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# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

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September 29, 2008

TO: Parties and Intervenors

FROM: S. Derek Phelps, Executive Director

RE: **DOCKET NO. 362** - 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 located at 165 Elmwood Hill Road, Putnam, Connecticut.

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By its Decision and Order dated September 25, 2008, the Connecticut Siting Council granted a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 165 Elmwood Hill Road, Putnam, Connecticut.

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

SDP/RDM/jb

Enclosures (3)

c: State Documents Librarian

**DOCKET NO. 362** - 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 located at 165 Elmwood Hill Road, }  
Putnam, Connecticut. }

Connecticut  
Siting  
Council

September 25, 2008

## **Findings of Fact**

### **Introduction**

1. Cellco Partnership d/b/a Verizon Wireless (Verizon), in accordance with provisions of Connecticut General Statutes (CGS) §§ 16-50g through 16-50aa, applied to the Connecticut Siting Council (Council) on May 15, 2008 for the construction, operation, and maintenance of a wireless telecommunications facility at 165 Elmwood Hill Road in Putnam, Connecticut. (Verizon 1, p. 1)
2. Verizon is a Delaware Partnership with an administrative office located at 99 East River Drive in East Hartford, Connecticut. Verizon is licensed by the Federal Communication Commission (FCC) to operate wireless telecommunications services in the State of Connecticut. (Verizon 1, p. 4)
3. The party in this proceeding is the applicant. (Transcript 1 – 08/05/08, 3:27 p.m. [Tr. 1], p. 5)
4. The purpose of the proposed facility is to provide wireless service to Route 44 and local roads in northeast Putnam and southeast Thompson. (Verizon 1, pp. 1-2; Tab 7)
5. Pursuant to CGS § 16-50m, the Council, after giving due notice thereof, held a public hearing on August 5, 2008, beginning at 3:30 p.m. and continuing at 7:00 p.m. at the Putnam Middle School, 35 Wicker Street, Putnam, Connecticut. (Council's Hearing Notice dated June 27, 2008; Tr. 1, p. 2; Transcript 2 – 08/05/08, 7:00 p.m. [Tr. 2], p. 2)
6. The Council and its staff conducted an inspection of the proposed site on August 5, 2008, beginning at 2:00 p.m. The applicant flew a four-foot diameter balloon from 8:00 a.m. to 5:00 p.m. at the site to simulate the height of the proposed tower. The balloon reached the intended height of 150 feet above ground level (agl) during the field review. (Council's Hearing Notice dated June 27, 2008; Verizon 1, p. 2; Tr. 1, pp. 30-31)
7. Notice of the application was provided to all abutting property owners by certified mail. Public notice of the application was published in the Norwich Bulletin on May 12 and May 13, 2008. (Verizon 1, p. 5, Verizon 2)
8. A four-foot by six-foot sign describing the proposed project was installed on July 18, 2008 on the site property, adjacent to the access road entrance. (Verizon 6; Tr. 1, p. 30)
9. Pursuant to CGS § 16-50l(b), Verizon provided notice to all federal, state and local officials and agencies listed therein. (Verizon 1, p. 5, Tab 3)

### **State Agency Comment**

10. Pursuant to General Statutes § 16-50j (h), on June 27, 2008 and August 6, 2008, the following State agencies were solicited to submit written comments regarding the proposed facility: Department of Environmental Protection (DEP), Department of Public Health (DPH), Council on Environmental Quality (CEQ), Department of Public Utility Control (DPUC), Office of Policy and Management (OPM), Department of Economic and Community Development (DECD), and the Department of Transportation (DOT). The Department of Agriculture (DOAG) was solicited on August 6, 2008. (Record)
11. The Council received written responses from the DPH's Drinking Water Division on July 22, 2008, and the DOT's Bureau of Engineering and Highway Operations on July 28, 2008, both stating that they have no comment. (Record)
12. The CEQ provided a written response on July 28, 2008 expressing concern for the degradation of scenic values from Chase Road, a locally designated scenic road, the Quaddick Reservoir, and the Five Mile River valley, a Connecticut Greenway study area. (Record)
13. No response was received from the DOAG, DEP, DPUC, OPM, or DECD. (Record)

### **Municipal Consultation**

14. Verizon commenced the sixty-day municipal consultation process by meeting with the Mayor of Putnam, Robert Veins, on February 21, 2008. (Verizon 1, p. 18)
15. The Town of Thompson is approximately 1,060 feet north of the site and in accordance with CGS § 16-50l(b), Verizon provided a technical report to the First Selectman of the Town of Thompson, Lawrence Groh, Jr. on February 21, 2008. (Verizon 1, p. 18)

### **Public Need for Service**

16. In 1996, the United States Congress recognized a nationwide need for high quality wireless telecommunications services, including cellular telephone service. Through the Federal Telecommunications Act of 1996, Congress seeks to promote competition, encourage technical innovations, and foster lower prices for telecommunications services. (Council Administrative Notice Item No. 7)
17. 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. Verizon holds an FCC license to provide cellular and PCS services to Windham County. (Council Administrative Notice Item No. 7; Verizon 1, p. 7)
18. The Telecommunications Act of 1996 prohibits local and state entities from discriminating among providers of functionally equivalent services. (Council Administrative Notice Item No. 7)

19. The Telecommunications Act of 1996, a Federal law passed by the United States Congress, 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 Item No. 7)

#### Site Selection

20. Verizon established a search area for the site in April of 2007 that focused on the Elmwood Hill and Torry Hill areas of Putnam. (Verizon 1, Tab 9)
21. The nearest existing tower facilities to the proposed site are an SBA tower at 154 Sayle Road in Putnam and an American Tower Corporation tower at 1375 North Road in Killingly, both approximately four miles from the proposed site. Verizon is located on both of these towers and coverage from them does not serve the target service area. (Verizon 1, Tab 7, Tab 9)
22. No structures within the search area are suitable to provide coverage to the target service area. Transmission line poles (345 kV) northwest of the site were not considered since the poles would have to be replaced with taller structures, requiring a shutdown of the regional electric transmission system. Additional power outages would be required for maintenance or upgrades to the pole mounted-antennas. (Verizon 1, Tab 9; Tr. 1, pp. 41-42, 50)
23. After determining there were no viable structures within the search area, Verizon searched for properties suitable for tower development. Verizon investigated six parcels and selected one for tower development. The five rejected parcels and reasons for their rejection are as follows:
  - a) 214 Elmwood Hill Road, Putnam – would require a 190-foot facility to achieve coverage objectives;
  - b) 123 Elmwood Hill Road, Putnam – would require a 190-foot facility to achieve coverage objectives;
  - c) 189 Elmwood Hill Road, Putnam – owner did not respond to inquiries;
  - d) 203 Elmwood Hill Road, Putnam – owner did not respond to inquiries; and,
  - e) 309 East Putnam Road, Putnam – presence of wetlands, difficult terrain, and low ground elevation.(Verizon 1, Tab 9)
24. At the public hearing on August 5, 2008, an additional tower site was suggested at the Rawson Materials property, south of Munyan Road and west of the Munyan Road, East Putnam Road intersection. The property is 244 feet lower than the proposed 165 Elmwood Hill Road site. Due to the low elevation, a 199-foot tower would be required to achieve comparable coverage to that of the proposed site. (Verizon late file, August 14, 2008; Tr. 2, pp. 18-20)

