

# Connecticut Siting Council

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APPLICATION OF CELLCO PARTNERSHIP  
D / B / A V E R I Z O N W I R E L E S S

**verizon<sup>✓</sup>**

CROMWELL NORTH 2  
667, 665, 663 AND 663R MAIN STREET  
CROMWELL, CONNECTICUT

DOCKET No. \_\_\_\_\_

FEBRUARY 23, 2018

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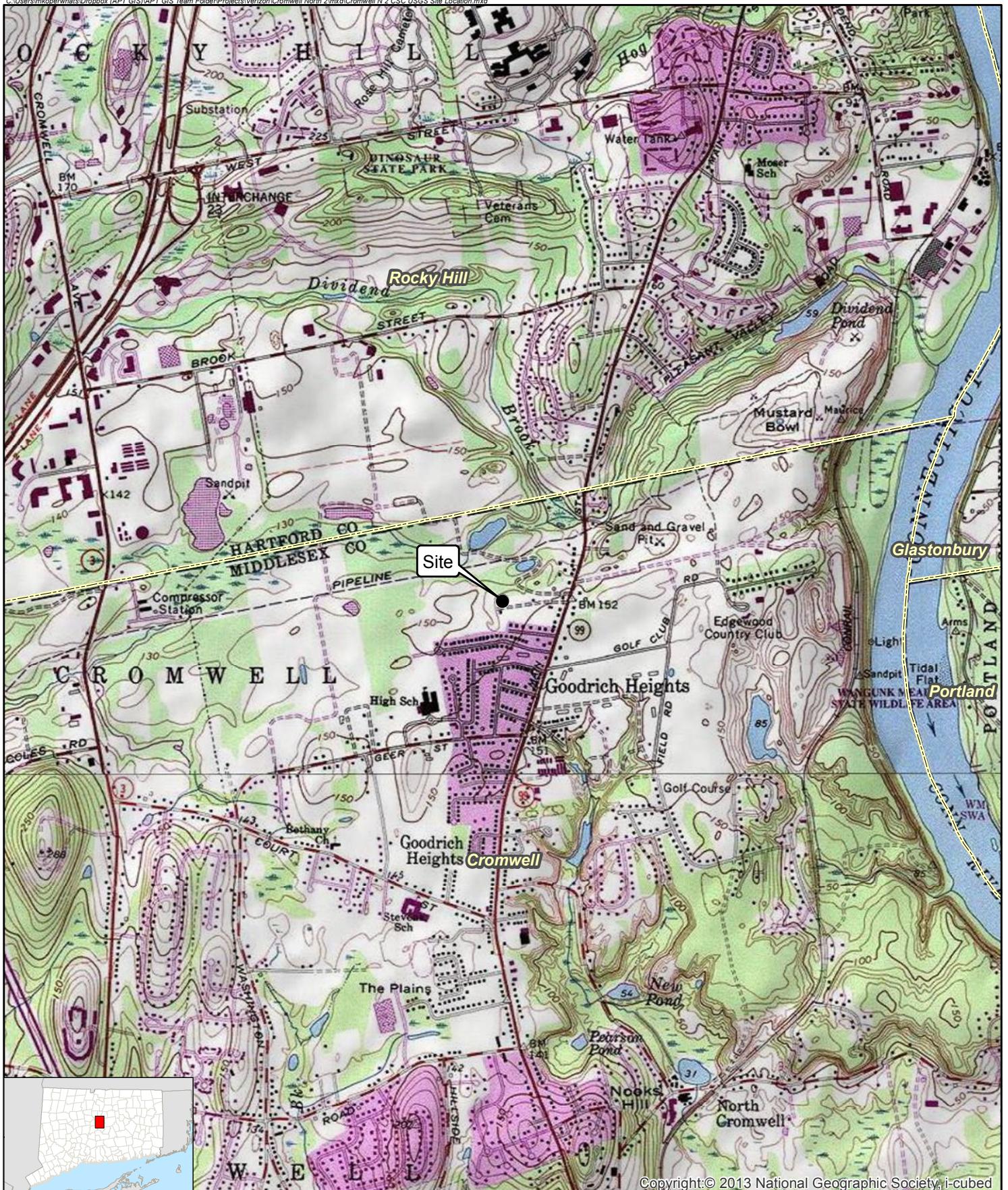
## LIST OF ATTACHMENTS

1. Cromwell North 2 Facility – Factual Summary and Project Plans
2. Certificate of Service of Application on Government Officials; and List of Officials Served
3. Legal Notice in the *Hartford Courant*
4. Notice to Landowners; List of Abutting Landowners; Certificate of Service
5. Federal Communications Commission Licenses
6. Coverage Maps – Location of Cromwell North 2 and Surrounding Cell Sites
7. Antenna and Equipment Specifications
8. Site Search Summary
9. Visibility Analysis
10. Preliminary USFWS and CT DEEP Compliance Determination Consultation
11. Wetlands Inspection Report
12. Preliminary Historic Resources Determination
13. Farmland Soils Map
14. General Power Density Table
15. FEMA – Flood Insurance Rate Maps
16. Public Information Meeting – Legal Notice and Abutters List
17. FAA Obstruction Analysis Report
18. Redacted Land Lease Agreement

## EXECUTIVE SUMMARY

Cellco Partnership d/b/a Verizon Wireless (“Cellco”) (“Applicant”) proposes to construct a wireless telecommunications facility on a 7.78-acre parcel at 667, 665, 663 and 663R Main Street in Cromwell, Connecticut (collectively the “Property”). The Property is owned by Cromwell Concrete Products, Inc. (“CCP”) and Libera Real Estate Holdings, LLC and is used for commercial/industrial purposes. Cellco refers to this cell site as its “Cromwell North 2 Facility”. The Cromwell North 2 Facility will provide improved wireless voice and data services in Cromwell and portions of Rocky Hill, Connecticut.

