



Daniel F. Caruso  
Chairman

STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051  
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May 13, 2008

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

RE: **DOCKET NO. 354** - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at one of two locations off of Old Baird Road in Watertown, Connecticut.

Dear Mr. Baldwin:

By its Decision and Order dated May 8, 2008, the Connecticut Siting Council (Council) granted a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, maintenance and operation of a telecommunications facility at Site B off of Old Baird Road in Watertown, Connecticut.

Enclosed are the Council's Certificate, Findings of Fact, Opinion, and Decision and Order.

Very truly yours,

S. Derek Phelps  
Executive Director

SDP/DM/cm

Enclosures (4)

c: Sandy Carter, Regulatory Manager, Verizon Wireless



Daniel F. Caruso  
Chairman

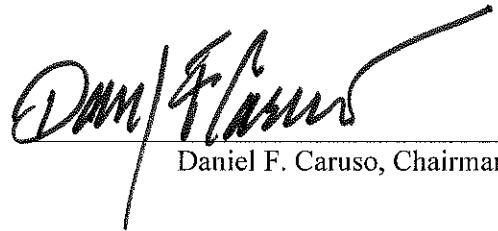
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**CERTIFICATE  
OF  
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED  
DOCKET NO. 354**

Pursuant to General Statutes § 16-50k, as amended, the Connecticut Siting Council hereby issues a Certificate of Environmental Compatibility and Public Need to Cellco Partnership d/b/a Verizon Wireless for the construction, maintenance and operation of a telecommunications facility at Site B off of Old Baird Road in Watertown, Connecticut. This Certificate is issued in accordance with and subject to the terms and conditions set forth in the Decision and Order of the Council on May 8, 2008.

By order of the Council,



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Daniel F. Caruso, Chairman

May 8, 2008



Daniel F. Caruso  
Chairman

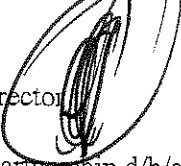
# STATE OF CONNECTICUT

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Internet: [ct.gov/esc](http://ct.gov/esc)

May 13, 2008

TO: Parties and Intervenors

FROM: S. Derek Phelps, Executive Director 

RE: **DOCKET NO. 354** - Celco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at one of two locations off of Old Baird Road in Watertown, Connecticut.

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By its Decision and Order dated May 8, 2008, the Connecticut Siting Council (Council) granted a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at Site B off of Old Baird Road in Watertown, Connecticut.

Enclosed are the Council's Findings of Fact, Opinion, and Decision and Order.

SDP/DM/cm

Enclosures (3)

c: State Documents Librarian



Daniel F. Caruso  
Chairman


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May 13, 2008

TO: Classified/Legal Supervisor  
**354080123**  
The Hartford Courant  
285 Broad St.  
Hartford, CT 06115

Classified/Legal Supervisor  
**354080123**  
The Waterbury Republican American  
P.O. Box 2090  
Waterbury, CT 06722

FROM: Carriann Mulcahy, Secretary II 

RE: **DOCKET NO. 354** - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at one of two locations off of Old Baird Road in Watertown, Connecticut.

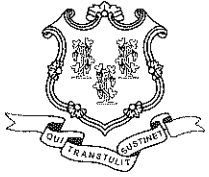
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Please publish the attached notice as soon as possible, but not on Saturday, Sunday, or a holiday.

Please send an affidavit of publication and invoice to my attention.

Thank you.

CM



Daniel F. Caruso  
Chairman

# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

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### NOTICE

Pursuant to General Statutes § 16-50p (d), the Connecticut Siting Council (Council) announces that, on May 8, 2008, the Council issued Findings of Fact, an Opinion, and a Decision and Order approving an application from Celco Partnership d/b/a Verizon Wireless for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at Site B off of Old Baird Road in Watertown, Connecticut. This application record is available for public inspection in the Council's office, Ten Franklin Square, New Britain, Connecticut

<p><b>DOCKET NO. 354</b> - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at one of two locations off of Old Baird Road in Watertown, Connecticut.</p>	<p>} Connecticut          } Siting          } Council</p>
	<p>May 8, 2008</p>

**Findings of Fact**

**Introduction**

1. Pursuant to Chapter 277a, Sections 16-50g et seq. of the Connecticut General Statutes (CGS), as amended, and Section 16-50j-1 et seq. of the Regulations of Connecticut State Agencies (RCSA), Cellco Partnership d/b/a Verizon Wireless (Cellco) applied to the Connecticut Siting Council (Council) on November 20, 2007 for the construction, operation, and maintenance of a telecommunications facility at one of two locations off of Old Baird Road in the Town of Watertown, Connecticut. (Cellco 1, p. 1)
2. Cellco is a Delaware Partnership with an administrative office located at 99 East River Drive, East Hartford, Connecticut. Cellco is licensed by the Federal Communications Commission (FCC) to operate a wireless telecommunications system in Connecticut. The operation of wireless telecommunications systems and related activities are Cellco's sole business in Connecticut. (Cellco 1, p. 4)
3. The party in this proceeding is the applicant. (Transcript, February 26, 2008, 4:00 p.m. [Tr. 1], p. 5)
4. Cellco's proposed facility would provide coverage along Route 6 and local roads in the westerly portion of Watertown and portions of northeastern Woodbury. (Cellco 1, pp. 1-2)
5. Pursuant to CGS § 16-50m, the Council, after giving due notice thereof, held a public hearing on February 26, 2008, beginning at 4:00 p.m. and continuing at 7:00 p.m. in the auditorium of Watertown High School, 324 French Street, Watertown, Connecticut. (Tr. 1, p. 2 ff.)
6. The Council and its staff conducted an inspection of the proposed sites on February 26, 2008, beginning at 3:00 p.m. The applicant flew balloons from 7:15 a.m. until 5:00 p.m. at the proposed sites to simulate the heights of the proposed towers. A red balloon was flown at the location designated as Site A, and a black balloon was flown at the location designated as Site B. Winds were calm, but visibility was limited due to overcast skies. (Tr. 1, p. 15)
7. Pursuant to CGS § 16-50l(b), Cellco published notice of its intent to submit this application on November 15 and 16, 2007 in the Waterbury Republican-American. (Cellco 1, p. 6; Republican-American Affidavit of Publication, dated November 19, 2007)

8. In accordance with CGS § 16-50l(b), Cellco sent notices of its intent to file an application with the Council to each person appearing of record as owner of property abutting the properties on which each site is located. (Cellco 1, p. 6; Attachment 6)
9. Cellco received return receipts from all but three abutting property owners. Cellco sent notices by regular mail to each of these three owners. (Cellco 4, Response 6)
10. Pursuant to CGS § 16-50l (b), Cellco provided notice to all federal, state and local officials and agencies listed therein. (Cellco 1, p. 5; Attachment 4)
11. Cellco posted signs at both of the properties on which its alternative sites were proposed on February 8, 2008. The signs measured four feet by six feet and included information about Cellco's pending application. The sign for Site B was moved to a more visible location on February 21. (Tr. 1, pp. 15-16)

#### **State Agency Comment**

12. Pursuant to CGS § 16-50l, the Council solicited comments on Cellco's application from the following state departments and agencies: Department of Environmental Protection, Department of Public Health, Council on Environmental Quality, Department of Public Utility Control, Office of Policy and Management, Department of Economic and Community Development, and the Department of Transportation. The Council's letters requesting comments were sent on January 23, 2008. (CSC Hearing Package dated January 23, 2008)
13. The Connecticut Department of Public Health's (DPH) Drinking Water Section responded to the Council's solicitation with no comments. (DPH Memorandum dated February 7, 2008)
14. The Connecticut Department of Transportation (ConnDOT) responded to the Council's solicitation with no comments. (ConnDOT Letter dated February 19, 2008)
15. Other than DPH and ConnDOT, no other state agency responded to the Council's solicitation. (Record)

#### **Municipal Consultation**

16. Cellco representatives met with Watertown Town Manager Charles Frigon and Public Works Director Roy Cavanaugh to begin the sixty day municipal consultation process on May 24, 2007. Messrs. Frigon and Cavanaugh were given copies of technical information summarizing Cellco's plans to establish a new telecommunications facility in Watertown. (Cellco 1, p. 19)
17. During the May 24, 2007 meeting, Cellco became aware of the Town of Watertown's plans to develop a new highway department garage on town property to the north of the Site B location. Cellco shifted the location of Site B approximately 100 feet to the south to avoid potential conflicts with the town's plans. (Cellco 1, p. 19)

