



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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

### CERTIFIED MAIL RETURN RECEIPT REQUESTED

March 9, 2015

Christopher B. Fisher, Esq.  
Cuddy & Feder, LLP  
445 Hamilton Avenue, 14<sup>th</sup> Floor  
White Plains, NY 10601

RE: **PETITION NO. 1134** - New Cingular Wireless PCS, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed installation of a wireless telecommunications facility on an existing Connecticut Light and Power Company transmission structure located off of Rivergate Drive, Wilton, Connecticut.

Dear Attorney Fisher:

At a public meeting held on March 5, 2015, 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:

- Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed;
- 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;
- 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;
- 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
- 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 January 9, 2015.

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

Very truly yours,



Philip Ashton  
Acting Chairman

RS/CMW/lm

Enclosure: Staff Report dated March 5, 2015

- c: The Honorable William Francis Brennan, First Selectman, Town of Wilton
- Robert Nerney, Director of Planning and Land Use Management, Town of Wilton
- Connecticut Light & Power



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Petition No. 1134  
New Cingular Wireless  
Wilton, Connecticut  
Staff Report  
March 5, 2015

On January 12, 2015, the Connecticut Siting Council (Council) received a petition from New Cingular Wireless PCS, LLC (AT&T) for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the installation of a wireless telecommunications facility on an existing transmission line tower located near Rivergate Drive in Wilton, Connecticut. Council member Dr. Bell and staff member David Martin visited the site on February 18, 2015 to review the proposal. Attorney Christopher Fisher of Cuddy and Feder, Eric Dahl of HPC Wireless Services and Harry Rocheville of Centek Engineering represented AT&T at the field review.

The existing Connecticut Light & Power (CL&P) lattice transmission line tower (#935), which AT&T is seeking to modify, is located adjacent to Rivergate Drive and is approximately 91 feet tall. AT&T is proposing to install a power mount monopole within the center of the transmission tower. AT&T's monopole structure would reach a height of approximately 103 feet. AT&T would mount six antennas with 12 tower mounted amplifiers at a centerline height of 100 feet. The antennas would reach an overall height of 104 feet. The power mount monopole would be attached to the transmission line tower in several locations for additional structural support. As part of its installation, AT&T would have to make some modifications to reinforce the existing transmission line tower. AT&T's ground equipment would be installed on a concrete pad within the footprint of the transmission line tower. AT&T would also install a 50 kW backup diesel generator adjacent to the transmission line tower. The generator would be enclosed by an eight-foot chain link fence to which sound attenuation material would be attached per the recommendations of the Noise Evaluation Report prepared for this project. AT&T would draw utility service from a distribution pole close to the transmission line tower. Access to the proposed facility would be over an existing gravel drive. No extension of the existing drive would be necessary.

The nearest wetland to the proposed facility is located on the opposite side of Rivergate Drive, approximately 100 feet to the west of the road. No impact to this wetland is anticipated.

A study conducted for this project concluded that the visibility of AT&T's power mount monopole would be limited primarily to the area within 0.25 mile of the proposed facility. The area surrounding the CL&P tower is comprised predominantly of high end, single family residences. However, the CL&P transmission line is well-shielded from adjacent properties by mature vegetation, which provide effective shielding during the leaf-on times of the year. The addition of AT&T's antennas should not significantly increase the visual presence of the existing transmission tower.

Council staff calculates that AT&T's proposed antennas would result in a worst case power density equal to approximately 56.4% of the FCC's applicable limit.

AT&T notified the town and adjacent property owners of its proposal. The Council has not received any comments or inquiries from nearby residents or the town.

The proposed antenna installation on the transmission line tower is not expected to have any substantial adverse environmental effects.

**View of existing lattice transmission line tower**



**Aerial view taken from Google Earth**