#### Site Description

25. The proposed facility is located on a 22.1-acre parcel owned by Lois Pray at 165 Elmwood Hill Road in Putnam. (Verizon 1, p. 2, Tab 1)
26. The property contains a single-family residence fronting Elmwood Hill Road. The remaining portion of the property is wooded. Evidence of past logging is present. (Verizon 1, Tab 1; Tr. 1, pp. 35-36)

27. The parcel is zoned Agricultural, AG-2. (Verizon 1, p. 2)
28. The site parcel is located on the south side of Elmwood Hill Road. The tower site is near the summit of Elmwood Hill, approximately 0.8 miles north of Route 44, at an elevation of 644 feet above mean sea level. (Verizon 1, Tab 1, Tab 10)
29. Verizon proposes to construct a 150-foot monopole at the site. It would be designed to support four levels of antennas with a 10-foot center-to-center vertical separation. (Verizon 1, Tab 1)
30. Verizon proposes to install 12 panel antennas on a platform at a centerline height of 147 feet agl. (Verizon 1, p. 2)
31. Verizon proposes to construct a 50-foot by 50-foot equipment compound within a 100-foot by 100-foot lease area at the base of the tower. An eight-foot high chain link fence topped with barbed wire would enclose the compound. (Verizon 1, Tab 1)
32. Verizon proposes to install a 12-foot by 30-foot equipment shelter containing radio equipment and a diesel generator within the compound. (Verizon 1, Tab 1)
33. Access to the site would be from a 12-foot wide, 1,195-foot long gravel drive extending from Elmwood Hill Road. Approximately 940 feet of the road would follow an existing logging road on the property. (Verizon 1, Tab 1)
34. Development of the site would require approximately 700 cubic yards of cut and 660 cubic yards of fill. (Verizon 4, Q. 4)
35. Utility service to the compound would be installed underground, alongside the access drive, from a proposed utility pole on Elmwood Hill Road. (Verizon 5; Tr. 1, p. 36)
36. The road would follow the existing grade that is gently sloping for most of its length except for one 85-foot section that would have a grade of almost 20%. (Tr. 1, pp. 22-23)
37. Road drainage features include four cross drainage swales and associated level spreaders. (Verizon 1, Tab 1, Verizon 5)
38. The nearest abutting property from the tower site is approximately 161 feet to the south, owned by Susan B. Lowe (refer to Figure 1). (Verizon 1, Tab 1)
39. The nearest residence to the proposed tower site is approximately 510 feet to the northeast, owned by Sara and Norman Seney, Jr. (Verizon 1, p. 13, Tab 1)
40. There are three residences within 1,000 feet of the tower site. (Verizon 1, p. 13)
41. The tower would not conform to the Town's zoning regulations, which require a setback of 120% of the tower height from the nearest property line, or 180 feet in this case. The tower is 161 feet from the nearest property line. Verizon would be willing to shift the tower site 20 feet to the north but this relocation would decrease the distance of the tower to the abutting Seney, Jr. residence from 510 feet to 490 feet. (Verizon 1, pp. 16-17, Tab 1; Tr. 1, pp. 23-24, 43-44)
42. Land use within a quarter-mile of the site consists of undeveloped land and low density residential. (Verizon 1, Tab 1)

43. The estimated construction cost of the facility is:

Cell site radio equipment	450,000.
Tower, coax, and antenna	150,000.
Utilities	20,000.
Equipment building	50,000.
<u>Site preparation, facility installation</u>	<u>95,000.</u>
Total estimated cost	\$765,000.

(Verizon 1, p. 20)

### **Environmental Concerns**

44. The proposed facility would have no effect on historic, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places. (Verizon 1, p. 15, tab 11)
45. The Narragansett Tribe reviewed the proposed project and identified several potential archaeologically sensitive areas on the site parcel. The tribe requested that these potential areas be avoided. The compound access road was shifted slightly to accommodate this request. (Verizon 5; Tr. 1, pp. 24-25; Tr. 2, pp. 16-17)
46. The proposed site contains no known existing populations of federal or state endangered or threatened species or state special concern species. (Verizon 1, p. 14, Tab 11)
47. Approximately 127 trees with a diameter of six inches or greater at breast height would be removed to develop the site. (Tr. 1, p. 22)
48. No wetlands or watercourses would be directly impacted by site construction. The nearest wetland to any construction area is approximately 100 feet west of the proposed access drive. (Verizon 1, p. 17, Tab 12; Tr. 1, p. 54)
49. The tower would not require aircraft hazard obstruction marking or lighting. The nearest landing facility to the tower is a private landing on Quaddick Reservoir for seaplane use, approximately 1.7 miles northwest of the site. Although the site could have a possible impact to this landing facility, no marking and/or lighting is required. (Verizon 1, p. 19, Tab 13; Verizon 4, Q. 8)
50. The cumulative maximum power density from the radio frequency emissions of the proposed Verizon antennas is calculated to be 17.3 % of the standard for Maximum Permissible Exposure, as adopted by the FCC, at the base of the proposed tower. This calculation was based on 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. (Verizon 4, Q. 7; Tr. 1, p. 13)

### **Visibility**

51. A tree canopy height of 65 feet agl was used to generate a visibility model of the proposed site. (Verizon 1, Tab 10)
52. The proposed tower would be visible year-round above the tree canopy from approximately 69 acres within a two-mile radius of the site (refer to Figure 2). The tower would be seasonally visible from an additional 4 acres. (Verizon 1, Tab 10; Tr. 1, pp. 9-13)

