East Hampton

Staff Report

November 10, 2016

On September 16, 2016, the Connecticut Siting Council (Council) received a petition (Petition) from The Connecticut Light and Power Company d/b/a Eversource Energy (Eversource) for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed replacement of an existing telecommunications facility located at 22 High Street in the Town of East Hampton.

On October 13, 2016 the Council approved party status in this Petition for Carol Karney, an abutting property owner residing at 32A Bevin Boulevard in East Hampton. In her correspondence requesting party status, Ms. Karney requested that the Petition be denied since there is no evidence of a municipal review or the filing of a Certificate of Environmental Compatibility and Public Need application for the existing facility. The existing facility, a 70-foot tall wood pole that supports a single 12-foot tall whip antenna was likely approved by the Town of East Hampton in the early 1980's but information regarding the Town's approval is not in the Town's records.

A field review of the Petition was held at the project location on October 14, 2016 and was attended by Council member Michael Harder and Council staff member Robert Mercier, Eversource Manager of Transmission Siting Kathleen Shanley, other Eversource project representatives, and three area residents: Stephen and Carol Karney and Marla Jean Minor. Based on questions and observations during the field review, the Council submitted interrogatories to Eversource on October 17, 2016. Eversource submitted interrogatory responses to the Council on October 31, 2016.

The subject property is an Eversource service center and maintenance yard located on an 11-acre parcel in the central area of East Hampton. The western portion of the property is developed with the service center building, several garage structures and associated parking areas and driveways. A large wetland area is located on the eastern portion of the property.

Eversource is in the process of consolidating its service centers throughout the State of Connecticut, which requires the reconfiguration of its communications system. At this site, Eversource proposes to replace the existing wood telecommunications pole located on the south side of the service building with a 120-foot lattice tower in the same location. The new tower would enable Eversource to improve field communications, serve as backhaul for a number of remote locations, and to provide System Control and Data Acquisition communications. The 120-foot tower would allow for unimpeded transmission over local topography and vegetation to another Eversource telecommunication site located to the southeast. A lower tower height is not feasible as microwave antennas require line of sight communication and a lower tower height would cause microwave communication interference from intervening hills and the tree canopy.

The 22 High Street property is located on the south side of High Street. Commercial and municipal use is located generally to the north, along High Street (Route 66). Undeveloped wetland and woodland is located to the east. Residential use is located to the south and the west of the property. The nearest residence to the proposed tower is approximately 200 feet to the south at 32A Bevin Boulevard (Karney residence). The nearest abutting property line from the tower is 158 feet to the southwest.

Eversource proposes to install the 120-foot lattice tower on the south side of the service center, adjacent to the existing wood pole. A 31-foot by 31-foot fenced area would enclose the base of the tower for security purposes. No exterior ground equipment would be installed within the fenced area. Communication support equipment would be located within the service center.

Eversource would install a six-foot diameter microwave dish at the 117-foot level (centerline) of the tower, one 20-foot whip antenna and one 15-foot whip antenna at the top of the tower, and two 15-foot whip antennas at the 96-foot and 80-foot levels of the tower. Two additional whip antennas may be installed in the future, when necessary. The total height of the facility with whip antennas would be 140 feet above ground level.

Once the new tower is operational, Eversource would remove the wood pole and associated whip antenna and two other whip antennas mounted on the southeast side of the building. A Professional Engineer duly licensed in the State of Connecticut has certified that the proposed replacement tower would be structurally adequate to support the proposed loading, including the two future whip antennas. The new tower would not be available for tower sharing by other public or private entities due to the limited available tower space, limited structural capacity to support additional equipment and to prevent adverse impacts to service center operations.

Although Mr. and Ms. Karney and Ms. Minor requested the tower be located elsewhere on the property during the field review, no other areas on Eversource's property are suitable for a tower. A lawn area on the east side of the building was examined as a potential location but Eversource may expand the service center building in this area. Areas further east are on the property are lower in elevation and consist of wetlands. The remaining areas of the property are encumbered by garages, exterior storage areas and access ways. The perimeter areas of the west and south parking lots are closer to residential areas than the proposed site.