Cellco proposes to construct a 120-foot monopole tower within a 50' x 50' fenced compound (70' x 75' leased area) in the northwest corner of the Property. Cellco would install six (6) panel-type antennas and twelve (12) remote radio heads on a square antenna platform at the top of the tower. The top of Cellco's antennas will extend above the top of the tower to a height of approximately 124 feet above ground level. Radio equipment cabinets and a diesel-fueled back-up generator would be located on a 9'-4" x 16' steel equipment platform with a canopy roof installed within the facility compound. Vehicular access to the Cromwell North 2 Facility would extend from Main Street over a portion of an existing paved driveway and parking area then over a new gravel driveway extension to the cell site. Utilities would extend underground from existing service along Main Street.



#### Legend

- Site
- Municipal Boundary

Map Notes:  
Base Map Source: USGS 7.5 Minute Topographic Quadrangle Map, Hartford South, CT (1992)  
Map Scale: 1:24,000  
Map Date: January 2018

2,000 1,000 0 2,000  
Feet

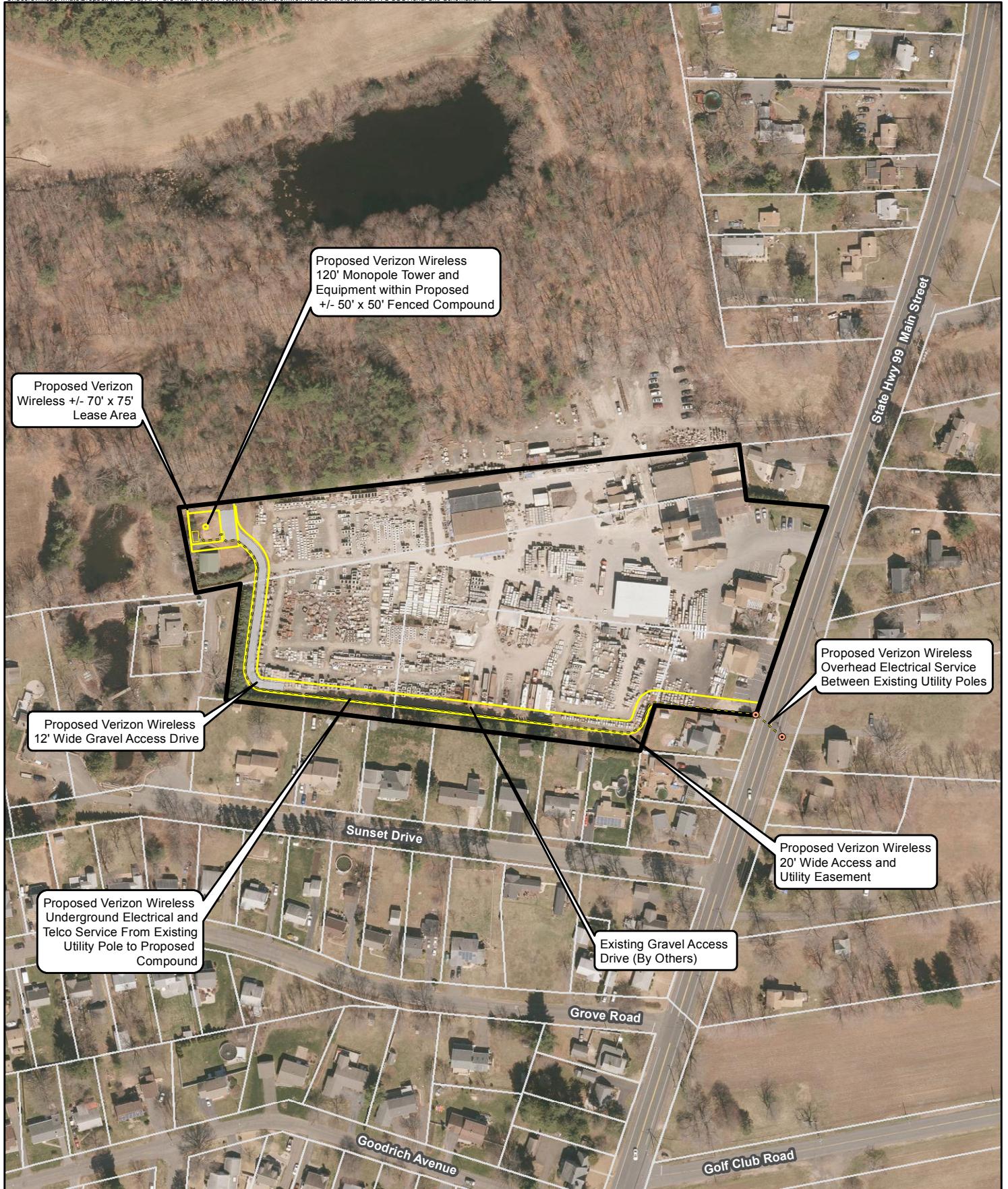


#### Site Location Map

Proposed Wireless  
Telecommunications Facility  
Cromwell North 2 CT  
667 Main Street  
Cromwell, Connecticut

verizon

ALL-POINTS  
TECHNOLOGY CORPORATION

**Legend**

- Proposed Verizon Wireless Facility Layout
- Proposed Verizon Wireless Gravel Drive
- Proposed Verizon Wireless Telco/Electrical Service
- Existing Utility Pole (By Others)
- Subject Property
- Approximate Parcel Boundary (CTDEEP GIS Parcels Last Updated 2010)

**Site Schematic**

Proposed Wireless  
 Telecommunications Facility  
 Cromwell North 2 CT  
 667 Main Street  
 Cromwell, Connecticut

