



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

www.ct.gov/csc

CERTIFIED MAIL RETURN RECEIPT REQUESTED

January 17, 2020

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

RE: **PETITION NO. 1390** – Celco Partnership d/b/a Verizon Wireless petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed installation of a wireless telecommunications facility and associated equipment on the roof of an existing commercial building located at 951 Bank Street, New London, Connecticut.

Dear Attorney Baldwin:

At a public meeting held on January 16, 2020, 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. Submit the Federal Aviation Administration Notice of Determination letter, and any resulting modifications to the proposed facility to the Council prior to construction;
3. Perform structural reinforcements specified by a structural analysis performed by BL Companies, dated December 11, 2017, as noted on Petition Site Plan Sheet C-2 prior to installation of the tower and rooftop steel mounting frame;
4. Within 45 days following completion of the specified structural reinforcements, Celco shall provide documentation certified by a Professional Engineer that its installation complied with the recommendations of the BL Companies structural analysis, dated December 11, 2017;
5. Resolution of any potential interference issues with other existing wireless communications systems in the vicinity of the site resulting from the operation of Celco's equipment;
6. 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;

7. 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 New London;
8. Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed;
9. 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;
10. 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;
11. 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
12. 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.

Additionally, the Council recommends that the weekly maintenance testing of the back-up generator be performed during regular business hours, Monday-Friday, 9 a.m. to 5 p.m.

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 December 3, 2019 and additional information dated January 7, 2020.

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

Sincerely,



Melanie A. Bachman
Executive Director

MAB/RDM/emr

Enclosure: Staff Report dated January 16, 2020

c: The Honorable Michael E. Passero, Mayor, City of New London
Felix J. Reyes, Director of the Office of Development & Planning, City of New London



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Petition No. 1390

Cellco Partnership d/b/a Verizon Wireless
951 Bank Street, New London
Rooftop Wireless Telecommunications Facility

Staff Report January 16, 2020

On December 3, 2019, the Connecticut Siting Council (Council) received a petition from Cellco Partnership d/b/a Verizon Wireless (Cellco) for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed installation of a rooftop wireless telecommunications facility and a Centralized Radio Access Network (C-RAN) at 951 Bank Street in New London, Connecticut.

On December 3, 2019, the Petitioner notified the City of New London (City), the underlying property owner and abutting property owners. The Council received comments from an abutter located at 49 Westwood Avenue (Slick LLC) who expressed various concerns regarding public health, property values and wireless interference. For interference concerns, Slick LLC stated there are ongoing issues with his existing wireless communications equipment from the operation of an existing Cellco installation at a tower facility abutting his property at 59 Westwood Avenue, and the potential for continued wireless interference issues from operation of the proposed facility. Slick LLC also believes that the operation of a generator at the existing tower is currently causing wireless interference issues. Cellco is unaware of any existing issues from operation of its existing installation for the last 30 years. Additionally, Cellco complies with all Federal Communication Commission guidelines that are designed to prevent interference. Cellco contends the generator will not cause interference issues and operation of Cellco's wireless equipment will be in frequency ranges that would not interfere with Slick LLC's operating frequencies (35 MHz range). If interference does occur from operation of its equipment, Cellco would take measures to address the issue.

On December 3, 2019, the Council sent correspondence to the City stating that the Council has received the Petition and invited the City to contact the Council with any questions or comments by January 2, 2020. The Council has not received any comments to date.

On December 20, 2019, the Council issued interrogatories to Cellco. On January 8, 2020, Cellco submitted responses to the Council's interrogatories.

The 951 Bank Street property is 3.71 acres in size and is zoned General Commercial (C-1). It is surrounded by commercial and light industrial uses on Bank Street and Westwood Avenue. The property hosts Mike's Famous Harley Davidson dealership. An 80-foot tall light duty lattice tower, formerly used for radio dispatch for Coca-Cola, the former occupant of the property, is located on the east end of the roof, adjacent to Bank Street. This tower, no longer in use, is not structurally capable of supporting Cellco's proposed installation.

Cellco proposes to install an approximately 50-foot tall monopole tower attached to a steel frame mounted on the western portion of the roof. This section of the building roof extends to a height of 23 feet above ground level (agl). The tower would reach a height of approximately 72.5 feet agl. The building would require structural reinforcement prior to installation of the proposed tower and steel-mounting frame. Four roof-mounted HVAC units would be relocated to the steel frame.

Cellco would install 9 panel antennas at a centerline height of approximately 69.5 feet agl, 6 remote radio heads, 3 diplexers, and a overvoltage protection box on pipe mounts with a centerline height of 62 feet agl.