53. Approximately 38 acres of year-round visibility would occur from open water of the Quaddick Reservoir, located 1.25 miles to the northwest. The reservoir contains 335 acres of surface water. Its shoreline is developed with residences and a state park. (Verizon 1, Tab 10; Verizon late file, August 14, 2008; Tr. 1, pp. 9-13)
54. Visibility from the reservoir would be confined to the open water of the southwest section of the lower pond area, and along shoreline at the base of Quaddick Mountain. (Verizon late file, August 14, 2008)
55. Twelve seasonal residences, with their porches and windows facing east, are located along the west shoreline of the reservoir, at the base of Quaddick Mountain, approximately 1.5 miles from the proposed tower. Three of these homes would have year-round views of the upper 40 to 70 feet of the facility if the viewer was facing the south/southeast. (Verizon late file, August 14, 2008)
56. The tower would not be visible from Quaddick State Park or the associated boat launch, located on the east shore of the reservoir, approximately 1.7 miles northeast of the site. (Verizon 1, Tab 10; Tr. 1, pp. 44-46)
57. The upper 80 feet of the proposed tower would be visible year-round from six residential properties on Hill Road, near the junction with Chase Road, approximately 1.7 miles to the northwest. An additional residential property in this area would have a seasonal view of the facility. (Verizon 1, Tab 10; Tr. 1, pp. 19-21)
58. The tower would not be visible from Chase Road, a locally designated scenic road in the Town of Thompson, approximately 1.8 miles northwest of the site. Chase Road is not a state designated scenic road. (Council Administrative Notice Item 15; Verizon 1, Tab 10; Tr. 1, pp. 16-18)
59. The proposed tower would be seasonally visible to the abutting residence at 171 Elmwood Hill Road, approximately 510 feet to the northeast. If the tower site was moved 20 feet to conform to the towns zoning regulations, the tower would be 490 feet from this residence. (Verizon 1, Tab 1; Tr. 1, pp. 20-24, 43-44)
60. The proposed tower would not be visible year-round or seasonally to residences in the area of 75 and 95 Elmwood Hill Road due to favorable topography and dense woodland in the area. (Tr. 2, pp. 15-16)
61. Projected visibility from area roads include:
  - a) East Putnam Road, approximately 0.7 miles east of the site, year-round views of the upper 30 feet for a tenth of a mile;
  - b) Munyan Road, approximately 0.9 miles east of the site, year-round spot view of the upper 70 feet;
  - c) Hill Road, Thompson, approximately 1.7 miles northeast of site, year-round views of the upper 80 feet for a tenth of a mile;
  - d) Elmwood Hill Road, adjacent to the site, seasonal views for a tenth of a mile.(Verizon 1, Tab 10)
62. The tower would not be visible from any hiking trails maintained by the DEP or the Connecticut Forest and Parks Association. (Verizon 1, Tab 10)

63. The tower would not be visible from the Peck Pond Recreation Area within the Pulaski Memorial State Forest in Rhode Island. The recreation area is approximately 0.8 miles northeast of the site. (Verizon 1, Tab 10)
64. The Town of Thompson received a state grant to study its portion of the Five Mile River as a possible Connecticut Greenway. The tower, approximately 1.4 miles east of the river, may be visible from several sections of the river in Thompson and Putnam. (CEQ comments of July 23, 2008; Tr. 1, pp. 18-19)
65. The tower would not be suitable for a stealth tree application since year round views are primarily distant views where the tower extends considerably above the tree line. A tree tower would have a much wider profile on the horizon than a regular monopole. (Tr. 1, pp. 46-48)

#### **Verizon - Existing and Proposed Wireless Coverage**

66. Verizon proposes to operate 800 MHz (cellular) and 1900 MHz (PCS) equipment at this site. Verizon is designing the site using a signal level threshold of -85 dBm for in-vehicle coverage and -75 dBm for in-building coverage. (Verizon 1, pp. 1-2; Verizon 4, Q. 5)
67. Verizon currently has no reliable, continuous cellular or PCS coverage on Route 44 east of Putnam center (refer to Figures 3 & 4). Although limited cellular coverage from Verizon's "Putnam" and "Killingly" facilities extends along portions of Route 44, existing coverage gaps totaling 1.25 miles would remain. Reliable PCS coverage on Route 44 east of Putnam center is nonexistent. (Verizon 1, pp. 1-2, Tab 7)
68. The proposed site would provide continuous cellular coverage and approximately 2.5 miles of PCS coverage on Route 44 east of Putnam (refer to Figures 5 & 6). (Verizon 1, pp. 1-2, Tab 7)
69. Reducing the antenna height to 130 feet would cause a degradation of cellular coverage on Route 44 in two areas: at the intersection of Route 44 and Hill Road (less than a tenth of a mile) near the Rhode Island border (less than a tenth of a mile). PCS coverage would be reduced at the periphery of the coverage footprint and for a quarter-mile section of Route 44 near the Rhode Island border. (Verizon 4, Q. 9; Tr. 1, pp. 26-27)
70. Verizon uses the PCS frequencies for both voice and data traffic. The cellular frequencies operate as a voice-only network. The PCS frequencies provide capacity offload for the cellular frequencies as demand necessitates. (Verizon 1, Q. 10)
71. Verizon owns the A-band cellular license in Connecticut and the B-band cellular license in Rhode Island whereas AT&T owns the A-band cellular license in Rhode Island, and the B-band cellular license in Connecticut. To prevent interference issues between each other's coverage close to the Connecticut-Rhode Island border, Verizon and AT&T each limit their cellular wireless service to one-half of their respective licensed cellular frequencies. This limitation means that during periods of heavy demand Verizon's PCS network would have to handle more traffic off-loaded from its cellular network: thus, the reliability of Verizon's PCS coverage along the Connecticut-Rhode Island border is of special concern. (Verizon 4, Q. 10; Tr. 1, pp. 27-31)