**verizon**

**ALL-POINTS**  
 TECHNOLOGY CORPORATION

STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

IN RE: :  
APPLICATION OF CELLCO PARTNERSHIP : DOCKET NO. \_\_\_\_  
D/B/A VERIZON WIRELESS FOR A :  
CERTIFICATE OF ENVIRONMENTAL :  
COMPATIBILITY AND PUBLIC NEED FOR :  
THE CONSTRUCTION, MAINTENANCE :  
AND OPERATION OF A WIRELESS :  
TELECOMMUNICATIONS FACILITY AT :  
667, 665, 663 AND 663R MAIN STREET IN :  
CROMWELL, CONNECTICUT : FEBRUARY 23, 2018

**APPLICATION FOR CERTIFICATE OF  
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED**

**I. INTRODUCTION**

**A. Authority and Purpose**

This Application and the accompanying attachments (collectively, the “Application”) is submitted by Cellco Partnership d/b/a Verizon Wireless (“Cellco” or the “Applicant”), pursuant to Chapter 277a, Sections 16-50g et seq. of the Connecticut General Statutes (“C.G.S.”), as amended, and Sections 16-50j-1 et seq. of the Regulations of Connecticut State Agencies (“R.C.S.A.”), as amended. The Application requests that the Connecticut Siting Council (“Council”) issue a Certificate of Environmental Compatibility and Public Need (“Certificate”) for the construction, maintenance, and operation of a wireless telecommunications facility at 667, 665, 663 and 663R Main Street in Cromwell, Connecticut (collectively the “Property”). Cellco identifies this cell site as its “Cromwell North 2 Facility”. The proposed Cromwell North 2 Facility will consist of a 120-foot monopole tower in the northwesterly corner of the Property. Cellco would install its antennas and remote radio heads on a square antenna platform at the top

of the tower. The tower, Cellco's equipment platform, equipment cabinets and a 20 kW diesel-fueled back-up generator will be installed within a 50' x 50' fenced compound and 70' x 75' leased area.

Included in this Application, as Attachment 1 is a factual summary and project plans for the proposed Cromwell North 2 Facility. This summary, along with the other attachments submitted as part of this Application, contain all of the site-specific information required by statute and the regulations of the Council.

**B. The Applicant**

Cellco is a Delaware Partnership with an administrative office located at 20 Alexander Drive, Wallingford, CT 06492. Cellco is licensed by the Federal Communications Commission ("FCC") to operate a wireless telecommunications system in the State of Connecticut within the meaning of C.G.S. Section 16-50i(a)(6). Cellco has extensive national experience in the development, construction and operation of wireless telecommunications systems and the provision of wireless telecommunications service to the public. Operation of the wireless telecommunications systems and related activities are Cellco's sole business in the State of Connecticut.

Correspondence and/or communications regarding this Application may be addressed to:

Cellco Partnership d/b/a Verizon Wireless  
20 Alexander Drive  
Wallingford, Connecticut 06492  
Attention: Anthony Befera  
Principle Engineer – Real Estate/Regulatory

A copy of all such correspondence or communications should also be sent to:

Robinson & Cole LLP  
280 Trumbull Street  
Hartford, Connecticut 06103-3597  
(860) 275-8200  
Attention: Kenneth C. Baldwin, Esq.

**C. Application Fee**

The estimated total construction cost for the Cromwell North 2 Facility would be less than \$5,000,000. Therefore, pursuant to Section 16-50v-1a(b) of the Regulations of Connecticut State Agencies, an application fee of \$1,250 accompanies this Application in the form of a check payable to the Council.

**II. SERVICE AND NOTICE REQUIRED BY C.G.S. SECTION 16-50l(b)**

Copies of this Application have been sent mailed to municipal, regional, state and federal officials, pursuant to C.G.S. Section 16-50l(b). A certificate of service, along with a list of the officials served with a copy of the Application, is included as Attachment 2.

Notice of Cellco's intent to submit this Application was published on February 20 and February 21, 2018, by Cellco in the *Hartford Courant* pursuant to C.G.S. Section 16-50l(b). A copy of the legal notice is included in Attachment 3. A copy of an Affidavit of Publication will be forwarded to the Council as soon as it is available.

Attachment 4 contains a certification that notice of Cellco's intent to file this Application was sent to each person appearing of record as an owner of land that may be considered to abut the Property in accordance with C.G.S. Section 16-50l(b), as well as a list of the property owners to whom such notice was sent and a sample notice letter, including attachments.

### **III. STATEMENT OF NEED AND BENEFITS FOR THE PROVISION OF ADVANCED AND RELIABLE WIRELESS SERVICES**

The purpose of this section is to provide an overview and general description of the proposed Cromwell North 2 Facility.

#### **A. Federal Policy**

In 1996, the United States Congress adopted the federal Telecommunications Act (the "Act"). (Pub. L. No. 104-104, 110 Stat. 56). The Act recognized, among other things, an important nationwide need for high-quality wireless telecommunication services of all varieties. The Act also expressly promotes competition and seeks to reduce federal, state and local government regulation in all aspects of the telecommunications industry in order to foster lower prices for consumers and to encourage the rapid deployment of new and advanced wireless service and technologies.

Because the FCC and the United States Congress have determined that there is a pressing public need for high-quality wireless telecommunications service nationwide, the federal government has preempted the determination of public need by states and municipalities, including the Council, with respect to public need for the service to be provided by the facility described in this Application. In addition, the FCC has promulgated regulations containing technical standards for wireless systems, including design standards, in order to ensure the technical integrity of each system and nationwide compatibility among all systems. State and local regulation of these matters is likewise preempted. The FCC has also exercised its jurisdiction over and preempted state and local regulation with respect to radio frequency emission and interference issues by establishing regulations and requirement in these areas as well.

Pursuant to FCC authorizations, Cellco has constructed and currently operates a wireless system throughout Connecticut. This system, together with Cellco's system throughout its New

England and national markets, has been designed and constructed to operate as one integrated, contiguous system, consistent with Cellco's business policy of developing compatibility and continuity of service on a regional and national basis.