18. Because Site B is within 2,500 feet of the Watertown/Woodbury town line, Cellco provided copies of its technical information to the Woodbury First Selectman Richard Crane. (Cellco 1, pp. 19-20)
19. The Town of Watertown prefers Cellco's proposed Site B because it would be better suited for the town's long-range plans to extend Old Baird Road as a two-way, paved connector between Route 6 and Hamilton Avenue and the municipal property on which Site B is located. (Tr. 1, p. 7)
20. The Town of Watertown is in the process of upgrading its communications system and would be interested in placing antennas on the proposed tower. (Tr. 1, p. 9)

#### **Public Need for Service**

21. In its Report and Order issued May 4, 1981 in FCC Docket No. 79-318, the FCC recognized the public need for technical improvement, wide-area coverage, high quality service and a degree of competition in mobile telephone service. (Cellco 1, p. 6)
22. The federal Telecommunications Act of 1996 (Act), a federal law passed by the United States Congress, recognized a nationwide public need for high-quality wireless telecommunication services. The Act also promoted competition among wireless service providers, sought to reduce regulation in order to foster lower prices for consumers, and encouraged the rapid deployment of new telecommunications technologies. (Cellco 1, pp. 6-7)
23. Cellco's proposed facility off of Old Baird Road would be part of its expanding wireless telecommunications network envisioned by the Act. (Cellco 1, p. 6)
24. Cellco holds a license issued by the FCC to provide Personal Communications Service (PCS) in Litchfield County. (Cellco 1, p. 8; Attachment 7)
25. Cellco's proposed Watertown facility would not enlarge its FCC-authorized service area. (Cellco 1, p. 8)
26. In issuing cellular licenses, the federal government has preempted the determination of public need for cellular service by the states, and has established design standards to ensure technical integrity and nationwide compatibility among all systems. (Council Administrative Notice, Telecommunications Act of 1996)
27. The Telecommunications Act of 1996 prohibits local and state bodies from discriminating among providers of functionally equivalent services. (Council Administrative Notice, Telecommunications Act of 1996)



28. The Telecommunications Act of 1996 prohibits any state or local entity from regulating telecommunications towers on the basis of the environmental effects of radio frequency emissions to the extent that such towers and equipment comply with FCC's regulations concerning such emissions. This Act also blocks the Council from prohibiting or acting with the effect of prohibiting the provision of personal wireless service. (Council Administrative Notice, Telecommunications Act of 1996)
29. In an effort to ensure the benefits of wireless technologies to all Americans, Congress enacted the Wireless Communications and Public Safety Act of 1999 (the 911 Act). The purpose of this legislation was to promote public safety through the deployment of a seamless, nationwide emergency communications infrastructure that includes wireless communications services. (Council Administrative Notice, Wireless Communications and Public Safety Act of 1999)
30. Cellco's antennas at this location would comply with the requirements of the 911 Act. (Cellco 4, Response 2)
31. Cellco maintains that there is no equally effective technological alternative that could provide the same service as the facility being proposed. (Cellco 1, p. 10)
32. In response to queries sent by Cellco to each of the other wireless carriers licensed to operate in the area that would be served by the proposed facility, T-Mobile indicated that it had a need for a facility in this area but did not have a budget for a cell site at the time. (Cellco 4, Response 15)

#### Site Selection

33. The search ring for this site was established in August, 2003. The ring was approximately three-quarters mile in diameter and was centered on a hill approximately 1,500 feet north of Route 6. (Cellco 4, Response 14, Tab 2)
34. Cellco has antennas mounted on three existing communications facilities located within four miles of its proposed site in Watertown. These facilities, however, cannot resolve Cellco's coverage problems along Route 6 in Watertown and Woodbury. The existing facilities are listed below:

<b>Facility Owner</b>	<b>Facility Type</b>	<b>Location</b>	<b>Cellco's Antenna Ht.</b>
Sprint	Monopole – 160'	1440 North Main Street, Woodbury	150'
Town of Watertown	Water Tank	Georgetown Drive, Watertown	110'
Town of Watertown	Water Tank	Buckingham Street, Watertown	125'

(Cellco 1, pp. 10-11; Attachment 10)

35. After beginning its site search, Cellco became aware of an option agreement between AT&T Wireless and the Town of Watertown for use of town property in the general vicinity of Cellco's currently proposed sites. AT&T did not pursue development of its optioned property and its lease agreement with the town expired. (Cellco 1, Attachment 10, p. 2)
36. In 2005, Cellco approached the town about leasing property for a cell site. The town agreed to the use of its property and began lease negotiations with Cellco. The town and Cellco entered into a lease agreement in April 2007 for the Site A property. (Cellco 1, Attachment 10, p. 2)
37. Cellco asked the town if it would consider leasing additional property for an alternate site. The town agreed to lease a parcel adjacent to its existing Animal Shelter and Solid Waste Transfer Station. This second lease parcel is Cellco's Site B. (Cellco 1, Attachment 10, p. 2)

### Site Description

#### Site A

38. Cellco's Site A would be located on a .24 acre parcel on the east side of Old Baird Road approximately 1,500 feet northwest of Hamilton Avenue and Old Baird Road. The parcel is owned by the Town of Watertown. (Cellco 1, Attachment 1, pp. 1-2)(See Figure 1)
39. The Site A parcel is zoned R-70 and is surrounded by large tracts of undeveloped and wooded land to the north, low density residential areas to the east, agricultural uses to the west, and municipal uses (Highway Department facility, Solid Waste Transfer Station, and Animal Shelter) to the south. (Cellco 1, p. 17)
40. Cellco's proposed facility is located in the southwesterly portion of the town-owned parcel. On this parcel, Cellco would lease a 10,409 square foot area that would measure approximately 100 feet by 100 feet. (Cellco 1, p. 2; Attachment 1)
41. Cellco would erect a 150-foot steel monopole tower inside an irregularly-shaped equipment compound that would measure approximately 35 feet by 89 feet and would comprise 3,382 square feet. The compound would be enclosed by an eight-foot high chain link fence topped by three strands of barbed wire. (Cellco 1, p. 2; Attachment 1) (See Figure 3)
42. Cellco would install twelve panel antennas on a low profile platform at a centerline height of 150 feet above ground level (agl). The tops of the antennas would extend to 153 feet AGL. (Cellco 1, p. 2)
43. Cellco would use a 12-foot by 30-foot shelter to house its radio equipment and a propane-fueled generator for back-up power. (Cellco 1, p. 2; Attachment 1)
44. Cellco's compound would include a 1,000 gallon propane fuel storage tank. (Cellco 1, p. 12)

45. The proposed tower would be located at 41° 35' 38.17" N latitude and 73° 08' 27.67" W longitude. Its elevation at ground level would be approximately 774 feet above mean sea level (amsl). (Cellco 1, Attachment 1)
46. Cellco's tower would be designed in accordance with the specifications of the Electronic Industries Association Standard EIA/TIA-222-F "Structural Standards for Steel Antenna Towers and Antenna Support Structures." (Cellco 1, Attachment 1, p. 6)
47. The tower would be designed to accommodate three additional wireless carriers and emergency services antennas of the Town of Watertown. (Cellco 4, Response 3)
48. Development of Site A would require 20 cubic yards of fill. No cut would be required. (Cellco 4, Response 12)
49. Vehicular access to the site would extend from Old Baird Road approximately 20 feet over a new gravel driveway. (Cellco 1, p. 2)
50. Utilities would be extended above ground approximately 50 feet to the facility from an existing CL&P utility pole (#G4929). (Cellco 1, Attachment 1, Drawing SC-1; Cellco 4, Response 25)
51. Blasting may be necessary for the construction of Site A due to large rock outcroppings at this location. (Tr. 1, p. 19)
52. The setback radius of the tower proposed for Site A would extend approximately 120 feet beyond the property's front boundary and approximately 65 feet beyond the property's rear boundary. (Cellco 4, Response 26; Tr. 1, p. 19)
53. Cellco could have the tower designed with a yield point to effectively reduce the potential size of the setback radius. (Tr. 1, p. 19)
54. There is one residence within 1,000 feet of Site A. (Cellco 1, p. 14)
55. The nearest residence to Site A is 830 feet to the east at 480 Hamilton Avenue and is owned by Sandra and Robert Samojedny. (Cellco 4, Response 21)
56. The estimated cost of the facility, including antennas and radio equipment, is:

Cell site radio equipment	\$450,000
Tower, coax, and antennas costs	50,000
Power systems costs	40,000
Equipment building costs	50,000
<u>Miscellaneous costs</u>	<u>33,000</u>
Total	\$623,000

(Cellco 1, p. 21)

Site B

57. Cellco's Site B would be located in the southwesterly portion of an undeveloped 13.7 acre parcel on the west side of Old Baird Road approximately 1,200 feet northwest of the intersection of Hamilton Avenue and Old Baird Road. The parcel is owned by the Town of Watertown. (Cellco 1, p. i; Attachment 2, pp. 1-2)(See Figure 1)
58. The Site B parcel is zoned R-70 and is surrounded by large tracts of undeveloped and wooded land to the north, low density residential areas to the east, agricultural uses to the west, and municipal uses (Highway Department facility, Solid Waste Transfer Station, and Animal Shelter) to the south. The town is planning to construct a new Highway Department garage to the north and west of Site B's location. (Cellco 1, p. 17)
59. Cellco would lease a 10,000 square foot area measuring 100 feet by 100 feet. (Cellco 1, p. 3; Attachment 2)
60. Within this area, Cellco would erect a 160-foot steel monopole tower inside an equipment compound measuring 60 feet by 50 feet. The compound would be enclosed by an eight-foot high chain link fence topped by three strands of barbed wire. (Cellco 1, p. 3; Attachment 2) (See Figure 4)
61. Cellco would install twelve panel antennas on a low profile platform at a centerline height of 160 feet AGL. The tops of the antennas would extend to 163 feet AGL. (Cellco 1, p. 3)
62. Cellco would use a 12-foot by 30-foot shelter to house its radio equipment and a propane-fueled generator for back-up power. (Cellco 1, p. 3; Attachment 2)
63. Cellco's compound would include a 1,000 gallon propane fuel storage tank. (Cellco 1, p. 12)
64. Cellco would use propane to fuel its generator at this location in order to be able to distinguish between its fuel source and the town's fuel source in the event of an unintended release. (Cellco 4, Response 20)
65. The proposed tower would be located at 41° 35' 37.06" N latitude and 73° 08' 35.31" W longitude. Its elevation at ground level would be approximately 759 feet amsl. (Cellco 1, Attachment 2)
66. Cellco's tower would be designed in accordance with the specifications of the Electronic Industries Association Standard EIA/TIA-222-F "Structural Standards for Steel Antenna Towers and Antenna Support Structures." (Cellco 1, Attachment 2, p. 6)
67. The tower would be designed to accommodate three additional wireless carriers and emergency services antennas of the Town of Watertown. (Cellco 4, Response 3)
68. Development of Site B would require 5.2 cubic yards of fill and 8.3 cubic yards of cut. (Cellco 4, Response 12)

69. Vehicular access to the site would extend from Old Baird Road, through an adjacent town-owned parcel, along an existing paved driveway servicing the town's highway department facility, solid waste transfer station, and animal shelter for a distance of approximately 460 feet, then along a new gravel driveway for an additional distance of approximately 235 feet. (Cellco 1, p. 3)
70. Utilities would be extended underground approximately 250 feet to the facility from an existing CL&P utility pole (#3272). (Cellco 1, Attachment 2, Drawing SC-1)
71. No blasting is expected to be needed at Site B. (Tr. 1, pp. 18-19)
72. The setback radius of the proposed tower at Site B would be completely within the town property. (Cellco 1, Attachment 2, Drawing AB-1)
73. There are no residences within 1,000 feet of Site B. (Cellco 1, p. 14)
74. The nearest residence is located approximately 1,100 feet to the southeast at 32 Old Baird Road and is owned by Richard and Elizabeth Noble. (Cellco 4, Response 21)
75. The estimated cost of the facility, including antennas and radio equipment, is:

Cell site radio equipment	\$450,000
Tower, coax, and antennas costs	50,000
Power systems costs	40,000
Equipment building costs	50,000
<u>Miscellaneous costs</u>	<u>35,000</u>
Total	\$625,000

(Cellco 1, p. 22)

### **Environmental Considerations**

#### **Site A**

76. Cellco's proposed facility at Site A would have no effect on historic, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places. (Cellco 1, Attachment 12 – Letter from State Historic Preservation Office)
77. Cellco's proposed facility at Site A would not impact any known occurrence of species listed on the Connecticut Department of Environmental Protection's (DEP) Natural Diversity Data Base or significant natural communities. (Cellco 1, Attachment 12 – Letter from EBI Consulting)
78. Development of Site A would require the removal of 34 trees with a diameter of six inches or greater at breast height. (Cellco 4, Response 11)
79. The closest wetland to Site A is approximately 110 feet to the southwest. (Tr. 1, p. 20)

80. Cellco would establish appropriate soil erosion and sedimentation control measures in accordance with the *Connecticut Guidelines for Soil Erosion and Sediment* and maintain them throughout the facility's construction period. (Cellco 1, p. 19)
81. Cellco would have to obtain a permit from DEP's Bureau of Air Management for its propane-fueled generator. (Cellco 1, p. 21)
82. An air-space analysis conducted by Cellco indicated that, according to FAA standards, its proposed tower at Site A would not constitute an obstruction or hazard to air navigation and would not require obstruction marking or lighting. (Cellco 1, p. 20; Attachment 14)
83. The maximum power density from the radio frequency emissions of Cellco's proposed antennas would be 2.46% of the standard for Maximum Permissible Exposure, as adopted by the FCC, at the base of the proposed tower. This calculation was based on a methodology prescribed by the FCC Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997) that assumes all antennas would be pointed at the base of the tower and all channels would be operating simultaneously. (Cellco 1, pp. 15-16)

#### Site B

84. Cellco's proposed facility at Site B would have no effect on historic, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places. (Cellco 1, Attachment 12 – Letter from State Historic Preservation Office)
85. Cellco's proposed facility at Site B would not impact any known occurrence of species listed on the DEP Natural Diversity Data Base or significant natural communities. (Cellco 1, Attachment 12 – Letter from EBI Consulting)
86. Development of Site B would require the removal of 24 trees with a diameter of six inches or greater at breast height. (Cellco 4, Response 11)
87. The closest wetland to Site B is approximately 150 feet to the northwest. (Cellco 1, p. 18; Attachment 13)
88. Cellco would establish appropriate soil erosion and sedimentation control measures in accordance with the *Connecticut Guidelines for Soil Erosion and Sediment* and maintain them throughout the facility's construction period. (Cellco 1, p. 19)
89. Cellco would have to obtain a permit from DEP's Bureau of Air Management for its propane-fueled generator. (Cellco 1, p. 21)
90. An air-space analysis conducted by Cellco indicated that, according to FAA standards, its proposed tower at Site B would not constitute an obstruction or hazard to air navigation and would not require obstruction marking or lighting. (Cellco 1, p. 20; Attachment 14)

91. The maximum power density from the radio frequency emissions of Celco's proposed antennas would be 2.16% of the standard for Maximum Permissible Exposure, as adopted by the FCC, at the base of the proposed tower. This calculation was based on a methodology prescribed by the FCC Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997) that assumes all antennas would be pointed at the base of the tower and all channels would be operating simultaneously. (Cellco 1, pp. 15-16)

### Visibility

#### Site A

92. Celco's proposed Site A would be visible above the tree canopy on a year-round basis from approximately 116 acres in the surrounding vicinity. The main areas of visibility occur to the south and southwest of the site over the southern half of Lake Winnemaug, Winnemaug Lake Road, and adjacent agricultural fields where ground elevations exceed 750 feet amsl. Site A would also be visible from portions of Farmdale Road to the southeast and Westgate Road to the northeast. (Cellco 1, Attachment 11, p. 5) (See Figure 8)
93. Site A would be seasonally visible from approximately 48 additional acres, most of which would occur on the host property and its immediate vicinity. (Cellco 1, Attachment 11, p. 5)
94. Approximately 16 residences would have year-round views of the proposed tower at Site A. (Cellco 1, Attachment 11, p. 5)
95. Approximately 10 additional residences would have seasonal views of the proposed tower at Site A. (Cellco 1, Attachment 11, p. 5)
96. The land use in those areas with year-round and seasonal views of Site A is primarily residential. (Tr. 1, p. 17)