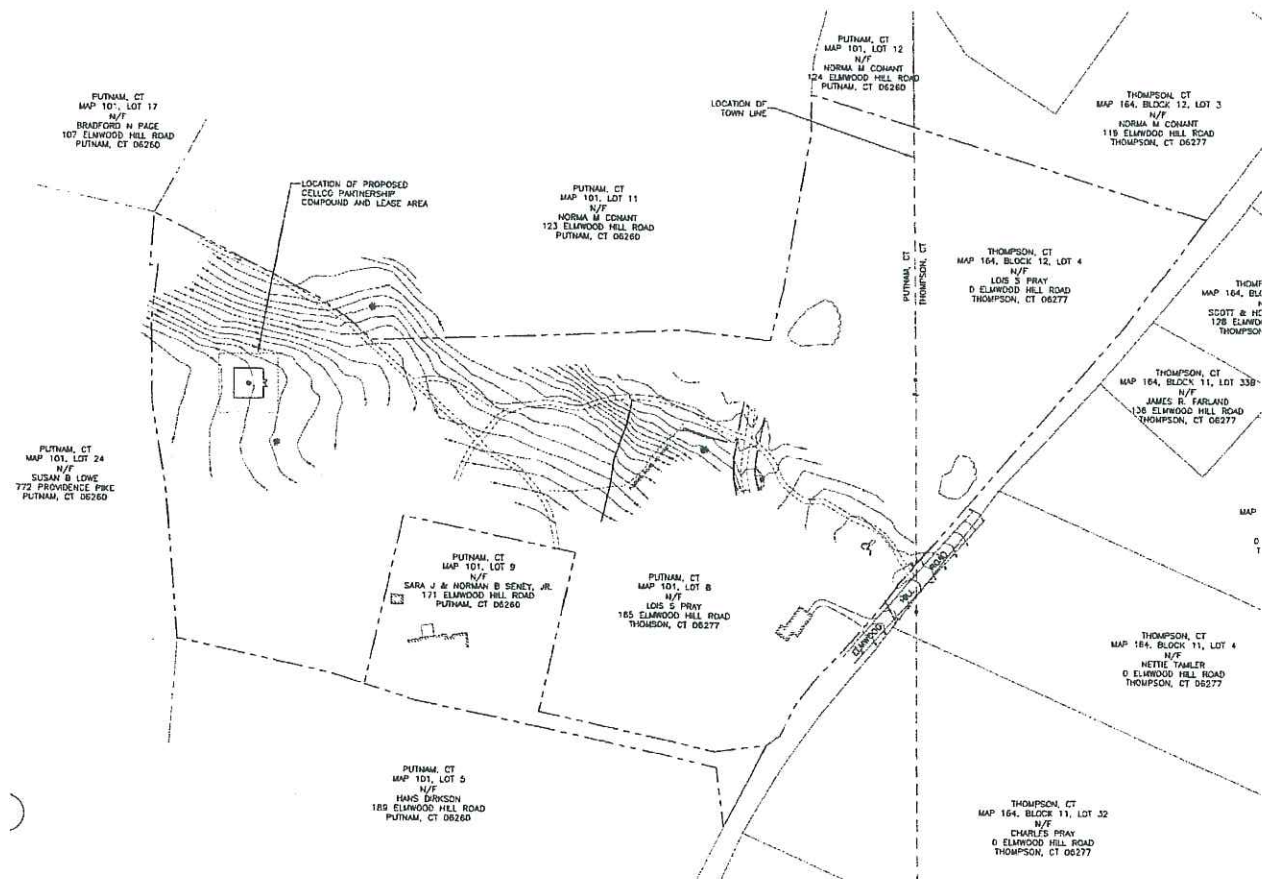
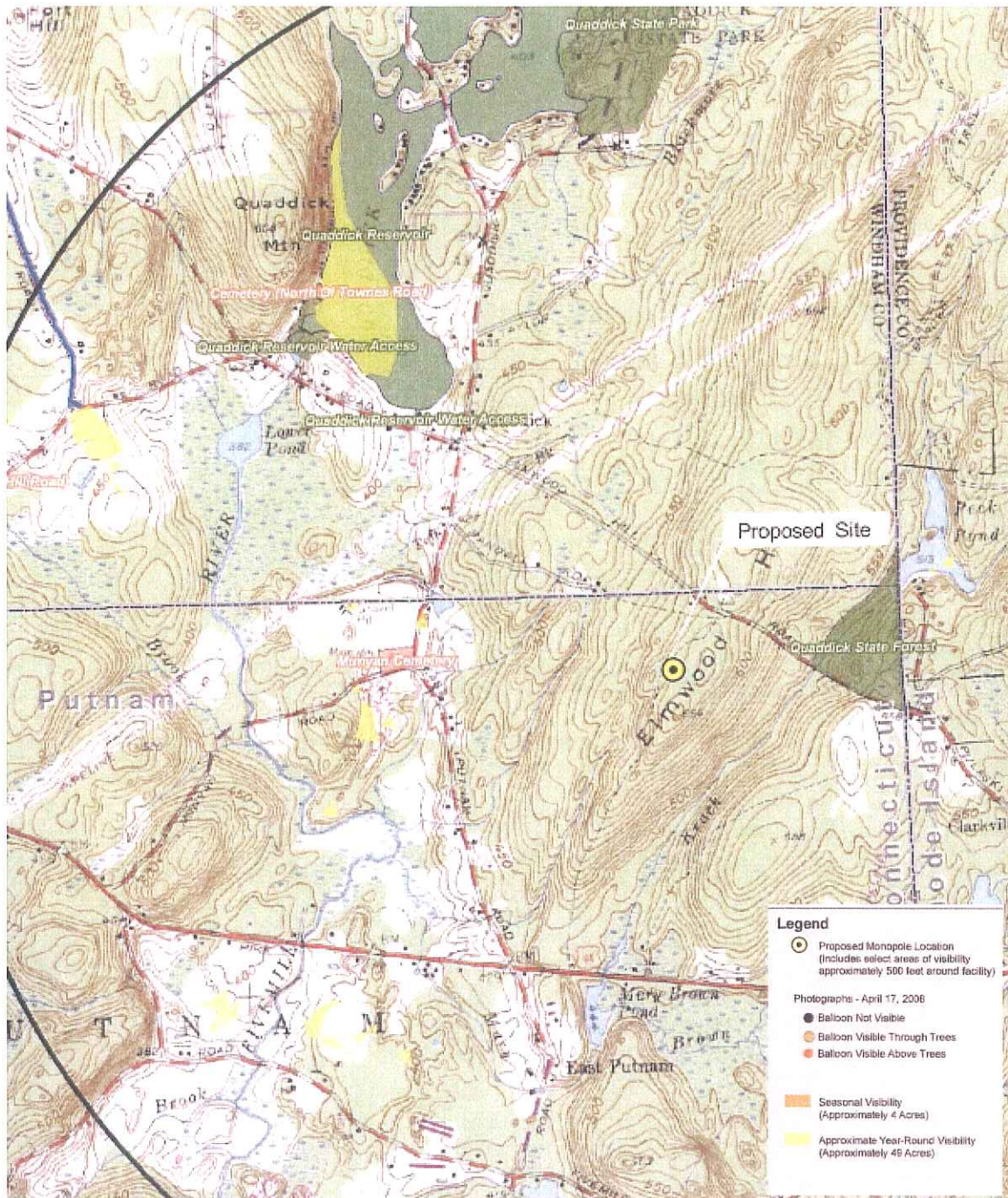