Recognizing the public safety benefits that enhanced wireless telecommunications networks can provide, the United States, Congress also enacted the Wireless Communications and Public Safety Act of 1999 to promote and enhance public safety by making 911 the universal emergency assistance number, furthering the deployment of wireless 911 capabilities and further encouraging the construction and operation of seamless, ubiquitous and reliable wireless networks. In 2004, Congress enacted the Enhanced 911 (E-911) Act for the specific purpose of enhancing and promoting Homeland Security, public safety and citizen activated emergency response capabilities. These goals and other related responsibilities imposed on wireless service providers can only be satisfied if Cellco maintains a ubiquitous and reliable wireless network.

In December of 2009, President Obama issued Presidential Proclamation No. 8460 (74 C.F.R. 234 (2009)), which recognizes the need to protect the nation's "critical infrastructure", including, among others, "cellular phone towers". In 2010, the FCC developed a national broadband policy<sup>1</sup> to 1) ensure that all Americans would have access to broadband capability, whether wired or wireless, 2) establish the United States as a leader in wireless service innovation, and 3) establish, in America, the fastest and most extensive wireless network. In an effort to encourage a more timely review and approval of wireless facility siting applications, the FCC, in 2011, established specific time limits for local and State land use decisions on wireless facilities.<sup>2</sup>

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<sup>1</sup> Connecting America: The National Broadband Plan, Federal Communications Commission (2010).

<sup>2</sup> FCC Declaratory Ruling WT Docket No. 08-165.

In 2012, Congress passed the Middle Class Tax Relief and Job Creation Act which included a provision (Section 6409) which mandates the approval of certain eligible wireless facility modifications. The provisions of Section 6409 were further clarified in the FCC's October 17, 2014 Report and Order (FCC-14-153) and were specifically designed to accelerate broadband deployment by improving wireless siting policies.

Included as Attachment 5 is a copy of the FCC's authorization issued to Cellco for its 700 MHz and 2100 MHz wireless service in Connecticut. The FCC's rules permit a licensee to modify its system, including the addition of new cell sites, without prior approval by the FCC, as long as the licensee's authorized service area is not enlarged. The Cromwell North 2 Facility would not enlarge Cellco's authorized service area.

## **B. Public Need and System Design**

### **1. Need for the Cromwell North 2 Facility**

As noted above, the Act has pre-empted any state or local determination of public need for wireless services. In Connecticut, Cellco holds FCC Licenses to provide wireless services in the 700 MHz, 850 MHz, 1900 MHz and 2100 MHz frequency ranges. Initially, Cellco will deploy only its 700 MHz and 2100 MHz frequencies at the Cromwell North 2 Facility. Pursuant to its FCC Licenses, Cellco has developed and continues to develop a network of cell sites to serve the demand for enhanced wireless services throughout the nation and more specifically, the State of Connecticut.

Cellco currently provides wireless service in northerly portions of Cromwell and southerly portions of Rocky Hill from seven (7) existing cell sites, identified as Cromwell North, Rocky Hill 2, Rocky Hill 4, Rocky Hill East, Portland, Cromwell SE and Cromwell cell sites.

Wireless service plots showing the extent of reliable wireless service in the area around the proposed Cromwell North 2 cell site reveal significant gaps in reliable service in Cellco's 700 MHz and 2100 MHz operating frequencies.<sup>3</sup> Significant improvement in the level of reliable service will occur, particularly along portions of Route 99 and local roads in the area, surrounding residential neighborhoods, TPC River Highland, home of the Travelers Championship, an annual PGA Tour event, and Watrous Park once the proposed Cromwell North 2 Facility is activated. (See Attachment 6).

The Cromwell North 2 Facility will also provide capacity relief to Cellco's existing Cromwell North (Alpha sector) and Rocky Hill 2 (Beta sector) facilities, both of which are operating at or near their existing capacity limits.

## **2. Proposed Cell Site Information**

The proposed Cromwell North 2 Facility would be located in the northwesterly corner of an approximately 7.78-acre parcel at 667, 665, 663 and 663R Main Street. The Property is owned by Cromwell Concrete Products, Inc. and Libera Real Estate Holdings, LLC and is used for commercial/industrial purposes. At this site, Cellco would construct a 120-foot self-supporting monopole telecommunications tower within a 50' x 50' fenced compound and 70' x 75' leased area. Cellco would install a total of six (6) panel-type antennas and twelve (12) remote radio heads on a square antenna platform at the top of the tower. Cellco's antennas will extend approximately four (4) feet above the top of the tower. Equipment associated with Cellco's antennas, including two (2) equipment cabinets and a 20 kW diesel-fueled back-up generator would be located on a 9'-4" x 16' steel platform with a canopy roof located near the

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<sup>3</sup> Service gaps depicted are those where existing signal strength is  $>/= -95$  RSRP, areas shown in green on the attached plots.

base of the tower. Cellco's equipment cabinets would house radio receiving, transmitting, switching, processing and performance monitoring equipment. The back-up battery system and generator will allow the facility to remain operational if and when commercial power to the facility is interrupted. The equipment would remain unstaffed, except as required for maintenance. Once the cell site is operational, Cellco technicians will visit the cell site periodically for maintenance purposes. Cellco's back-up generator is exercised once every two (2) weeks for approximately 30 minutes, and always during daytime hours.

Vehicular access to the proposed cell site would extend from Main Street over an existing paved driveway a distance of 175 feet then over a new gravel driveway an additional 990 feet to the cell site. Utilities will extend from existing service along Main Street.

Initially, Cellco will deploy its 700 and 2100 MHz wireless services at the Cromwell North 2 Facility. Cellco's 850 MHz and 1900 MHz services would be added when capacity needs in the area exist. The proposed Cromwell North 2 Facility would provide reliable wireless service to a 2.2 mile portion of Route 99; and an overall area of 11.3 square miles at 700 MHz frequencies; and a 1.5 mile portion of Route 99, and an overall area of 2.4 square miles at 2100 MHz frequencies.

