



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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April 29, 2011

Carrie L. Larson, Esq.
Pullman & Comley LLP
90 State House Square
Hartford, CT 06103-3702

RE: **DOCKET NO. 396** - SBA Towers II, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and management of a telecommunications facility located at 49 Brainerd Road, Niantic (East Lyme), Connecticut.

Dear Attorney Larson:

At a public meeting of the Connecticut Siting Council held on April 28, 2011, the Connecticut Siting Council (Council) considered and approved the Development and Management (D&M) Plan submitted for this project on April 2, 2011, with the condition that T-Mobile file a tower share application for Council review and approval prior to its co-location on the tower.

This approval applies only to the D&M Plan submitted on April 12, 2011. Any changes to the D&M Plan require advance Council notification and approval.

Please be advised that deviations from this plan are enforceable under the provisions of the Connecticut General Statutes § 16-50u. Enclosed is a copy of the staff report on this D&M Plan, dated April 28, 2011.

Thank you for your attention and cooperation.

Very truly yours,

Robert Stein
Chairman

RS/MP/laf

Enclosure: Staff Report, dated April 28, 2011

c: Parties and Intervenors

DOCKET NO. 396 – SBA Towers II, LLC application for a } Connecticut
Certificate of Environmental Compatibility and Public Need for }
the construction, maintenance and management of a } Siting
telecommunications facility located at 49 Brainerd Road, Niantic }
(East Lyme), Connecticut. } Council

April 28, 2011

Development and Management Plan Staff Report

On March 3, 2011, the Connecticut Siting Council (Council) issued a Certificate of Environmental Compatibility and Public Need to SBA Towers II, LLC (SBA) for the construction, maintenance, and management of a wireless telecommunications facility located at 49 Brainerd Road, East Lyme, Connecticut. As required in the Council's Decision and Order, SBA submitted a Development and Management Plan for the approved facility on April 12, 2011.

The tower site is located on a 51-acre parcel off of Brainerd Road in East Lyme. The subject property is residential in nature and abuts the Amtrak rail line to the east and to the south. Residential properties abut the subject property to the north. A parcel owned by the Department of Environmental Protection and a land trust parcel, both undeveloped, are located to the west. Residential properties abut the subject property to the north.

Vehicular access to the proposed facility would extend from the end of Brainerd Road over an existing paved driveway for a distance of 60 feet. The access would continue for about 170 feet over a new 12-foot wide gravel drive to reach the compound. Utility service would extend underground from the end of Brainerd Road, generally following the same path as the access drive.

Consistent with the Council's Decision and Order, SBA will construct a 170-foot monopole capable of supporting four levels of antennas. AT&T Wireless PCS, LLC (AT&T) will mount nine panel antennas on T-arms at the 167-foot 6-inch level of the tower. The top of AT&T's antennas will not exceed the tower height of 170 feet above ground level. Cellco Partnership d/b/a Verizon Wireless (Cellco) will install 12 panel antennas on T-arms at the 147-foot level of the tower. The 157-foot level of the tower is reserved for up to 12 panel antennas to be mounted on T-arms for T-Mobile. (T-Mobile did not intervene in the docket, but has a lease with SBA.) The tower is designed in accordance with EIA/TIA-222-G structural standards. The tower setback radius remains within the subject property, so a yield point is not necessary.

SBA will lease a 60-foot by 120-foot area. Within this lease area, SBA would construct a 50-foot by 100-foot compound surrounded by an eight-foot wood fence. This facility location is known as the SBA Hybrid Site.

SBA would establish and maintain appropriate soil erosion and sedimentation control measures, in accordance with the 2002 *Connecticut Guidelines for Soil Erosion and Sediment Control* established by the Connecticut Council for Soil and Water Conservation, in cooperation with the Connecticut Department of Environmental Protection, throughout the construction period of the facility. SBA will plant 56 wetland buffer enhancement plantings on the east side of the compound.

The cumulative worst-case radio frequency power density level at the base of the tower (for AT&T and Cellco) would be 23.3 percent of the applicable ANSI standard.

All of the Development and Management Plan requirements set forth in the Council's Decision & Order for Docket 396 are in compliance.

**LIST OF PARTIES AND INTERVENORS
SERVICE LIST**

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	<input checked="" type="checkbox"/> U.S. Mail	SBA Towers II LLC	Carrie L. Larson, Esq. Pullman & Comley, LLC 90 State House Square Hartford, CT 06103-3702 (860) 424-4312 (860) 424-4370 fax clarson@pullcom.com
Intervenor (granted 01/07/2010)	<input checked="" type="checkbox"/> E-mail	Cellco Partnership d/b/a Verizon Wireless	Kenneth C. Baldwin, Esq. Robinson & Cole LLP 280 Trumbull Street Hartford, CT 06103-3597 (860) 275-8200 (860) 275-8299 fax kbaldwin@rc.com
Intervenor (granted 01/07/2010)	<input checked="" type="checkbox"/> E-mail	Russell L. Brown 41 Brainerd Road Niantic, CT 06357 (860) 739-5984 (860) 691-1145 fax rds@businessbookpress.com	
Party (granted 01/07/2010)	<input checked="" type="checkbox"/> U.S. Mail	Town of East Lyme	Edward B. O'Connell, Esq. Waller, Smith & Palmer, P.C. 52 Eugene O'Neill Drive P.O. Box 88 New London, CT 06320 (860) 442-0367 (860) 447-9915 fax eboconnell@wallersmithpalmer.com tncollins@wallersmithpalmer.com
Intervenor (granted 02/11/2010)	<input checked="" type="checkbox"/> U.S. Mail	New Cingular Wireless PCS, LLC	Daniel M. Laub, Esq. Christopher B. Fisher, Esq. Cuddy & Feder LLP 445 Hamilton Avenue, 14 th floor White Plain, NY 10601 (914) 761-1300 (914) 761-5372 fax cfisher@cuddyfeder.com dlaub@cuddyfeder.com

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SERVICE LIST**

Status Granted	Document Service	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Party (granted 02/11/2010)	<input checked="" type="checkbox"/> E-mail	Friends of the Pattagansett Trust	Keith R. Ainsworth, Esq. Evans Feldman & Ainsworth, LLC 261 Bradley Street P.O. Box 1694 New Haven, CT 06507-1694 (203) 772-4900 (203) 782-1356 fax krainsworth@snet.net
Intervenor (granted 02/11/2010)	<input checked="" type="checkbox"/> U.S. Mail	Joseph Raia 97 West Main Street, Unit 9 Niantic, CT 06357 (860) 691-1005 (860) 739-0036 Raia.joseph@sbcglobal.net	