The proposed rooftop tower would replace an existing Cellco facility located on an 80-foot tower, owned by Atlantic Broadband, at 59 Westwood Avenue in New London that provides 700 MHz and 2100 MHz service. The proposed facility would deploy these frequencies as well as 850 MHz and 1900 MHz service, enhancing wireless service to the surrounding area. Cellco does not intend to deploy 5G service (3,500 MHz) at the site at this time.

The proposed rooftop facility is approximately 290 feet southeast of the existing tower. The existing tower is not structurally capable of supporting additional antennas and equipment upgrades. Cellco does not know if the Atlantic Broadband tower will remain in place after it relocates to the proposed rooftop tower.

Radio and C-RAN equipment would be located within a 244 square-foot equipment room in an existing concrete storage building at the west end of the building. A C-RAN connects several individual telecommunications facilities to a local centralized hub, thereby decreasing the amount of hardware required at the individual facilities. This allows for more flexibility in the selection of future cell site locations and a reduction in operational cost.

Cellco's equipment room would be accessed from a paved parking area at the west end (rear) of the building. Two roof-mounted fan units would be installed on the concrete storage building. Existing electrical and telecom service would connect to the proposed equipment along and within the building roof.

Emergency power would be supplied from a new 100-kilowatt natural gas-fueled generator to be located adjacent to the concrete storage building. The natural gas-fueled generator would be pipeline supplied, and thus, its run time would not be limited by on-site fuel supply. Gas service would extend from existing building service at the east end of the building, routed up the exterior wall to, and across, the roof to a rear exterior wall adjacent to the proposed generator location.

Commercial Mobile Radio Service (CMRS) providers are licensed by and are under the jurisdiction and authority of the Federal Communications Commission (FCC). At present, no standards for backup power for CMRS providers have been promulgated by the FCC. Every year since 2006, AT&T, Sprint, T-Mobile, and Cellco have certified their compliance with the CTIA Business Continuity/Disaster Recovery Program and the Communications Security, Reliability and Interoperability Council standards and best practices to ensure network reliability during power outages.

The proposed project would occur within and on the existing building and no ground disturbance is necessary except for installation of the emergency generator on a paved area.

The proposed tower requires notice to the Federal Aviation Administration because it exceeds notice criteria by 6 feet. Cellco will submit the results of the FAA's determination once it is received. Cellco does not anticipate the tower would require aviation hazard marking and/or lighting because the existing tower at 59 Westwoods Avenue and the existing tower on the building are slightly taller and do not have FAA marking and/or lighting. If FAA marking and/or lighting is required for the proposed installation, Cellco would examine the feasibility of lowering the tower below the FAA threshold.

In general, the proposed tower would be visible year-round to the immediate adjacent area, predominately from Bank Street north and south of the site and from Braemer Place north of the site, out to a distance of

0.2-mile. Year-round views from residential areas include, but are not limited to, the Bank Street-Beckwith Street intersection (0.13 mile south), Bank Street-Faye Street intersection (475 feet north), and Lee Avenue (0.18 mile northeast). Exterior conduits would be painted to match adjacent building materials, where appropriate.

No public schools or commercial child day care centers are within 250 feet of the site. The nearest school or daycare is approximately 1,700 feet to the east-southeast at 25 Squire Street.

The highest calculated worst-case (ground level) power density level for Cellco's proposed antennas would be 24.2 percent of the applicable public exposure limit established by the Federal Communications Commission with a -10 dB off-beam adjustment.

The facility would have a cumulative worst-case power density of 24.2 percent of the applicable limit established by the Federal Communications Commission using a -10 dB off-beam adjustment.

A Professional Engineer duly licensed in the State of Connecticut has certified that the proposed tower, steel platform and the existing building are structurally adequate to support the proposed loading with certain recommendations.

Cellco contends that this proposed project would not have a substantial adverse environmental impact.

If approved, staff recommends the following conditions:

1. Approval of any minor project changes be delegated to Council staff;
2. Submit the FAA Notice of Determination letter, and any resulting modifications to the proposed facility to the Council prior to construction;
3. Perform structural reinforcements specified by a structural analysis performed by BL Companies, dated December 11, 2017, as noted on Petition Site Plan Sheet C-2 prior to installation of the tower and rooftop steel mounting frame; and
4. Within 45 days following completion of the specified structural reinforcements, Cellco shall provide documentation certified by a Professional Engineer that its installation complied with the recommendations of the BL Companies structural analysis, dated December 11, 2017.

Site Location



Site Plan