Cellco's existing surrounding cell sites that will interact with the proposed Cromwell North 2 include: *Cromwell* – antennas on an existing tower at 160 West Street in Cromwell, located approximately 2.0 miles south of the proposed Cromwell North 2 Facility; *Cromwell North* - antennas on an existing tower at 179 Shunpike Road in Cromwell, located approximately 1.5 miles southwest of the proposed Cromwell North 2 Facility; *Rocky Hill 2* – antennas on an existing tower at 1218 Cromwell Avenue in Rocky Hill, located approximately 1.0 mile west of

the proposed Cromwell North 2 Facility; *Rocky Hill 4* – antennas on an existing tower at 2 West Street in Rocky Hill, located approximately 1.5 miles northwest of the proposed Cromwell North 2 Facility; *Rocky Hill East* – antennas on an existing tower at 699 Old Main Street in Rocky Hill, located approximately 2.6 miles north of the proposed Cromwell North 2 Facility; *Portland* – antennas on an existing tower at 74 Goodrich Lane in Portland, located approximately 3.5 miles southeast of the proposed Cromwell North 2 Facility; and *Cromwell SE* – antennas on an existing tower at 201 Main Street in Cromwell, located approximately 3.4 miles south of the proposed Cromwell North 2 Facility.

### **3. System Design and Cell Site Equipment**

#### **a. System Design**

Cellco's wireless system in general and the proposed Cromwell North 2 Facility, in particular, have been designed and developed to allow Cellco to achieve and to maintain high quality, reliable wireless service. The system design is capable of orderly expansion and is compatible with other wireless systems. The resulting quality of service compares favorably with the quality of service provided by conventional wireline telephone service. The wireless system is designed to assure a true cellular configuration of base transmitters and receivers in order to cover the proposed service area effectively while providing the highest quality of service possible.

Mobile telephone switching offices ("MTSOs") in Windsor and Wallingford are interconnected and operate Cellco's wireless systems in Connecticut as a single network, offering the subscriber uninterrupted use of the system while traveling throughout the State. This network is further interconnected with the local exchange company and long distance carrier networks.

Cellco has designed its wireless system in conformity with applicable standards and

constraints for wireless systems. Cellco's system is also designed to minimize the need for additional cell sites in the absence of additional demand or unforeseen circumstances.

**b. Cell Site Equipment**

The key elements of the cellular system are the two MTSOs located in Windsor and Wallingford and the various connector cell sites around the state. The major electronic components of each cell site are radio frequency transmission and receiving equipment and cell site controller equipment. This equipment is capable of expanding in modules to meet system growth needs. The cell site equipment primarily provides for: message control on the calling channel; call setup and supervision; radio frequency equipment control; internal diagnostics; response to remote and local test commands; data from the mobile or portable unit in both directions and on all channels; scan receiver control; transmission of power control commands; rescanning of all timing; and commands and voice channel assignment.

In addition to the ground-mounted radio equipment, Cellco intends to install six (6) panel-type transmit/receive antennas; twelve (12) remote radio heads (RRHs); two (2) HYBRIFLEX™ fiber optic antenna cables; and a GPS antenna. Back-up power to the Cromwell North 2 Facility will be provided by a back-up battery system and a 20 kW diesel-fueled generator. Specifications for Cellco's antennas, RRHs, antenna cables and generator are included in Attachment 7.

**4. Technological Alternatives**

Pursuant to authorization by the FCC, Cellco is authorized to provide wireless telecommunications services throughout the State of Connecticut. Cellco submits that there are no equally effective technological alternatives to the proposal contained herein. In fact, Cellco's wireless system represents state-of-the-art technology offering high-quality service. Cellco is aware

of no viable and currently available alternatives to its system design for carriers licensed by the FCC.

### **C. Site Selection and Tower Sharing**

#### **1. Cell Site Selection**

Cellco's goal in selecting cell sites, like the ones described above, is to locate a facility in such a manner as to allow it to build and to operate a high-quality wireless system with the least environmental impact. Cellco has determined that the proposed Cromwell North 2 Facility would satisfy this goal and provide high-quality reliable wireless service along portions of Route 99 and local roads, as well as residential and commercial land uses in the area. The Cromwell North 2 Facility will also provide improved wireless service to Watrous Park and to TPC River Highlands, home of the Travelers Championship.

The methodology of cell site selection for a wireless system generally limits the search for possible locations to a specific site search area established by Cellco's Radio Frequency (RF) Engineers and network designers. In any search area, Cellco first examines the use of existing towers or other sufficiently tall structures that might help satisfy its coverage objectives. A list of existing towers or other non-tower structures considered is described above and included in Attachment 8. Cellco currently shares each of these existing towers, all of which are within approximately four (4) miles of the Cromwell North 2 Facility location. These existing sites are identified on the coverage maps included in Attachment 6. The adjacent cell sites cannot, however, satisfy the coverage objectives for the Cromwell North 2 Facility search area.

Cellco also regularly investigates the use of existing, non-tower structures in an area, when available, as an alternative to building a new tower. No such non-tower structures of suitable height

exist in northerly portions of Cromwell. Cellco initiated a site search process for the Cromwell North 2 cell site in September, 2014, and identified the Property as a viable candidate for a cell site. Cellco determined that an antenna centerline height of 120 feet at this location would satisfy its wireless service objectives in the area. The Site Search Summary (Attachment 8) together with the site information contained in Attachment 1 support Cellco's position that the site selected represents the most feasible alternative of the sites investigated.

## **2. Tower Sharing**

The Applicant will design the proposed tower and facility compound to be shared by a minimum of four (4) wireless carriers, the Town, and local emergency service providers, if a need exists. The tower itself could also be designed to be extended up to 20 feet in accordance with past requests from the Council. This type of tower sharing arrangement would reduce, if not eliminate, the need for these other carriers or municipal entities to develop a separate tower in this same area in the future. As of the date of this filing, no other wireless carrier nor the Town of Cromwell has expressed any interest in the Cromwell North 2 Facility.