97. The visibility of Site A from different vantage points in the surrounding vicinity is summarized in the following table. The locations of the vantage points listed are identified by their corresponding number in the Visual Resource Evaluation Report contained in Attachment 11 of Cellco's application. (See Figure 8)

<u>Location: Watertown</u>	<u>Site Visible</u>	<u>Approx. Portion of (150') Tower Visible (ft.)</u>	<u>Approx. Distance and Direction to Tower</u>
1 – 509 Lake Winnemauug Road	Yes	Upper 50'	6,100 feet; N
2 – Lake Winnemauug Road, east of Sperry Road	Yes	Upper 40'	6,300 feet; NW
3 – Lake Winnemauug Road at Northgate Road	No	n/a	5,900 feet, NW
4 – Lake Winnemauug Road, looking northwest	Yes	Upper 30'	6,200 feet; NW
5 – Lake Winnemauug Road at Marc Drive	No	n/a	6,100 feet, N
6 – 42 West Meadows Road	No	n/a	6,600 feet, N
7 – 569 Lake Winnemauug Road	No	n/a	6,300 feet, N
8 – 90 Farmdale Road	Yes	Upper 40'	4,300 feet, NE
9 – Hamilton Avenue at Old Baird Road	No	n/a	1,200 feet, NW
10 – 166 Westgate Road	Yes	Upper 20'	5,300 feet, S

(Cellco 1, Attachment 11 – Photographic Simulations)

Site B

98. Cellco's proposed Site B would be visible above the tree canopy on a year-round basis from approximately 107 acres in the surrounding vicinity. The main areas of visibility occur to the south and southwest of the site over the southern half of Lake Winnemauug, Winnemauug Lake Road, and adjacent agricultural fields where ground elevations exceed 750 feet amsl. Site B would also be visible from select portions of Winnemauug Lake Road and West Meadows Road to the east and along Hamilton Avenue near Old Baird Road to the southeast. (Cellco 1, Attachment 11, p. 5) (See Figure 8)

99. Site B would be seasonally visible from approximately 39 additional acres, most of which would occur on the host property and its immediate vicinity. (Cellco 1, Attachment 11, p. 5)

100. Approximately 18 residences would have year-round views of the proposed tower at Site B. (Cellco 1, Attachment 11, p. 5)

101. Approximately eight additional residences would have seasonal views of the proposed tower at Site B. (Cellco 1, Attachment 11, p. 5)



102. The visibility of Site B from different vantage points in the surrounding vicinity is summarized in the following table. The locations of the vantage points listed are identified by their corresponding number in the Visual Resource Evaluation Report contained in Attachment 11 of Cellco's application. (See Figure 8)

<u>Location: Watertown</u>	<u>Site Visible</u>	<u>Approx. Portion of (160') Tower Visible (ft.)</u>	<u>Approx. Distance and Direction to Tower</u>
1 – 509 Lake Winnemaug Road	Yes	Upper 40'	6,200 feet; N
2 – Lake Winnemaug Road, east of Sperry Road	No	n/a	6,500 feet; NW
3 – Lake Winnemaug Road at Northgate Road	Yes	Upper 10'	6,400 feet, NW
4 – Lake Winnemaug Road, looking northwest	Yes	Upper 20'	6,500 feet; NW
5 – Lake Winnemaug Road at Marc Drive	Yes	Upper 10'	6,200 feet, N
6 – 42 West Meadows Road	Yes	Upper 40'	6,500 feet, N
7 – 569 Lake Winnemaug Road	Yes	Upper 40'	6,200 feet, N
8 – 90 Farmdale Road	No	n/a	3,900 feet, NE
9 – Hamilton Avenue at Old Baird Road	Yes	Upper 50'	1,000 feet, NW
10 – 166 Westgate Road	No	n/a	5,500 feet, S

(Cellco 1, Attachment 11 – Photographic Simulations)

103. The land use in those areas with year-round and seasonal views of Site B is primarily residential. (Tr. 1, p. 17)

#### Existing and Proposed Wireless Coverage

104. Cellco is licensed by the FCC to provide PCS services in Litchfield County. (Cellco 1, p. 8)

105. In Litchfield County, Cellco is licensed to operate in the PCS F Block (1970-1975 MHz) and the PCS C3 Block (1975-1980 MHz). (Cellco 4, Response 1)

106. Cellco's design signal coverage threshold is -85 dBm for in-vehicle coverage and -75 dBm for in-building coverage. (Cellco 4, Response 7)

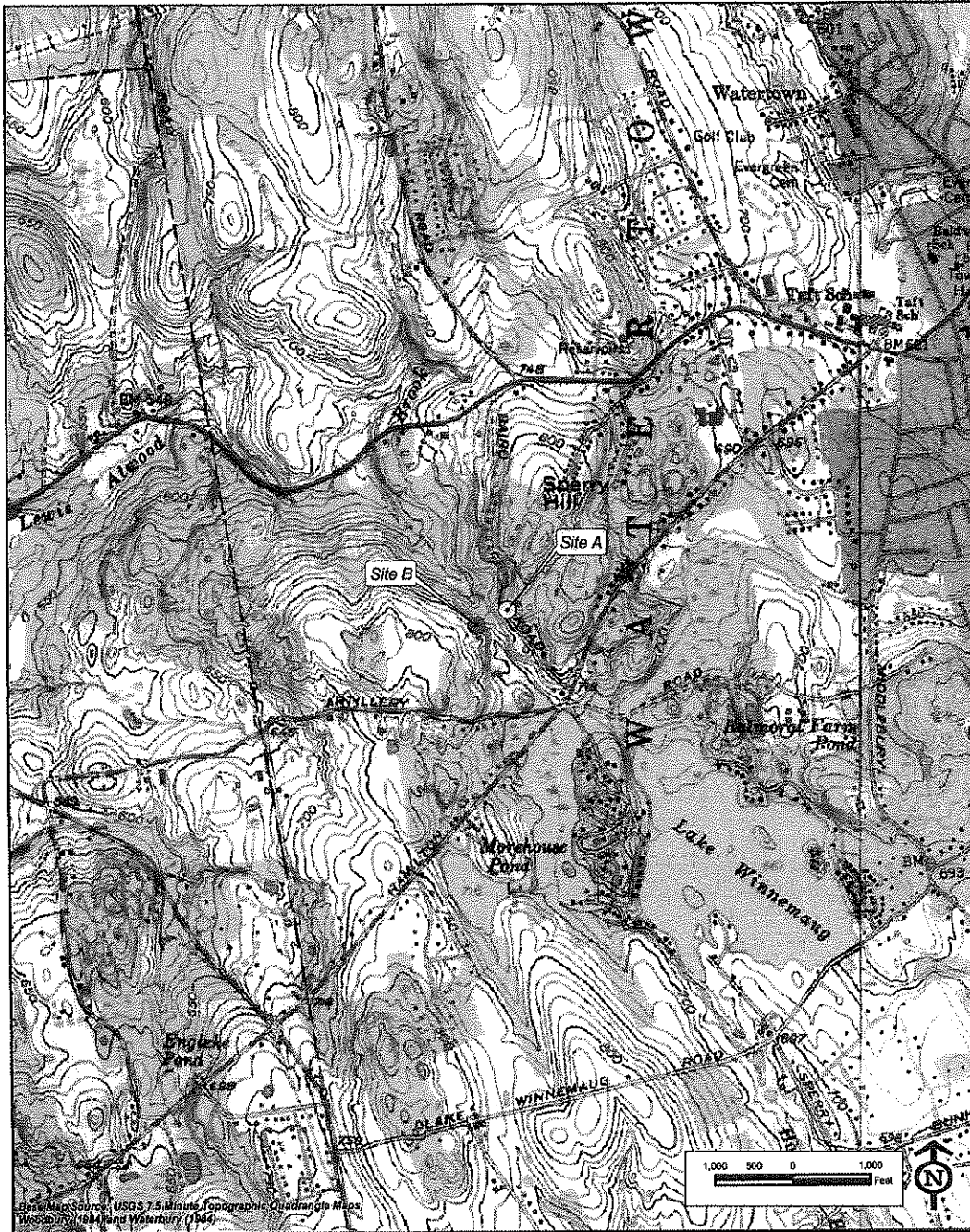
107. Cellco's existing signal strength in the area that would be covered by the proposed facility ranges from -86 dBm to -107 dBm. Signal strength is determined through the use of Cellco's propagation modeling tool and is confirmed using baseline drive data. (Cellco 4, Response 8)