Figure 1 – Location of site, 165 Elmwood Hill Road, Putnam. (Verizon 1, Tab 1)



**Figure 2 –** Visibility of proposed site.  
(Verizon 1, Bulk File D, Tab 10; Verizon late file, August 14, 2008)

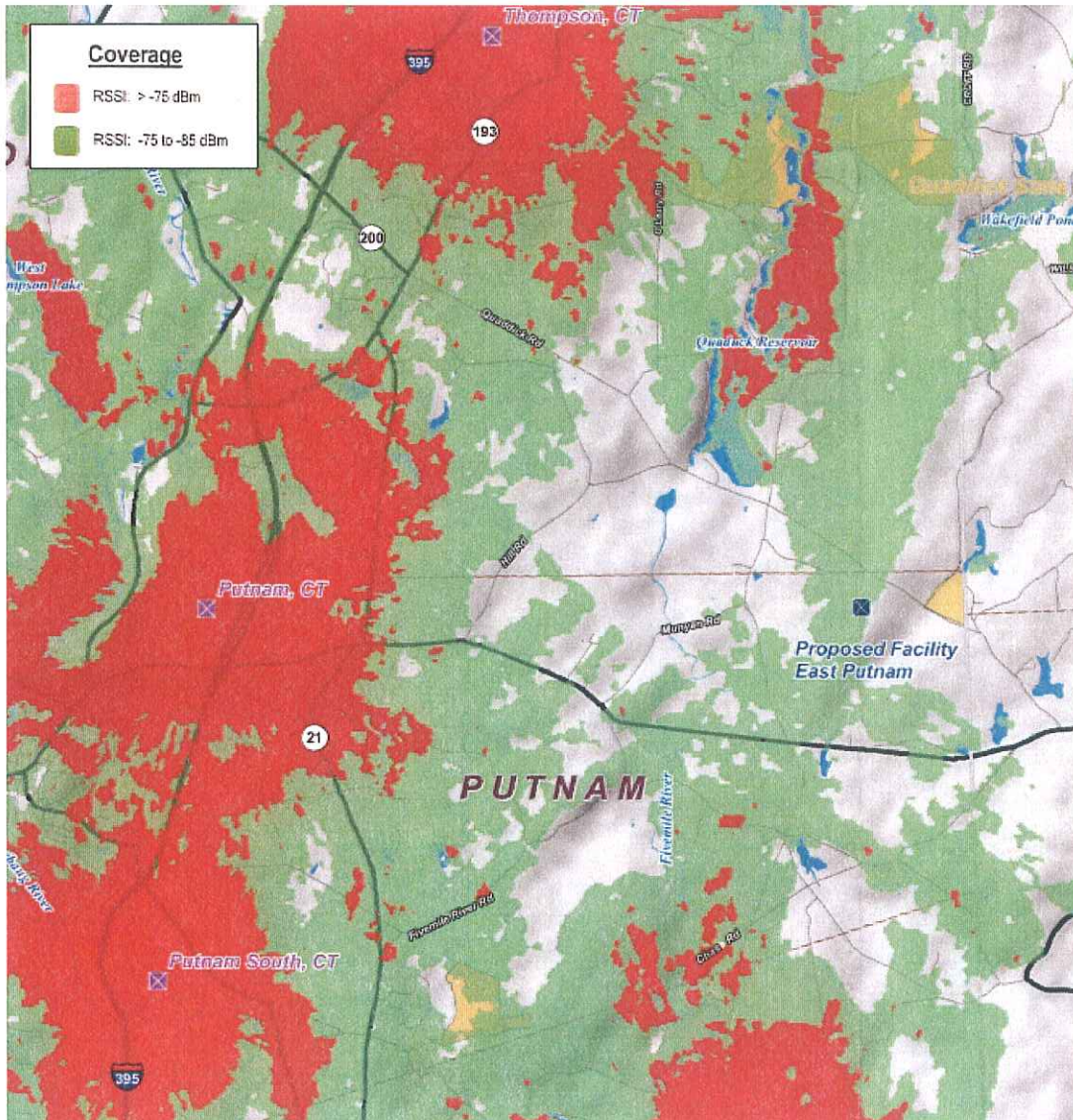


Figure 3 - Existing Verizon Cellular Coverage (Verizon 1, Tab 7)