## **3. Overall Costs and Benefits**

Aside from the limited visual impacts discussed further below, the Applicant believes that there are no significant costs attendant to the construction, maintenance, and operation of the proposed cell site. In fact, the public will benefit substantially from its increased ability to receive high-quality, reliable wireless service in Cromwell and southerly portions of Rocky Hill.<sup>4</sup> The

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<sup>4</sup> Businesses and individuals across the country have become much more dependent on wireless services especially in emergency situations. The public safety benefits of wireless telephone service are illustrated by the Connecticut State Police Enhanced 911 emergency calling system. The E-911 emergency calling system is available statewide to all wireless telephone users. Numerous other emergency service organizations have turned to wireless telephone service for use during natural disasters and severe storms when wireline service is interrupted or unavailable.

Cromwell North 2 Facility would be a part of a communications system that addresses the public need identified by the FCC and the United States Congress for high-quality, competitive mobile and portable wireless service. Moreover, the proposed cell site would be part of a system designed to limit the need for additional cell sites in the future. The overall costs to the Applicant for development of the proposed cell site are set forth in Section III.D. of the Application.

#### **4. Environmental Compatibility**

Pursuant to Section 16-50p of the General Statutes, in its review of the Application, the Council is required to find and to determine, among other things, the nature of the probable environmental impact, including a specification of every significant adverse effect, whether alone or cumulatively with other effects, on, and conflicting with the policies of the state concerning the natural environment, ecological balance, public health and safety, scenic, historic and recreational values, forests and parks, air and water purity and fish and wildlife.

##### **a. Primary Facility Impact is Visual**

The wireless system of which the proposed Cromwell North 2 Facility would be a part has been designed to meet the public need for high-quality, reliable wireless service while minimizing, to the extent possible, any potential adverse environmental impacts. In part because there are few, if any other adverse impacts, the primary impact of facilities such as this is visual. This visual impact will vary from location to location around a proposed tower site, depending upon factors such as vegetation, topography, the distance of nearby properties from the tower and the location of buildings and roadways in a “sight line” toward the tower. Similarly, visual impact of a tower facility can be further reduced through the use of alternative tower structures; so-called “stealth installations” in appropriate circumstances. Attachment 9 contains a Visibility Analysis prepared

by All-Points Technology Corporation (“APT”) for the Cromwell North 2 Facility. The Visibility Analysis assesses the visual impact of the tower on the surrounding areas and includes photosimulations for the Council’s review and consideration.

According to the Visibility Analysis, areas where the monopole tower would be visible above the tree canopy comprise approximately 108 acres, or 1.34 percent of the two-mile radius (8,042 acre) study area. Year-round visibility of the Cromwell North 2 Facility tower are limited to locations within approximately 0.75 miles of the tower. Areas to the east and west are fairly open with little or no vegetation and may afford the greatest opportunity for views of the top portions of the tower. Areas where seasonal views (including views through trees in the winter months) would comprise approximately 224 additional acres, 4.12 percent of the 8,042 acre study area.

There are 56 residences within 1,000 feet of the Cromwell North 2 Facility. The closest off-site residence is located at 669 Main Street, approximately 108 feet to the southwest and is owned by John Libera, Trustee. Weather permitting, the Applicant will raise a balloon with a diameter of at least three (3) feet at the Cromwell North 2 Facility location on the day of the Council’s hearing on this Application, or at a time otherwise specified by the Council.

**b. Environmental Reviews and Agency Comments**

Section 16-50j of the General Statutes requires the Council to consult with and to solicit comments on the Application from the Commissioners of the Departments of Energy and Environmental Protection, Public Health, Public Utility Regulatory Authority, Economic Development, and Transportation, the Council on Environmental Quality, and the Office of Policy and Management, Energy Division. In addition to the Council’s solicitation of comments, Cellco, as a part of the National Environmental Policy Act (“NEPA”) Checklist, solicits comments on the

proposed Cromwell North 2 Facility from the U.S. Department of the Interior, Fish and Wildlife Service (“USFWS”), Environmental and Geographic Information Center of the Connecticut Department of Energy Environmental Protection (“DEEP”) and the Connecticut Historical Commission, State Historic Preservation Officer (“SHPO”).

**(1) USFWS, Migratory Birds & NDDB Reviews**

According to the February 8, 2018 Preliminary USFWS, Migratory Birds & NDDB Compliance Determination prepared by APT, one federally-listed threatened species is known to occur in the vicinity of the Property documented as the *Northern Long-Eared Bat* (“NLEB”). For the reasons discussed in the compliance determination, Cellco submits that the proposed Cromwell North 2 Facility will not adversely affect the NLEB.

The proposed Cromwell North 2 Facility would also comply with the USFWS recommended guidelines for reducing impacts to migratory birds. Finally, no known areas of State-listed species exist on the most recent DEEP/NDDB maps in the location of the proposed cell site. (See Attachment 10).

**(2) Wetlands Inspection Report and Vernal Pool Survey**

As discussed in Section III.C.5.d. below, Cellco identified two (2) off-site wetland areas proximate to the Cromwell North 2 Facility, the closest of which is located approximately 85 feet to the west. A second wetland area was also identified approximately 354 feet to the northwest of the facility location. Due to the significant distance separating these wetland areas and the proposed facility, no likely adverse impacts are expected. (See Wetlands Inspection Report – Attachment 11).

**(3) State Historic Preservation Officer**

According to a Preliminary Historic Resources Determination prepared by APT for the Cromwell North 2 Facility, there are no historic resources on or eligible for listing on the National Register of Historic Places within one-half mile of the proposed Cromwell North 2 Facility. The Samuel Wright House, a state-registered historic place is located within one-half mile, to the northeast, of the proposed tower site. No substantive views of the proposed tower site would be achieved from this Wright Samuel House in Rocky Hill. (See Attachment 12).

