



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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### CERTIFIED MAIL RETURN RECEIPT REQUESTED

August 16, 2019

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

RE: **PETITION NO. 1375** – Cellco Partnership d/b/a Verizon Wireless, T-Mobile Northeast, LLC and New Cingular Wireless PCS, LLC joint petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed installation of a temporary telecommunications facility and associated equipment located at 1052 Boston Post Road, Milford, Connecticut.

Dear Attorney Baldwin:

At a public meeting held on August 15, 2019, 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:

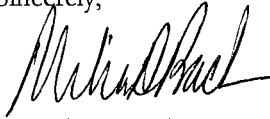
1. Approval of any minor project changes be delegated to Council staff;
2. Approval of the installation of this temporary facility is valid for two years from the date of this decision;
3. Unless otherwise approved by the Council, if the temporary facility authorized herein is not fully constructed within eighteen months 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;
4. 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;
5. Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed;
6. Any nonfunctioning antenna and associated antenna mounting equipment on this facility owned and operated by any of the Petitioners shall be removed within 60 days of the date the antenna ceased to function;

7. 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;
8. If the facility ceases to provide wireless services for a period of one year the Petitioner shall dismantle the tower and remove all associated equipment or reapply for any continued or new use to the Council within 90 days from the one year period of cessation of service. The Petitioner may submit a written request to the Council for an extension of the 90 day period not later than 60 days prior to the expiration of the 90 day period; and
9. This Declaratory Ruling may be transferred or partially transferred, provided both the facility owner/operator/transferor and the transferee are current with payments to the Council for their respective annual assessments and invoices under Conn. Gen. Stat. §16-50v. 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. Both the facility owner/operator/transferor and the transferee shall provide the Council with a written agreement as to the entity responsible for any quarterly assessment charges under Conn. Gen. Stat. §16-50v(b)(2) that may be associated with this facility.

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 1, 2019, and additional information received on August 1, 2019.

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

Sincerely,



Melanie A. Bachman  
Executive Director

MAB/MP/emr

Enclosure: Staff Report dated August 15, 2019

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



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### Petition No. 1375

### Cellco, T-Mobile and AT&T - Temporary Tower Facility

1052 Boston Post Road, Milford

### Staff Report

August 15, 2019

### Introduction

On July 2, 2019, the Connecticut Siting Council (Council) received a joint petition (Petition) from Cellco Partnership d/b/a Verizon Wireless (Cellco), T-Mobile Northeast, LLC (T-Mobile) and New Cingular Wireless PCS, LLC (AT&T) (collectively the "Petitioners"), for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed installation of an approximately 126-foot temporary tower facility at 1052 Boston Post Road in Milford, Connecticut. The temporary tower would replace an existing 40-foot flagpole facility located on the roof of the former Howard Johnson Hotel building at 1052 Boston Post Road, Milford. The temporary facility is needed to maintain continuity of service for the Petitioners while a redevelopment project is being pursued by the property owner.

Notice was provided by the Petitioners to the City of Milford (City), the subject property owner, and abutting property owners on or about July 1, 2019. On July 3, 2019, the Council sent correspondence to the City stating that the Council has received the Petition and invited the municipality to contact the Council with any questions or comments by August 1, 2019. No comments have been received to date.

The Council submitted interrogatories to the Petitioners on July 19, 2019. The Petitioners responded to the Council's interrogatories on August 1, 2019.

### Existing Facility

The existing facility is located on the 7.21-acre parcel owned by Turnpike Lodge, Inc. and zoned Light Industrial (ICD). The facility consists of a 40-foot flagpole facility on top of the existing Howard Johnson Hotel. The flagpole facility reaches a height of approximately 88 feet above ground level (agl). The flagpole facility was approved by the Council in Petition No. 680 on July 13, 2004. AT&T is currently located at 47 feet agl; Cellco is located at 82.5 feet/76.5 feet agl; and T-Mobile is located at 72 feet agl.

### Approved Permanent Rooftop-Mounted Non-Tower Antenna Arrays

Turnpike Lodge, Inc. is currently redeveloping the subject property for commercial purposes. The redevelopment plan has been approved by the City of Milford Planning and Zoning Commission (Milford P&Z Commission) and includes, but is not limited to, the demolition of the Howard Johnson Hotel; the construction of an approximately 75,000 square foot (sf) retail building; a 5,000 sf stand-alone retail building; and the new four-story Fairfield Inn Hotel.