108. The existing coverage gap on Route 6 that Cellco is seeking to fill is approximately 2.2 miles. Cellco could effectively cover this gap from either Site A or Site B. (Cellco 4, Response 10) (See Figures 5, 6, 7)

109. Cellco would be able to provide coverage for a 2.42 mile portion of Route 6 from Site A. (Cellco 1, p. 10)

110. Cellco would be able to provide coverage for a 2.45 mile portion of Route 6 from Site B. (Cellco 1, p. 10)
111. Cellco would be able to cover an overall area of 11.6 square miles from Site A. (Cellco 1, p. 10)
112. Cellco would be able to cover an overall area of 11.9 square miles from Site B. (Cellco 1, p. 10)
113. Cellco's antennas at this site would hand off signals with adjacent sites identified as Woodbury North located at 1440 Main Street North in Woodbury, 1.4 miles to the west; Watertown Central located at 1092 Buckingham Street in Watertown, 2.9 miles to the northeast; and Watertown South located on Georgetown Drive in Watertown, 2.9 miles to the southeast. (Cellco 4, Response 3; Tr. 1, p. 18)
114. The lowest heights at which Cellco could achieve its coverage objectives are 150 feet above ground level at Site A and 160 feet above ground level at Site B. (Cellco 4, Response 5)
115. Cellco is looking at a site near the intersection of Routes 63 and 73, approximately 1,000 feet to the southeast of the proposed sites, where it could locate antennas on an existing rooftop to cover this area that would remain uncovered should the proposed site be approved. (Tr. 1, pp. 24-25)

Figure 1: Location Map



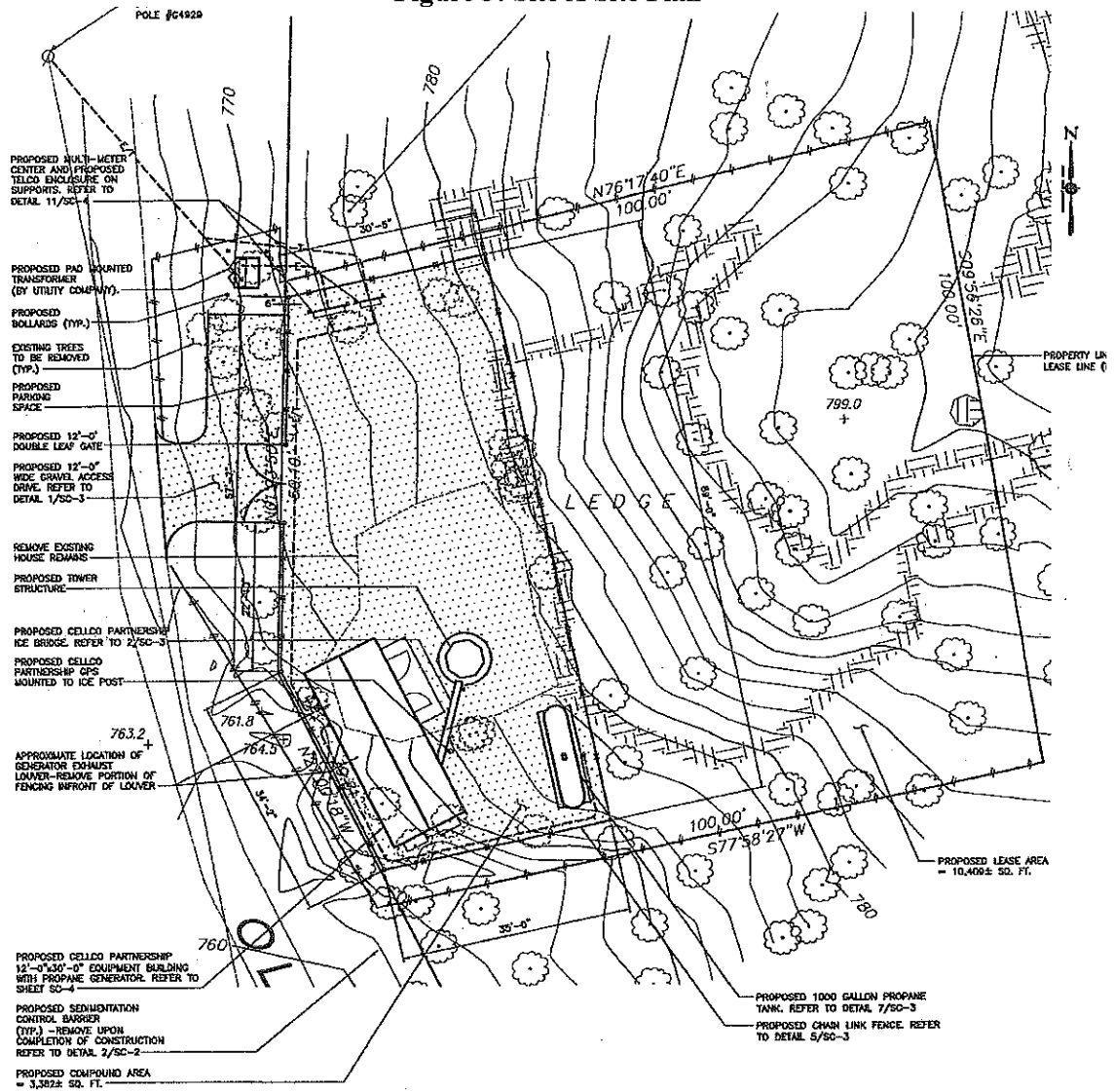
(Celco 1, p. ii)

Figure 2: Aerial Photograph of Site Locations

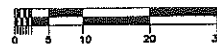


(Cellco 1, p. iii)