**(4) Agriculture**

Farmland soils suitable for agricultural use includes land that is defined as prime or farmland of Statewide or local importance, based on soil type. It identifies the location and extent of the most suitable land for producing food, feed, fiber, forage, and oilseed crops and is available for these uses.<sup>5</sup> According to the National Cooperative Soil Survey (U.S. Department of Agriculture, Natural Resources Conservation Service), eastern portions of the Property, along Main Street contain “Statewide Important” Farmland soils. None of these areas will be impacted by construction of the Cromwell North 2 Facility compound. The proposed access driveway may extend through a portion of this area utilizing existing paved and gravel surfaces. Trenching associated with the installation of utilities to the cell site will have a minor and temporary impact on these Statewide Important Farmland soils. (See Farmland Soils Map included in Attachment 13).

**c. Non-Ionizing Radio Frequency Radiation**

The FCC has adopted standards for exposure to Radio Frequency (“RF”) emissions from telecommunications facilities like those proposed in the Application. To ensure compliance with

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<sup>5</sup> Connecticut Environmental Conditions Online (CTECO Resource Guide) [www.cteco.uconn.edu](http://www.cteco.uconn.edu).

the applicable standards, Cellco has performed a general power density calculation for the proposed Cromwell North 2 Facility according to the methodology prescribed by the FCC Office of Engineering and Technology Bulletin No. 65, Edition 97-01 (August 1997) ("OET Bulletin 65"). The calculation is a conservative, worst-case approximation for RF emissions at the closest accessible point to the antennas, in this case the base of the tower, and assumes that all antennas are transmitting simultaneously, on all channels, at full power. Even under these absolute worst-case conditions, the calculations indicate that the maximum permissible exposure level for Cellco's antennas at the proposed Cromwell North 2 Facility would remain well below (29.53%) the FCC's Standard. Actual RF emissions levels from the proposed facility would be far below these "worst-case" calculations. A worst-case General Power Density table is included in Attachment 14.

**d. Other Environmental Issues**

No sanitary facilities are required for the Cromwell North 2 Facility. The operations at the Cromwell North 2 Facility will not cause any significant air, water, noise or other environmental impacts, or hazard to human health.

Based on agency comments received and field investigations by the Cellco project team, the Applicant submits that the proposed Cromwell North 2 Facility will have no significant adverse effect on scenic, natural, historic or recreational features, and that none of the potential effects alone or cumulatively with other effects is sufficient reason to deny this Application.

**5. Consistency with Local Land Use Controls**

The Council Application Guide for Community Antenna Television and Telecommunication Facilities, as amended in July 2012, requires the inclusion of a narrative summary of the project's consistency with the Municipality's Plan of Conservation and

Development (the “Plan”), Zoning Regulations, and Wetlands Regulations as well as a description of planned and existing uses of the site location and surrounding properties.

**a. Planned and Existing Land Uses**

The proposed Cromwell North 2 Facility would be located on an approximately 7.78-acre parcel owned by Cromwell Concrete Products, Inc. and Libera Real Estate Holdings, LLC. The Property is zoned Business Industrial Park (“BP”) and Residential (R-15) and is used for commercial/industrial purposes. The Property is surrounded by undeveloped agricultural land to the north and west and residential uses to the east, along the east side of Main Street and to the south.

**b. Plan of Conservation and Development**

The Town of Cromwell Plan of Conservation & Development (Dated September, 2007) (the “Plan”), does not identify telecommunications facilities as a land use consistent or inconsistent with the general planning and conservation principles or policies of the Town. The Plan does, however, identify as one of the its “infrastructure” policies to promote, where feasible, the consolidation of wireless facilities on to common towers and/or the use of existing or proposed buildings or structures. (*See* Goal 5, Policy 36 of the Plan). Four (4) copies of the Plan were filed, in bulk, with the Council.

**c. Zoning Regulations**

According to the Cromwell Zoning Map (effective August 25, 2015), the Property is located in the BP and R-15 zones.<sup>6</sup> Wireless telecommunications facility, is not a use listed as either permitted or prohibited in the BP zone. The Cromwell Zoning Regulations require

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<sup>6</sup> The northwest portion of the Property, where the tower is proposed to be located, is zoned BP.

structures in the BP zone to meet certain setback requirements including 35 feet for the front yard; 25 feet for a side yard (50 feet aggregate); and 25 feet for a rear yard. The proposed 120-foot tower is located 35 feet from the northerly property line, 106 feet from the southerly property line, 37 feet from the westerly boundary and 891 feet from the eastern boundary.

**d. Inland Wetlands and Watercourses Regulations**

The Cromwell Inland Wetlands and Watercourses Regulations (“Wetlands Regulations”) define Regulated Activity as any operation within or use of a wetland or watercourse involving removal or deposition of material, or any obstruction, construction, alteration or pollution, of such wetlands or watercourses. Further, any clearing, grubbing, filling, grading, parking, excavating, constructing, depositing or removing of materials or discharging of stormwater in an Upland Review Area is a regulated activity. “Upland Review Area” is defined to include, among other things, land with 100 feet of a wetland boundary or the centerline of an unnamed watercourse. (See Section 2.1.kk of the Wetlands Regulations).<sup>7</sup> Four (4) copies of the Cromwell Wetlands Regulations were filed, in bulk, with the Council. APT completed a thorough wetlands investigation to assess and evaluate potential impacts of the proposed facility. A copy of a Wetlands Inspection Report is included in Attachment 11. As discussed above, APT identified two (2) wetland areas on an adjacent parcel, the closest of which is 85 feet to the west of the proposed Cromwell North 2 Facility. Provided appropriate soil erosion controls are maintained throughout site construction, the Cromwell North 2 Facility should not have an adverse impact on the identified wetland areas. A wetland protection and restoration plan has

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<sup>7</sup> Upland Review Area is also defined to include, land within 200 feet of 1) certain identified brooks and streams; 2) the high water mark of the Connecticut River; 3) a vernal pool; 4) the Round Meadows area of Cromwell; or 5) any area likely to cause wetland damage.

been developed and is incorporated into the project plans included in Attachment 1. (See Plan Sheet C-5).