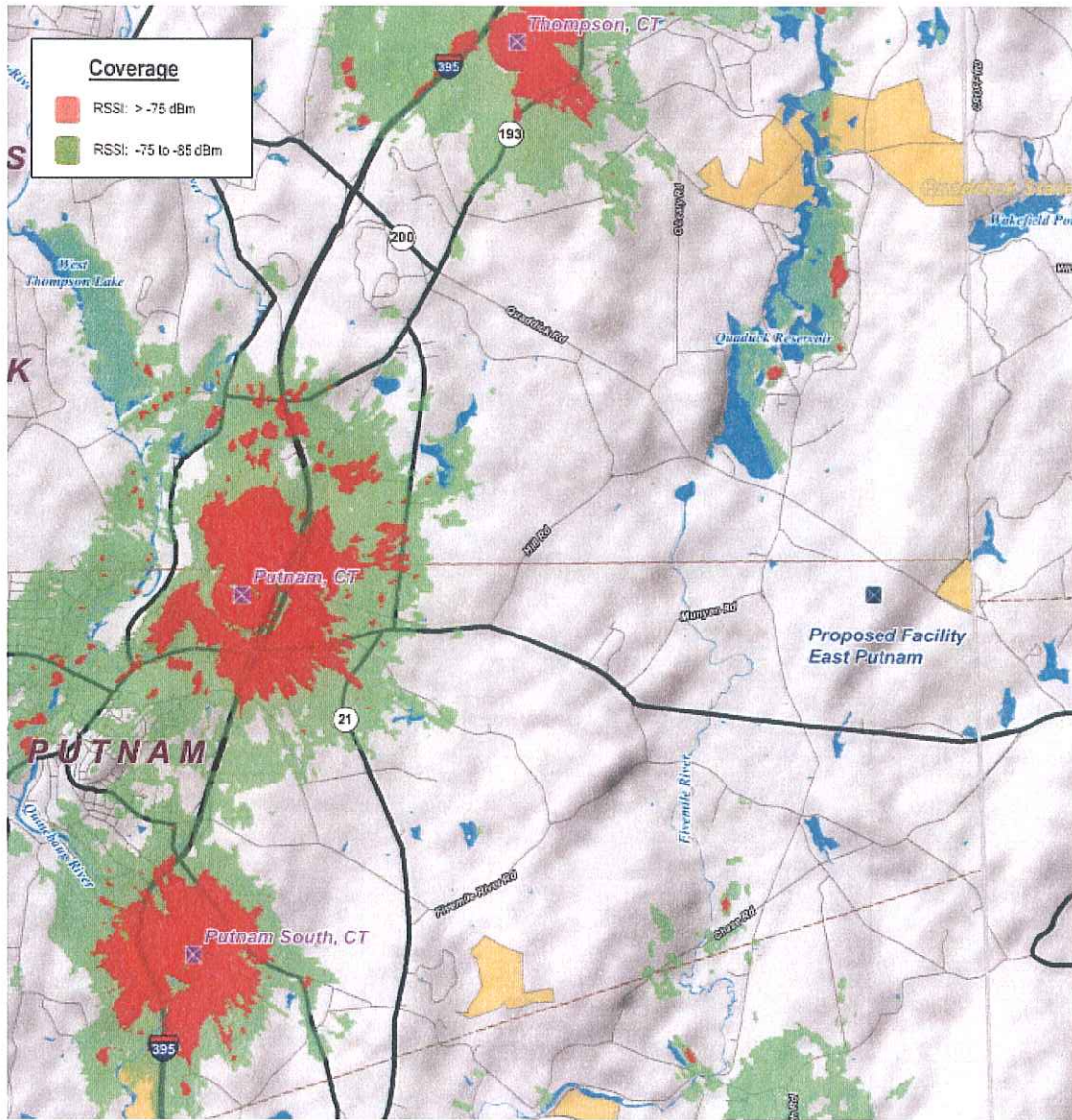


Figure 4 – Existing Verizon PCS coverage. (Verizon 1, Tab 7)

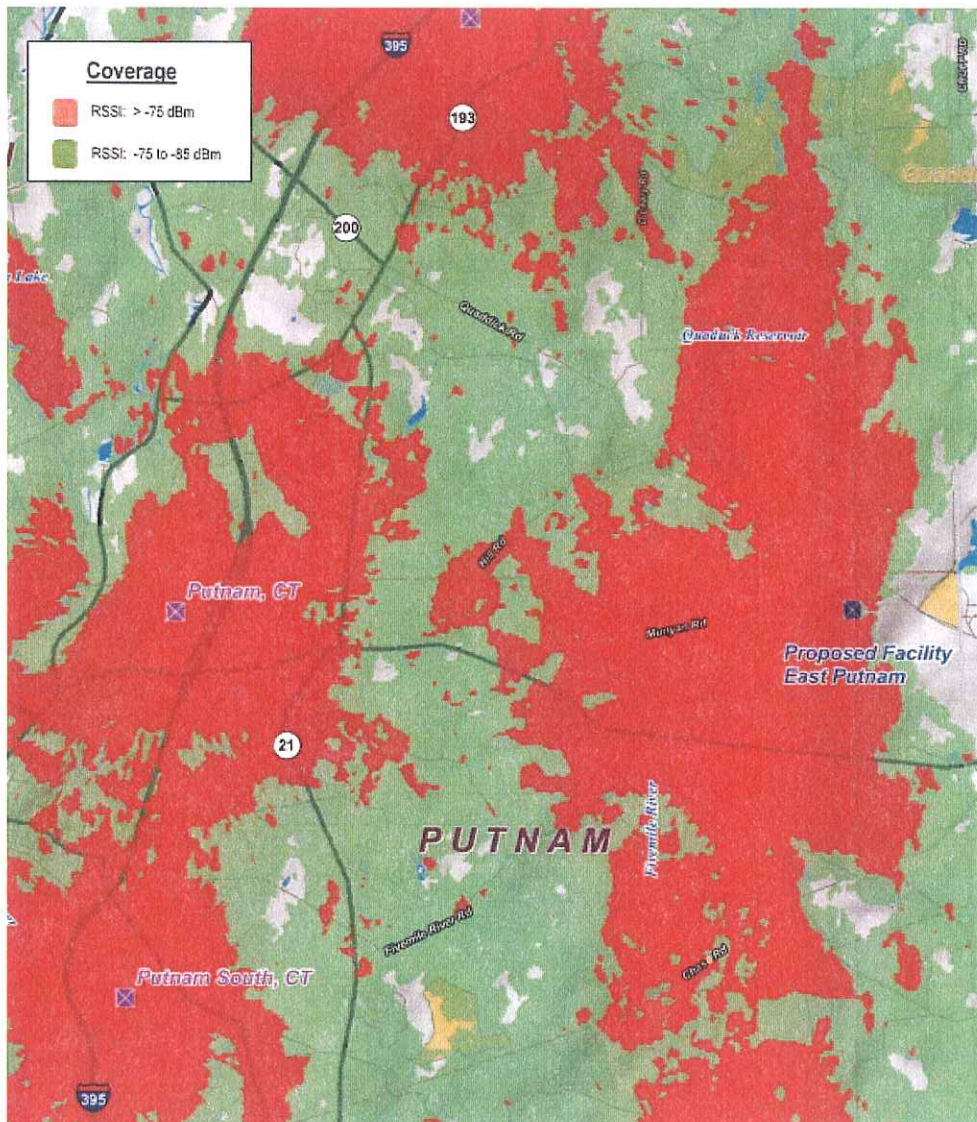


Figure 5 – Proposed Verizon cellular coverage at 147 feet. (Verizon 1, Tab 7)

