



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

March 20, 2017

Kenneth C. Baldwin, Esq.
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103-3597

RE: **PETITION NO. 1290** - Cellco Partnership d/b/a Verizon Wireless petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed installation of a small cell wireless telecommunications facility to be attached to an existing facade on the roof of The Pavilion Restaurant building located at 85 Swan Avenue, Old Lyme, Connecticut.

Dear Attorney Baldwin:

At a public meeting held on March 16, 2017, 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. Approval of any minor project changes be delegated to Council staff;
2. 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;
3. 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 Old Lyme;
4. Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed;
5. 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;
6. 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;

7. 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
8. 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 February 6, 2017.

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

Very truly yours,

Handwritten signature of Robert Stein in blue ink, with the initials "RAB" written in the upper right corner of the signature.

Robert Stein
Chairman

RS/RDM/lm

Enclosure: Staff Report dated March 16, 2017

- c: The Honorable Bonnie A. Reemsnyder, First Selectwoman, Town of Old Lyme
Kim Barrows, CZET, Land Use Technician, Town of Old Lyme
Long Island Sound Properties, LLC



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Petition No. 1290

Cellco – Small Cell Telecommunications Facility

85 Swan Avenue, Old Lyme

Staff Report

March 16, 2017

On February 10, 2017, the Connecticut Siting Council (Council) received a petition from Cellco Partnership d/b/a Verizon Wireless (Cellco) 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 Pavilion building at 85 Swan Avenue in Old Lyme, Connecticut. The site would provide LTE service to the densely populated Old Lyme beach area.

Cellco would install a canister antenna on a mast attached to a rear parapet wall of The Pavilion building, extending 7.5 feet above the top of the parapet wall. Additionally, Cellco would install one remote radio head and electrical boxes on the lower portion of the building's exterior rear wall, in a 14 square foot area enclosed by an eight-foot high stockade fence. Two bollards would be installed in front of the compound area. Power and telephone service would extend from existing service on the property.

The building's peak roof reaches a height of 25.5 feet above ground level (agl) and an existing rooftop antenna extends to a height of 24 feet agl. Cellco's mast and canister antenna would reach a height of approximately 25.9 feet agl.

The subject property is located on a 0.46-acre parcel in Old Lyme's residential R-10 zone district. The building is a restaurant facing Sound View beach to the south. Commercial and residential properties surround the site to the north, east and west.

The visual impact of the proposed facility is not expected to be significant due to the limited height of the facility and the presence of another existing antenna of similar height attached to the roof. The proposed equipment compound is adjacent to an existing building mechanical area and would be screened from view by the stockade fence that would be painted to match the existing exterior building color.

There are no wetland areas on the subject property. No tree removal is required and only minimal ground disturbance is needed to install the equipment and fence.

The calculated power density would be 3.8 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 Town of Old Lyme, the property owner, and abutting property owners on or about February 6, 2017. The Council has not received any comments to date. Cellco contends that this proposed project would not have a substantial adverse environmental impact.

Staff recommends the following condition:

1. Approval of any minor project changes be delegated to Council staff.



Proposed Project- 85 Swan Avenue, Old Lyme