Figure 3: Site A Site Plan

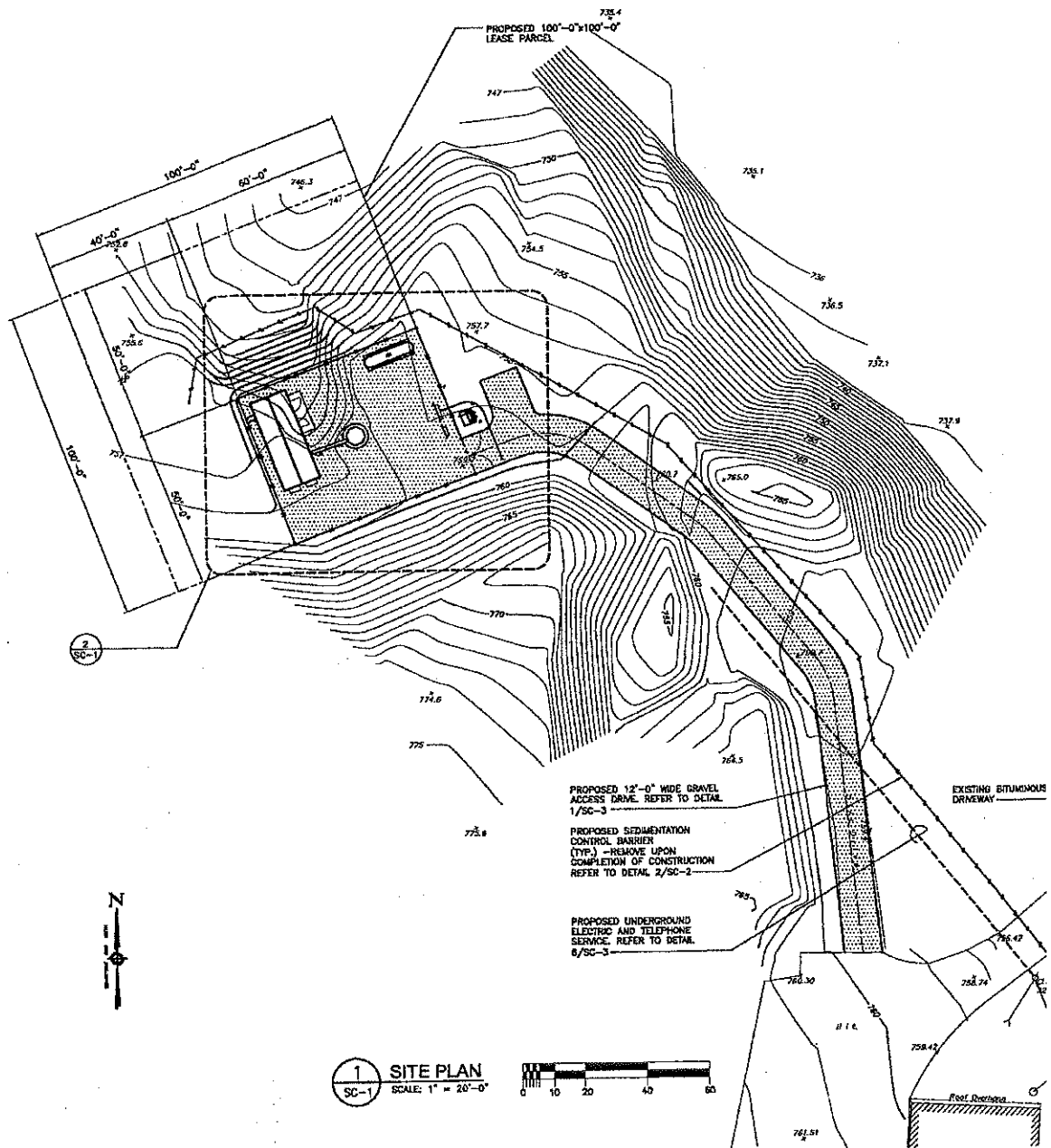


2 COMPOUND PLAN  
 SC-1 SCALE: 1" = 10'-0"



(Cellco 1, Attachment 1, Drawing SC-1)

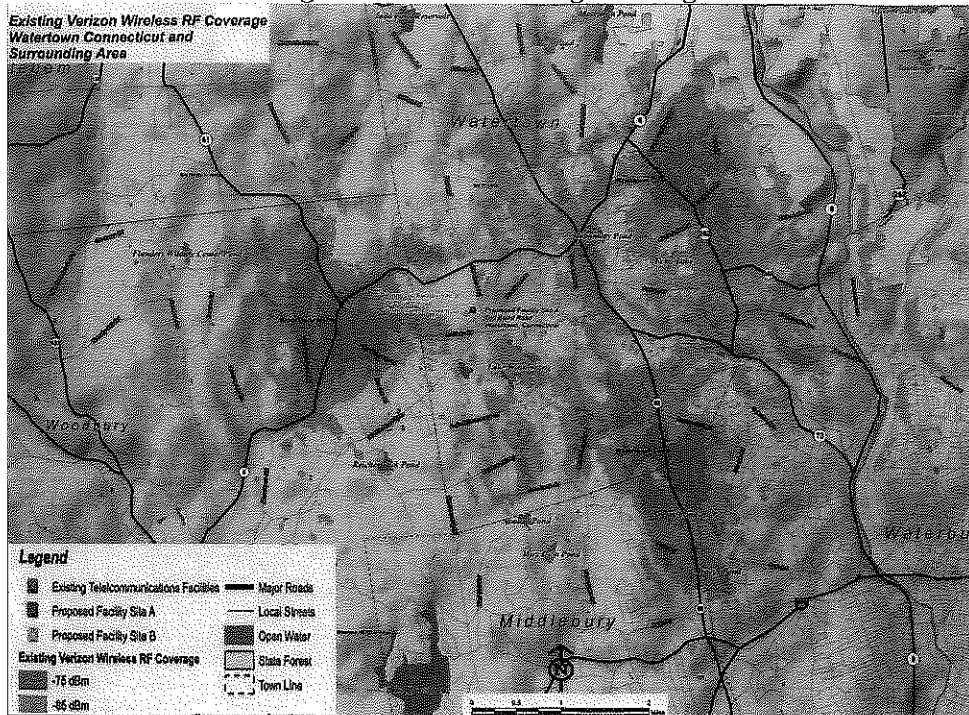
Figure 4: Site B Site Plan



(Cellco 1, Attachment 2, Drawing SC-1)

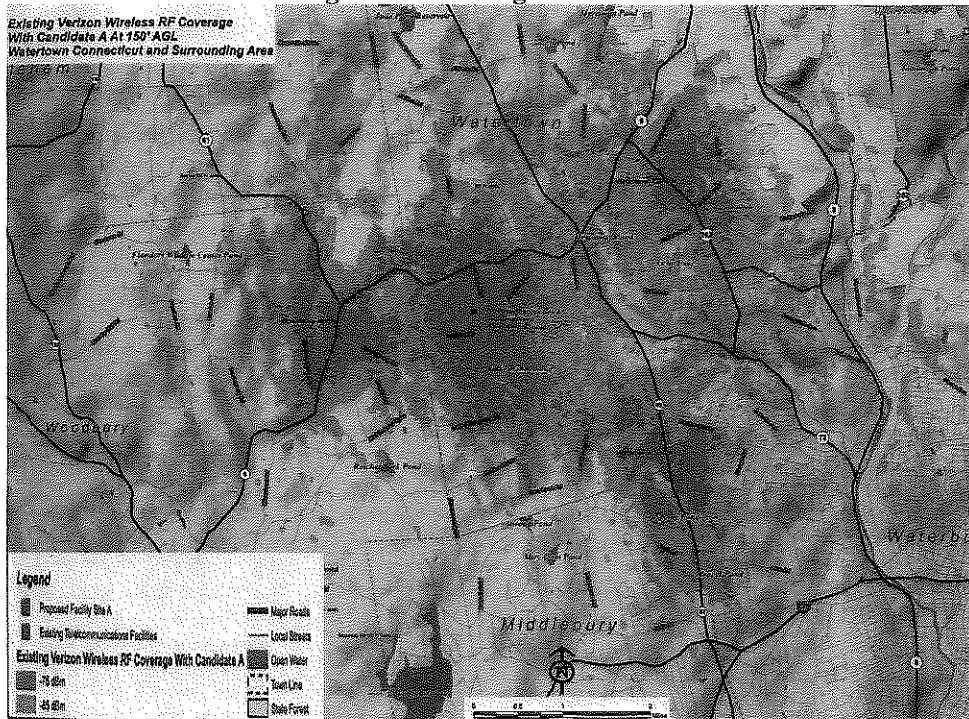


**Figure 5: Cellco Existing Coverage**



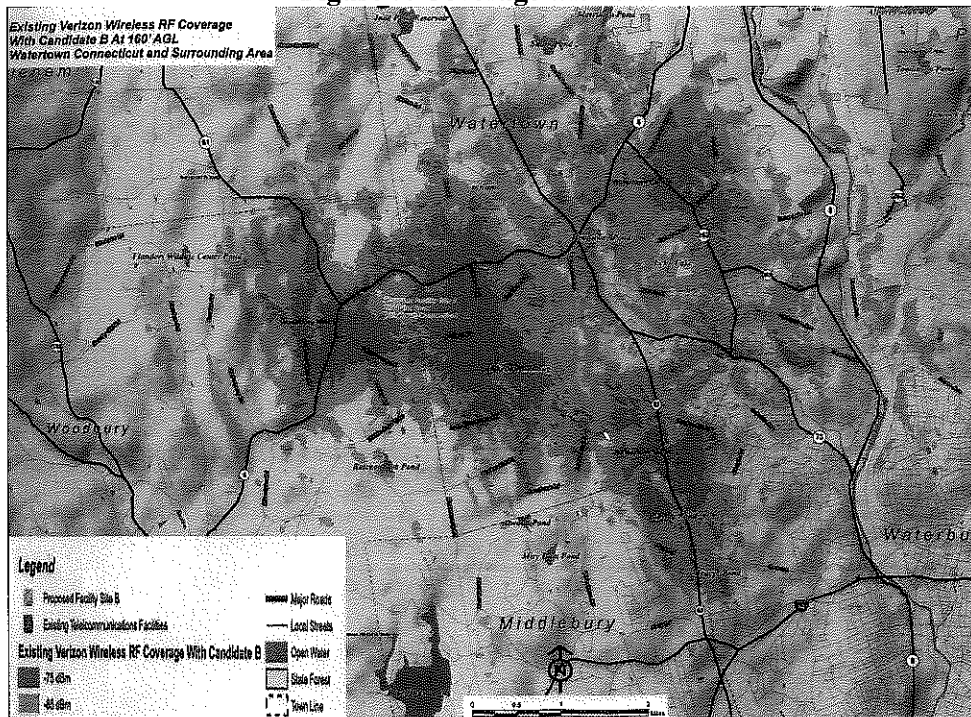
(Cellco 1, Attachment 8)