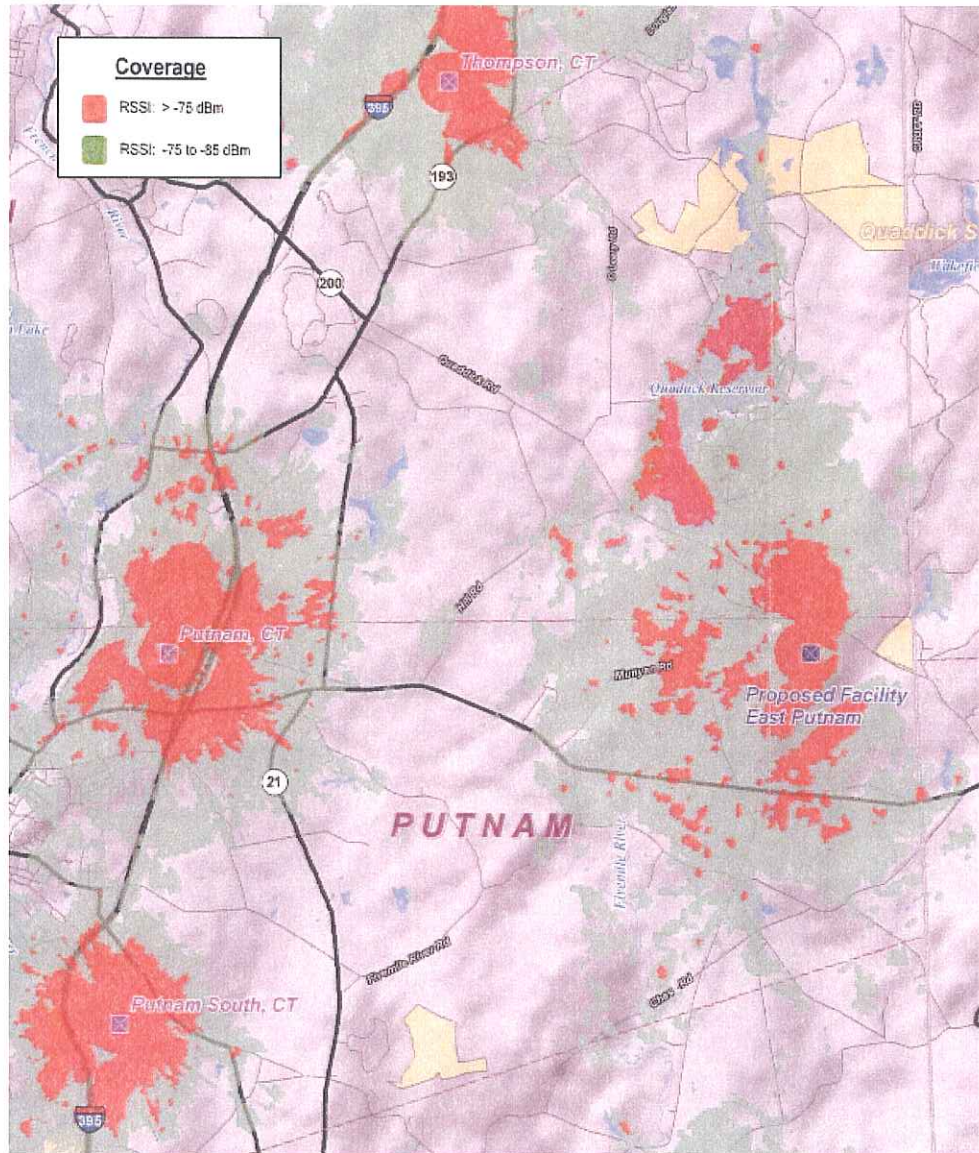


Figure 6 – Proposed Verizon PCS coverage at 147 feet. (Verizon 1, Tab 7)

DOCKET NO. 362 - Cellco Partnership d/b/a Verizon Wireless } Connecticut  
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### Opinion

On April 10, 2008, Cellco Partnership d/b/a Verizon Wireless (Verizon) 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 165 Elmwood Hill Road in Putnam, Connecticut. The proposed facility would provide Verizon with wireless service to Route 44 and local roads in eastern sections of Putnam and Thompson.

Verizon proposes to construct a 150-foot monopole and an associated compound on a 22-acre parcel owned by Lois Pray at 165 Elmwood Hill Road in Putnam. The site parcel is located on the south side of Elmwood Hill Road with the tower site near the summit of Elmwood Hill, approximately 0.8 miles north of Route 44. The parcel contains a residence that fronts Elmwood Hill Road. The remaining portion of the property is heavily wooded with evidence of previous logging activities.

Land use within a quarter-mile of the site consists of undeveloped land and low density residential with the nearest residence approximately 510 feet northeast of the tower site. The nearest property line is 161 feet to the south of the tower location. Although the tower radius would be contained within the site parcel, the town's regulations specify a property line setback of 180 feet. Although it is possible to shift the tower 20 feet to conform to this setback requirement, moving the tower would decrease the tower distance to the nearest residence.

Access to the site would be from a 12-foot wide, 1,195-foot long gravel drive extending southerly from Elmwood Hill Road. Approximately 940 feet of the road would follow an existing logging road on the property. Most of the road is relatively level, following existing grades, except for one 85-foot section that climbs a low ridge at a grade of 20%. Drainage features to control erosion consist of drainage swales and associated level spreaders to disperse runoff.

Verizon proposes to install antennas on a platform at a centerline height of 147 feet. The total height of the facility, with antennas, would be 150 feet. Verizon would construct a 55-foot by 50-foot equipment compound at the base of the tower.

Verizon proposes to operate 800 MHz (cellular) and 1900 MHz (PCS) equipment at this site. Verizon currently has no reliable, continuous cellular or PCS coverage on Route 44 east of Putnam center. The proposed site provides continuous cellular coverage and approximately 2.5 miles of PCS coverage on Route 44 east of Putnam. An examination of coverage models indicates a tower height at 130 feet would degrade both cellular and PCS coverage on Route 44 near the Rhode Island border.

Based on the lack of suitable existing structures and gaps in Verizon's existing PCS and cellular coverage, the Council finds a need for a new tower. As to the height, the Council finds a 150-foot facility would provide Verizon sufficient coverage to the target service area while allowing space for other telecommunication providers that may wish to locate on the tower in the future, including town municipal emergency service communication antennas, provided such antennas are compatible with the structural integrity of the tower.

The proposed facility would have no effect on historic, architectural, or archaeological resources listed on or eligible for the National Register of Historic Places. At the request of the Narragansett Tribe, the compound access road was shifted slightly to avoid potential archaeologically sensitive areas. Development of the site would not affect any wetlands or watercourses or have any effect on any federal or state endangered or threatened species or state special concern species.

Development of the site would require the clearing of 127 trees with a diameter of six inches or greater at breast height. Minimizing the amount of clearing is not possible due to the heavily wooded nature of the property and that the tower location is towards the rear of the parcel; however, Verizon is planning to follow portions of an existing logging road to the greatest extent possible. Moving the tower closer to the road to reduce clearing could increase visibility from Elmwood Hill Road and would offer less of a vegetative buffer to neighboring residences.