The new Fairfield Inn Hotel has been designed to accommodate all of the existing wireless antennas on the roof, behind RF transparent screening panels. Equipment associated with the Petitioners' antennas will be located inside new equipment space in the basement of the Fairfield Inn Hotel. Three natural gas-fueled backup generators for use by the Petitioners will be installed at grade on the west side of the property. The new hotel, including all new rooftop-mounted non-tower antenna arrays, equipment and generators, was approved by the Milford P&Z Commission on January 2, 2019.

In an effort to maintain the continuity of existing wireless service along I-95 and Route 1 in Milford for Cellco, AT&T and T-Mobile customers while the new Fairfield Inn Hotel and associated permanent rooftop-mounted non-tower antenna arrays for the Petitioners are constructed, the Petitioners seek to install a temporary ballasted monopole facility in the easterly portion the subject property.

### **Proposed Temporary Facility**

A 126-foot ballast-mounted temporary monopole would be located in the eastern portion of the property. A portion of the existing Howard Johnson Hotel will have to be demolished to accommodate the temporary facility. Cellco would install nine panel antennas<sup>1</sup> and six remote radio units (RRUs) on T-arms at a centerline height of 123 feet agl. T-Mobile would install three panel antennas on a ring mount at a centerline height of 104 feet agl. AT&T would install six panel antennas, nine RRUs and two surge arrestors on a low-profile platform at a centerline height of 70 feet agl.

A 50-foot by 40-foot equipment compound with an eight-foot tall chain link fence would be established at the base of the tower. T-Mobile would install their equipment within a six-foot by six-foot temporary walk-in cabinet on a helical support system. AT&T would also install their equipment within a similar six-foot by six-foot temporary walk-in cabinet on a helical support system. Cellco's equipment would be inside a temporary "Supercow" truck to be parked in the southern portion of the compound. All three carriers will have battery backup power.

Access to the temporary facility would be via a 20-foot wide access easement from Boston Post Road to the proposed lease area over existing paved surfaces. Power and telephone service will run underground to the west from a new utility board (directly outside the compound) to connect to existing utility service.

### **Public Safety**

The ballast foundation and 126-foot monopole would be installed in accordance with the American National Standards Institute "Structural Standards for Steel Antenna Towers and Antenna Support Structures" Revision G. A Professional Engineer duly licensed in the State of Connecticut has certified that the proposed ballasted monopole would be structurally adequate to support the proposed loading. The ballast foundation consists of concrete blocks within a steel frame with a diameter of roughly 22 feet.

The temporary facility would not constitute an obstruction or aviation hazard, but it would require notification to the Federal Aviation Administration (FAA). The Petitioner would provide such notice to FAA as required.

The maximum worst-case power density for the general public would approximately 33.7 percent of the applicable limit using a -10 dB off-beam adjustment.

### **Environmental**

No trees would be removed to develop the proposed project. No on-site or off-site wetlands would be impacted by the proposed temporary facility.

The temporary facility site is located within the Federal Emergency Management Agency (unshaded) Zone X, an area outside of the 100-year and 500-year flood zones.

The site is not within 0.25 mile of a Connecticut Department of Energy and Environmental Protection mapped Natural Diversity Database area (map date 12/18).

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<sup>1</sup> The tops of Cellco's antennas would be approximately flush with the top of the tower.



Erosion and sedimentation controls including, but not limited to, silt socks would be installed along the southern and northern limits of the compound in accordance with the 2002 Connecticut Guidelines for Erosion and Sediment Control.

The site parcel is located to the north of Route 1. On the opposite side of Route 1 is a cemetery and commercial development. To the north of the site is residential. To the east and west of the site is commercial in nature.

The visibility of the proposed temporary facility would be limited to neighboring commercial parcels along Route 1 and from portions of I-95. The temporary tower would be located more than 400 feet from the nearest residential units to the northwest. Given the nature of the development in the area, the proposed facility would have a minimal (and temporary) impact on existing views in the area.