**Figure 6: Coverage with Site A**



(Cellco 1, Attachment 8)

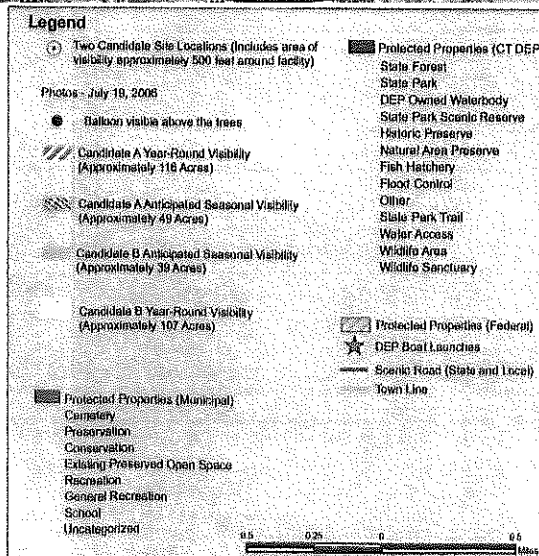
Figure 7: Coverage with Site B



(Celco 1, Attachment 8)



**Figure 8: Visibility Map**



(Cellco 1, Attachment 11)

DOCKET NO. 354 - Cellco Partnership d/b/a Verizon Wireless } Connecticut  
application for a Certificate of Environmental Compatibility and }  
Public Need for the construction, maintenance and operation of a } Siting  
telecommunications facility at one of two locations off of Old }  
Baird Road in Watertown, Connecticut. } Council

May 8, 2008

### Opinion

On November 20, 2007, Cellco Partnership d/b/a Verizon Wireless (Cellco) applied to the Connecticut Siting Council (Council) for a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction, maintenance and operation of a wireless telecommunications facility at one of two locations in the Town of Watertown, Connecticut. Cellco's Site A is located on an undeveloped quarter-acre parcel on the east side of Old Baird Road. Cellco's Site B is located in the southwesterly portion of an undeveloped 13.7 acre parcel on the west side of Old Baird Road. Site A and Site B are approximately 1,500 feet and 1,200 feet, respectively, northwest of the intersection of Hamilton Avenue and Old Baird Road. Both of these parcels are owned by the Town of Watertown. Cellco's purpose in locating a facility in this vicinity is to provide coverage along Route 6 and local roads in the westerly portion of Watertown and portions of northeastern Woodbury. Cellco was the only party to participate in these proceedings.

At Site A, Cellco would erect a 150-foot steel monopole tower within an irregularly-shaped equipment compound that would measure approximately 35 feet by 89 feet. The tower would be designed to accommodate the antennas of three carriers in addition to Cellco. Utility service would be extended approximately 50 feet overhead from an existing pole on Old Baird Road. No landscaping was proposed.

At Site B, Cellco would erect a 160-foot steel monopole tower inside an equipment compound measuring 60 feet by 50 feet. This tower would also be designed to accommodate the antennas of three additional carriers. Utility service would be extended underground approximately 250 feet to the facility from an existing CL&P utility pole. No landscaping was proposed for this location either.

The setback radius of the tower proposed for Site A would extend approximately 120 feet beyond the property's front boundary and approximately 65 feet beyond the property's rear boundary. Cellco could design a yield point into the tower to effectively reduce this radius. The setback radius of the proposed tower at Site B would be completely within the town property.

Cellco's proposed Site A would be visible above the tree canopy on a year-round basis from approximately 116 acres in the surrounding vicinity. The main areas of visibility occur to the south and southwest of the site over the southern half of Lake Winnemaug, Winnemaug Lake Road, and adjacent agricultural fields where ground elevations exceed 750 feet above mean sea

level (amsl). Site A would be seasonally visible from approximately 48 additional acres, most of which would occur on the host property and its immediate vicinity. Approximately 16 residences would have year-round views of the proposed tower at Site A, and an additional 10 residences would have seasonal views of the tower at this location.

The tower at Site B would be visible above the tree canopy on a year-round basis from approximately 107 acres in the surrounding vicinity. The main areas of visibility occur to the south and southwest of the site over the southern half of Lake Winnemaug, Winnemaug Lake Road, and adjacent agricultural fields where ground elevations exceed 750 feet amsl. Site B would also be visible from select portions of Winnemaug Lake Road and West Meadows Road to the east and along Hamilton Avenue near Old Baird Road to the southeast. It would be seasonally visible from an estimated 39 additional acres, most of which would occur on the host property and its immediate vicinity. Approximately 18 residences would have year-round views of the proposed tower at Site B, and eight additional residences would have seasonal views.

Both of the proposed sites are located over 100 feet from the nearest wetlands. Developing a facility at Site A would require the removal of 34 trees with a diameter of six inches or greater at breast height. At Site B, 24 such trees would be removed.

No known species listed on the Connecticut Department of Environmental Protection's (DEP) Natural Diversity Data Base or significant natural communities would be impacted by the development of either of these two sites. Neither Site A nor Site B would have any effect on historic, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places.

The coverage from either site would be similar, since the ten-foot difference of the height of the towers is due to a difference in ground elevation between the two sites.

After reviewing the record in this proceeding, the Council finds Site B to be preferable. This site is more compatible with the Town of Watertown's plans for extending Old Baird Road from Hamilton Avenue through to Route 6 as it would be farther away from the improved road and less visible to motorists using the road. Although there are currently no residences in the immediate vicinity that would have a view of the base compound at either site, the owner of the property adjacent to Site A would like to develop his land sometime in the future. Site B would be farther away and less visible from any houses that would be built on this property. Another reason that Site B is preferable is that its setback radius lies completely within the host property's boundaries. Site A would also be more difficult to develop because of the large rock outcroppings that are present on this parcel. The Council will therefore approve the Site B facility with a maximum tower height of 160 feet above ground level.

According to a methodology prescribed by the FCC Office of Engineering and Technology Bulletin No. 65E, Edition 97-01 (August 1997), the combined radio frequency power density levels of the antennas proposed to be installed on the tower have been calculated to amount to 2.16% of the FCC's Maximum Permissible Exposure, as measured at the base of the tower. This percentage is well below federal and state standards established for the frequencies used by wireless companies. If federal or state standards change, the Council will require that the tower

be brought into compliance with such standards. The Council will require that the power densities be recalculated in the event other carriers add antennas to the tower. The Telecommunications Act of 1996 prohibits any state or local agency from regulating telecommunications towers on the basis of the environmental effects of radio frequency emissions to the extent that such towers and equipment comply with FCC's regulations concerning such emissions.

Based on the record in this proceeding, the Council finds that the effects associated with the construction, operation, and maintenance of the telecommunications facility at proposed Site B, including effects on the natural environment; ecological integrity and balance; public health and safety; scenic, historic, and recreational values; forests and parks; air and water purity; and fish and wildlife are not disproportionate either alone or cumulatively with other effects when compared to need, are not in conflict with policies of the State concerning such effects, and are not sufficient reason to deny this application. Therefore, the Council will issue a Certificate for the construction, operation, and maintenance of a 160-foot monopole telecommunications facility at Site B, on the west side of Old Baird Road, Watertown, Connecticut, and deny the certification of Site A.

<b>DOCKET NO. 354</b> - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at one of two locations off of Old Baird Road in Watertown, Connecticut.	} } }	Connecticut Siting Council
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May 8, 2008

### Decision and Order

Pursuant to the foregoing Findings of Fact and Opinion, the Connecticut Siting Council (Council) finds that the effects associated with the construction, operation, and maintenance of a telecommunications facility including effects on the natural environment; ecological integrity and balance; public health and safety; scenic, historic, and recreational values; forests and parks; air and water purity; and fish and wildlife are not disproportionate either alone or cumulatively with other effects when compared to need, are not in conflict with the policies of the State concerning such effects, and are not sufficient reason to deny the application and therefore directs that a Certificate of Environmental Compatibility and Public Need, as provided by General Statutes § 16-50k, be issued to Cellco Partnership d/b/a Verizon Wireless for the construction, maintenance and operation of a wireless telecommunications facility at the location identified as Site B off of Old Baird Road in Watertown, Connecticut. The Council denies certification of the location identified as Site A located off of Old Baird Road in Watertown, Connecticut.