Views of the tower from residential areas are relatively minor. Near-range views would be seasonal from one abutting residence and from Elmwood Hill Road near the access road entrance. Residences further west and down slope on Elmwood Hill Road would not have seasonal or year-round views due to favorable topography and the wooded nature of the area. Areas with year-round visibility include a residential area on Hill Road, 1.7 miles to the west, and a developed shoreline area of Quaddick Reservoir, 1.5 miles to the northwest where three cottages would have views of the upper portion of the tower. These far range views are at a distance where the tower would not dominate the landscape.

Views from scenic and recreational areas include open water of the Quaddick Reservoir, approximately 1.25 miles to the northwest and the Five Mile River, a Connecticut Greenway study area, approximately 1.4 miles west of the site. The Five Mile River is a remote, narrow meandering river that generally flows in a north to south direction. The tower may be visible from portions of the study area if the viewer was facing east. Most views from the river would be blocked by intervening woodland. The tower would not be visible from Chase Road, a locally designated scenic road in the Town of Thompson or any hiking trails maintained by the DEP or the Connecticut Forest and Parks Association.

The Quaddick Reservoir is a 338-acre water body divided into two areas, the upper pond and lower pond, both of which are partially developed with residences. Most of the development occurs on the east and south shore of the reservoir. Quaddick State Park and an associated boat launch are present on the east shore of the upper pond. Visibility of the tower from the reservoir would be confined to 38-acres of open water on the lower pond, including a developed section of the west shoreline. Although roughly a third of the lower pond would have year-round views, views are distant and not considered significant given that other tall structures are visible including several electric transmission towers and two radio towers. The proposed tower would not be visible from the upper pond area, state park, or the boat launch area.

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 Verizon's antennas proposed to be installed on the tower have been calculated to amount to 17 % 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 the proposed site, 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 150-foot monopole telecommunications facility at 165 Elmwood Hill Road in Putnam, Connecticut.

<p><b>DOCKET NO. 362</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 located at 165 Elmwood Hill Road, Putnam, Connecticut.</p>	<p>} } }</p>	<p>Connecticut  Siting  Council  September 25, 2008</p>
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**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, hereinafter referred to as the Certificate Holder, for a telecommunications facility at 165 Elmwood Hill Road, Putnam, 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 Verizon Wireless and other entities, both public and private, but such tower shall not exceed a height of 150 feet above ground level. The height at the top of the antennas shall not exceed 150 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 Putnam 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 Putnam 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 Putnam. 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 Putnam Town Crier and the Norwich Bulletin.

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

**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. 362** - 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 located at 165 Elmwood Hill Road, Putnam, Connecticut, and voted as follows to approve the proposed site:

**Council Members**

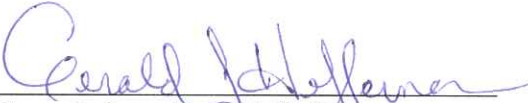
**Vote Cast**

  
\_\_\_\_\_  
Daniel F. Caruso, Chairman

Yes

  
\_\_\_\_\_  
Colin C. Tait, Vice Chairman


Yes

  
\_\_\_\_\_  
Commissioner Donald W. Downes  
Designee: Gerald J. Hefferhan

Yes

  
\_\_\_\_\_  
Commissioner Gina McCarthy  
Designee: Brian Golembiewski


Yes

  
\_\_\_\_\_  
Philip T. Ashton

Yes

  
\_\_\_\_\_  
Daniel P. Lynch, Jr.

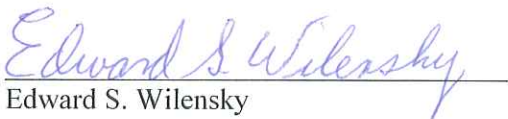
Yes

  
\_\_\_\_\_  
James J. Murphy, Jr.

Yes

  
\_\_\_\_\_  
Dr. Barbara Currier Bell

Yes

  
\_\_\_\_\_  
Edward S. Wilensky

Yes

Dated at New Britain, Connecticut, September 25, 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.

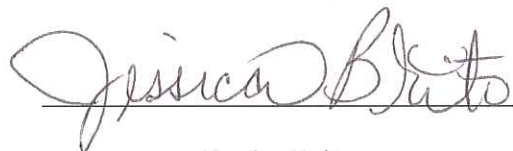
**ATTEST:**



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. 362 has been forwarded by Certified First Class Return Receipt Requested mail on September 29, 2008, to all parties and intervenors of record as listed on the attached service list, dated May 15, 2008.

**ATTEST:**



Jessica Brito  
Office Assistant  
Connecticut Siting Council

**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



Daniel F. Caruso  
Chairman

# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: [siting.council@ct.gov](mailto:siting.council@ct.gov)

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

September 29, 2008

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

RE: **DOCKET NO. 362** - 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 located at 165 Elmwood Hill Road, Putnam, Connecticut.

Dear Attorney Baldwin:

By its Decision and Order dated September 25, 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 located at 165 Elmwood Hill Road, Putnam, Connecticut.

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

Very truly yours,



S. Derek Phelps  
Executive Director

SDP/RDM/jb

Enclosures (4)

c: Sandy Carter, Regulatory Manager, Verizon Wireless





Daniel F. Caruso  
Chairman

# STATE OF CONNECTICUT

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**CERTIFICATE  
OF  
ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED  
DOCKET NO. 362**

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 located at 165 Elmwood Hill Road, Putnam, 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 September 25, 2008.

By order of the Council,

Daniel F. Caruso, Chairman

September 25, 2008



Daniel F. Caruso  
Chairman

# STATE OF CONNECTICUT

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

September 29, 2008

TO: Classified/Legal Supervisor

**362080627**

Putnam Town Crier

158 Main Street

Putnam, CT 06260

Classified/Legal Supervisor

**362080627**

Norwich Bulletin

66 Franklin Street

Norwich, CT 06360

FROM: Jessica Brito, Office Assistant 

RE: **DOCKET NO. 362** - 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 located at 165 Elmwood Hill Road, Putnam, 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.

JB



*Daniel F. Caruso*  
*Chairman*

# STATE OF CONNECTICUT

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

### NOTICE

Pursuant to General Statutes § 16-50p (d), the Connecticut Siting Council (Council) announces that, on September 25, 2008, the Council issued Findings of Fact, an Opinion, and a Decision and Order approving an application from Cellco 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 located at 165 Elmwood Hill Road, Putnam, Connecticut.

This application record is available for public inspection in the Council's office, Ten Franklin Square, New Britain, Connecticut.