### **Facility Construction**

The Petitioner anticipates that the temporary tower would remain in place for approximately two years, until the construction of the new Fairfield Inn Hotel is completed.

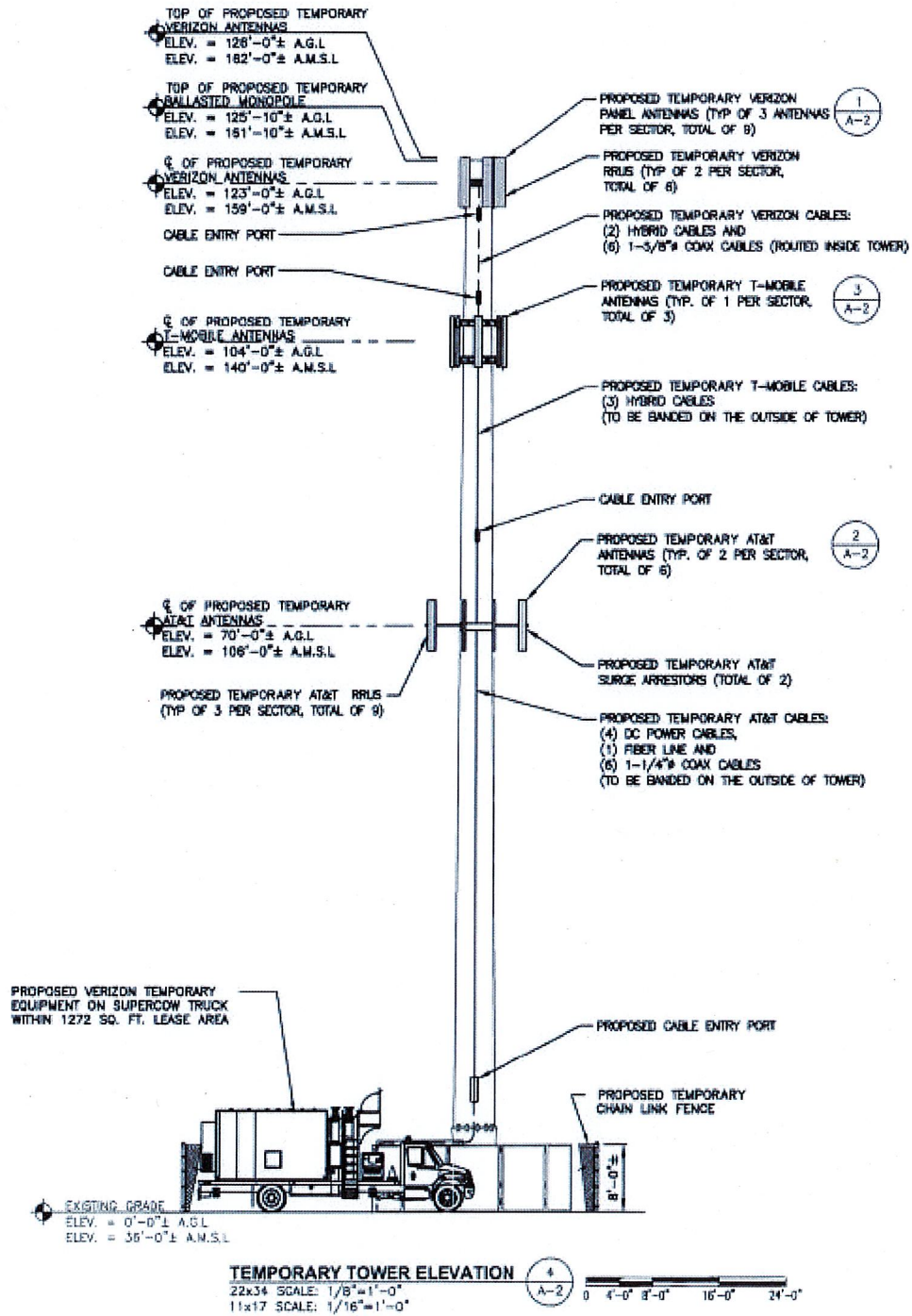
### **Conclusion**

If approved, staff recommends the following condition:

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



Location of the existing flagpole facility and the proposed temporary tower



Proposed Temporary Tower Elevation Drawing