According to the Federal Emergency Management Agency Flood Insurance Rate Map (“FIRM”), Community Panel Number 09007C0019G (Effective August 28, 2008) the Cromwell North 2 Facility would be located in Flood Zone X, an area outside the 500 year flood zone. A copy of the FIRM is also included in Attachment 15.

## **6. Local Input**

Section 16-50l(e) of the Connecticut General Statutes, as amended, requires local input on matters before the Council. On October 30, 2015, Cellco representatives met with Mayor Enzo Faienza and Town Manager Anthony Salvatore to commence the ninety (90) day municipal consultation process. Mayor Faienza and Mr. Salvatore received a copy of technical information summarizing Cellco’s plans to establish a telecommunications facility as described above. At this meeting, Cellco discussed, in detail, the aspects of the proposed Cromwell North 2 Facility, the need for wireless service in northeastern portions of Cromwell and the Connecticut Siting Council application process. Four (4) copies of Cellco’s Technical Report were filed in bulk with the Council. At the request of the Town, Cellco hosted a Public Information Meeting (“PIM”) at Cromwell Town Hall on November 30, 2015. Notice of the PIM was published in the *Hartford Courant* on November 20, 2015, and was sent to abutting landowners. A list of abutting landowners notified of the PIM, a copy of the notice letter to abutters and a copy of the Legal Notice of the PIM is included in Attachment 16.

At the PIM, Cellco discussed the need for the Cromwell North 2 Facility and the Council’s application process. Cellco also discussed alternative cell site locations considered and agreed to

pursue an additional specific alternative tower location on property at 675 Main Street, the parcel immediately north of the Property. Cellco spent the next two years negotiating a tower lease with the owner of this parcel (Gardners Nurseries, Inc.) to no avail. Cellco terminated negotiations in December, 2017.

On December 26, 2017, Cellco's legal counsel notified Mayor Faienza and the Town Manager, Anthony Salvatore by letter of its intent to move forward with its plans to construct a new tower at the Property. On January 16, 2018, Cellco's legal counsel called and left a voice-mail message for Mayor Faienza and Mr. Salvatore to discuss the tower proposal further. Neither the Mayor nor the Town Manager responded to the December 26, 2017 notice letter or the follow-up phone call.

On January 23, 2018, notice of Cellco's intent to move forward with its Council application was also sent to all abutting property owners. Copies of the December 26, 2017 correspondence sent to Town Officials, the January 23, 2018 notice sent to adjoining property owners and a list of adjoining owners notified are also included in Attachment 16.

**7. Consultations With State and Federal Officials**

Attachments 10, 11, 12, 13, 15 and 17 and Section III.C.7. of the Application describes consultations with state and federal officials regarding the proposed Cromwell North 2 Facility.

**a. Federal Communications Commission**

The FCC did not review this particular proposal. As discussed above, FCC approval is not required where the authorized service area is not enlarged.

**b. Federal Aviation Administration (FAA)**

Cellco completed a Federal Aviation Regulations Part 77 Sub-Part C Obstruction Analysis

Report for the proposed Cromwell North 2 Facility to determine if the proposed tower would constitute an obstruction or hazard to air navigation. This analysis has confirmed, pursuant to FAA standards and guidelines, that the proposed tower would not constitute an obstruction or hazard to air navigation. Therefore, no obstruction marking or lighting would be required. A copy of the Obstruction Analysis Report is included in Attachment 17.

**c. United States Fish and Wildlife Service**

*See Section III.C.4.b.(1) above.*

**d. Connecticut Department of Energy and Environmental Protection**

**(1) Natural Diversity Data Base**

*See Section III.C.4.b.(1) above.*

**(2) Bureau of Air Management**

Under normal operating conditions, Cellco's equipment at the Cromwell North 2 Facility would generate no air emissions. During the loss of commercial power and periodically for maintenance purposes, Cellco would utilize a propane-fueled generator to provide emergency back-up power to the proposed cell site. Cellco's back-up generator will be managed to comply with the "permit by rule" criteria established by the Connecticut Department of Energy and Environmental Protection ("DEEP") Bureau of Air Management pursuant to R.C.S.A. § 22a-174-3b.

**e. Connecticut State Historic Preservation Officer**

*See Section III.C.4.b.(3) above.*

## **D. Estimated Cost and Schedule**

### **1. Overall Estimated Costs**

The total estimated cost of construction for the Cromwell North 2 Facility is approximately \$425,000. This estimate includes:

(1)	Cell site radio equipment .....	\$150,000
(2)	Tower .....	50,000
(3)	Generator.....	25,000
(4)	Miscellaneous (including site preparation, access, grading) .....	200,000

### **2. Overall Scheduling**

Site preparation and engineering would commence following Council approval of Cellco's Development and Maintenance ("D&M") Plan and are expected to be completed within two to four weeks. Equipment installation is expected to take an additional four weeks after installation of the building and installation of the tower. Cell site integration and system testing is expected to require two weeks after equipment installation.

## **IV. CONCLUSION**

Based on the facts contained in this Application, Cellco submits that the establishment of the Cromwell North 2 Facility will not have any substantial adverse environmental effects. A public need exists for high quality reliable wireless service in the Town of Cromwell as determined by the FCC and the United States Congress, and a competitive framework for providing such service has been established by the FCC and the Telecommunications Act of 1996. Cellco submits that the need far outweighs any possible environmental effects resulting from the construction of the proposed cell site.

WHEREFORE, Cellco respectfully requests that the Council grant this Application for a Certificate of Environmental Compatibility and Public Need for the proposed Cromwell North 2 Facility.

Respectfully submitted,

CELLCO PARTNERSHIP D/B/A VERIZON  
WIRELESS

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