The tower would be visible from the immediate surrounding area, generally within a 1,500-foot radius of the site. Views would also be attained from more distant areas to the north, northeast and south. In the immediate area, most of the tower would be visible year-round from residential properties along the north end of Bevin Boulevard, the north side of Bevin Avenue, and from commercial areas across Route 66. The upper portions of the tower would be visible year-round from other areas within a 1,500 feet radius of the site. The new tower would result in an increase in visibility in the immediate area when compared to the existing visibility of the wood pole telecommunications facility.

No school or commercial child day care facilities are located within 250 feet of the subject property. The nearest commercial child day care facility (Educational Play care) is located 1.1 miles from the proposed tower. The nearest schools (Center Elementary School and The Learning Center) are both located approximately 0.3 mile from the proposed tower. The East Hampton High School is located 0.55 mile west of the tower site. The Center Elementary School and The Learning Center would have seasonal views of the proposed facility.

The new tower would be visible year-round from the northern section of the Belltown Historic District, a district listed on the National Register of Historic Places that generally extends along Route 66 and Main Street. Portions of the district abut Eversource's property. Areas of the district with tower visibility are located northeast of the site along Route 66 and immediately east of the site along Main Street.

Eversource performed a study to determine the effects of the proposal on historic and archeological sites in the project area and determined the proposed tower would not have an adverse effect on the Belltown Historic District. The study was sent to the State Historic Preservation Office (SHPO) on May 2, 2016 for comment. The SHPO did not respond to Eversource's inquiry. In accordance with Federal Communication Commission (FCC) rules regarding the Nationwide Programmatic Agreement pursuant to the National Environmental Policy Act, no comment within 30 days of the submittal of historic /cultural information constitutes SHPO's concurrence with a determination of no adverse effect.

The tower site is in a maintained lawn area adjacent to a building and parking lot. Site construction would not affect any wetlands. The new tower would comply with the United States Fish and Wildlife Guidelines for Minimizing Impacts to Migratory Birds. The site is over 18 miles from the nearest National Audubon Society designated Important Bird Area.

Prior to the submission of the Petition to the Council, Eversource consulted with Department of Energy and Environmental Protection (DEEP) regarding potential impacts to State-listed threatened, endangered or special concern species as the eastern portion of Eversource's property was within a mapped area representing known records of State-listed species. DEEP responded to Eversource on April 19, 2016, stating that the project is not anticipated to negatively affect any State-listed species.

The project site is within the known range of the northern long-eared bat (NLEB), a federally-listed threatened species and State-listed endangered species. Eversource consulted with DEEP and determined that the project site is not within 150 feet of any known NLEB maternity roost trees or within 0.25 mile of any known NLEB hibernaculum. In accordance with FCC rules regarding the National Environmental Policy Act and Section 7 of the Endangered Species Act, Eversource also submitted project specific NLEB information to the U.S. Fish and Wildlife Service but did not receive any response.

The tower would not require Federal Aviation Administration hazard marking or lighting. Operation of the new tower would not increase noise levels at the property boundaries. The maximum worst-case power density would be 16.3 percent of the applicable limit for the proposed and two future antennas.

Notice was provided to Town of East Hampton officials and abutting property owners on September 12, 2016. The Town did not comment on the proposal. If approved, construction would begin as soon as practical and would occur over a three month period.

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.

Eversource East Hampton Service Center



Legend

- Existing Wood Pole (to be removed)
- Proposed Lattice Tower Location
- Subject Property
- Proposed Concrete Foundation with Chain Link Fence
- Approximate Parcel Boundary (GTDEEP)

Date Map: 2012 Aerial Photograph: © ICCA
Map Scale: 1 inch = 125 feet
Map Date: July 2012

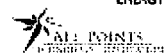


Figure 2

Site Schematic

East Hampton Tower Replacement
22 East High Street
East Hampton, Connecticut

EVERSOURCE
ENERGY



Tower Site Plan