The facility shall be constructed, operated, and maintained substantially as specified in the Council's record in this matter, and subject to the following conditions:

1. The tower shall be constructed as a monopole, no taller than necessary to provide the proposed telecommunications services, sufficient to accommodate the antennas of Cellco Partnership d/b/a Verizon Wireless and other entities, both public and private, but such tower shall not exceed a height of 160 feet above ground level. The height at the top of the antennas shall not exceed 163 feet above ground level.
  
2. The Certificate Holder shall prepare a Development and Management (D&M) Plan for this site in compliance with Sections 16-50j-75 through 16-50j-77 of the Regulations of Connecticut State Agencies. The D&M Plan shall be served on the Town of Watertown for comment, and all parties and intervenors as listed in the service list, and submitted to and approved by the Council prior to the commencement of facility construction and shall include:
  - a) a final site plan(s) of site development to include specifications for the tower, tower foundation, antennas, equipment compound, radio equipment, access road, utility line, and landscaping; and
  
  - b) construction plans for site clearing, grading, landscaping, water drainage, and erosion and sedimentation controls consistent with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended.

3. The Certificate Holder shall, prior to the commencement of operation, provide the Council worst-case modeling of the electromagnetic radio frequency power density of all proposed entities' antennas at the closest point of uncontrolled access to the tower base, consistent with Federal Communications Commission, Office of Engineering and Technology, Bulletin No. 65, August 1997. The Certificate Holder shall ensure a recalculated report of the electromagnetic radio frequency power density be submitted to the Council if and when circumstances in operation cause a change in power density above the levels calculated and provided pursuant to this Decision and Order.
4. Upon the establishment of any new State or federal radio frequency standards applicable to frequencies of this facility, the facility granted herein shall be brought into compliance with such standards.
5. The Certificate Holder shall permit public or private entities to share space on the proposed tower for fair consideration, or shall provide any requesting entity with specific legal, technical, environmental, or economic reasons precluding such tower sharing.
6. The Certificate Holder shall provide reasonable space on the tower for no compensation for any Town of Watertown public safety services (police, fire and medical services), provided such use can be accommodated and is compatible with the structural integrity of the tower.
7. Unless otherwise approved by the Council, if the facility authorized herein is not fully constructed and providing wireless services within eighteen months from the date of the mailing of the Council's Findings of Fact, Opinion, and Decision and Order (collectively called "Final Decision"), this Decision and Order shall be void, and the Certificate Holder shall dismantle the tower 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 Final Decision shall not be counted in calculating this deadline.
8. Any request for extension of the time period referred to in Condition 7 shall be filed with the Council not later than 60 days prior to the expiration date of this Certificate and shall be served on all parties and intervenors, as listed in the service list, and the Town of Watertown. Any proposed modifications to this Decision and Order shall likewise be so served.
9. If the facility ceases to provide wireless services for a period of one year, this Decision and Order shall be void, and the Certificate Holder shall dismantle the tower and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made.
10. The Certificate Holder shall remove any nonfunctioning antenna, and associated antenna mounting equipment, within 60 days of the date the antenna ceased to function.
11. In accordance with Section 16-50j-77 of the Regulations of Connecticut State Agencies, the Certificate Holder shall provide the Council with written notice two weeks prior to the commencement of site construction activities. In addition, the Certificate Holder shall provide the Council with written notice of the completion of site construction and the commencement of site operation.

Pursuant to General Statutes § 16-50p, the Council hereby directs that a copy of the Findings of Fact, Opinion, and Decision and Order be served on each person listed below, and notice of issuance shall be published in the Waterbury Republican-American.

By this Decision and Order, the Council disposes of the legal rights, duties, and privileges of each party named or admitted to the proceeding in accordance with Section 16-50j-17 of the Regulations of Connecticut State Agencies.

The parties and intervenors to this proceeding are:

**Applicant**


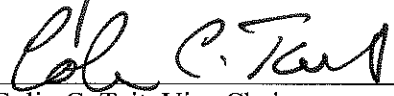
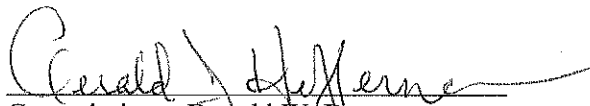

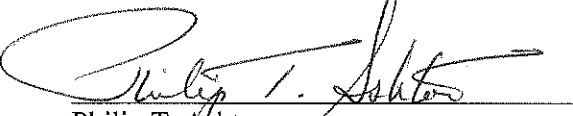
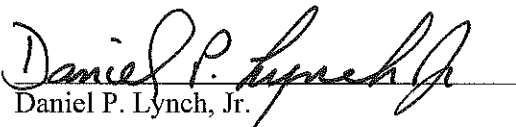
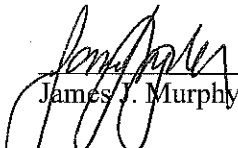

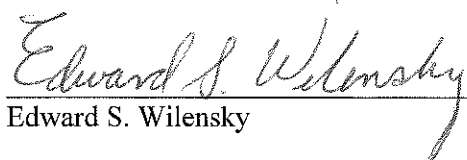
Cellco Partnership d/b/a  
Verizon Wireless

**Its Representative**

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

**CERTIFICATION**

The undersigned members of the Connecticut Siting Council (Council) hereby certify that they have heard this case, or read the record thereof, in **DOCKET NO. 354** - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at one of two locations off of Old Baird Road in Watertown, Connecticut, and voted as follows to approve the proposed Site B, located off of Old Baird Road in Watertown, Connecticut, and deny certification of the proposed Site A located off of Old Baird Road in Watertown, Connecticut:

<u>Council Members</u>	<u>Vote Cast</u>
 Daniel F. Caruso, Chairman	Yes
 Colin C. Tait, Vice Chairman	Yes
 Commissioner Donald W. Downes Designee: Gerald J. Heffernan	Yes
 Commissioner Gina McCarthy Designee: Brian Golembiewski	Yes
 Philip T. Ashton	Yes
 Daniel P. Lynch, Jr.	Yes
 James J. Murphy, Jr.	Yes
 Dr. Barbara Currier Bell	Yes
 Edward S. Wilensky	Yes

Dated at New Britain, Connecticut, May 8, 2008



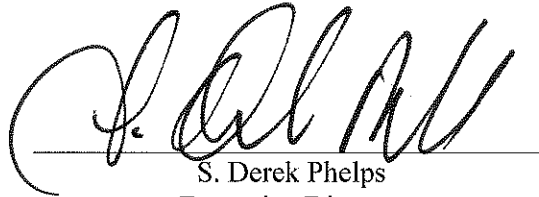
STATE OF CONNECTICUT )

ss. New Britain, Connecticut :

COUNTY OF HARTFORD )

I hereby certify that the foregoing is a true and correct copy of the Findings of Fact, Opinion, and Decision and Order issued by the Connecticut Siting Council, State of Connecticut.

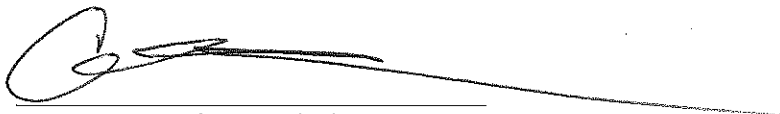
ATTEST:



S. Derek Phelps  
Executive Director  
Connecticut Siting Council

I certify that a copy of the Findings of Fact, Opinion, and Decision and Order in Docket No. 354 has been forwarded by Certified First Class Return Receipt Requested mail on May 13, 2008, to all parties and intervenors of record as listed on the attached service list, dated November 20, 2007.

ATTEST:



Carriann Mulcahy  
Secretary II  
Connecticut Siting Council

Date: November 20, 2007

Docket No. 354

Page 1 of 1

**LIST OF PARTIES AND INTERVENORS**  
**SERVICE LIST**

<b>Status Granted</b>	<b>Status Holder (name, address &amp; phone number)</b>	<b>Representative (name, address &amp; phone number)</b>
<b>Applicant</b>	Cellco Partnership d/b/a Verizon Wireless	Sandy Carter, Regulatory Manager Verizon Wireless 99 East River Drive East Hartford, CT 06108  Kenneth C. Baldwin, Esq. Robinson & Cole LLP 280 Trumbull Street Hartford, CT 06103-3597 (860) 275-8200 (860) 275-8299 fax <a href="mailto:Kbaldwin@rc.com">Kbaldwin@rc.com</a>